

18<sup>th</sup> April 2013

**Agenda Item: 5**

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

**STRATEGIC PLANNING OBSERVATIONS ON A MIXED USE  
DEVELOPMENT AT THE FORMER STANTON IRONWORKS, STANTON BY  
DALE**

**Purpose of the Report**

1. To seek Committee approval for comments set out in this report to be sent to Erewash Borough Council (EBC) in response to the request for strategic planning observations on the above planning application for a mixed use development at the former Stanton Ironworks Site, Stanton By Dale.

**Information and Advice**

2. Erewash Borough Council received an outline planning application from Saint Gobain PAM UK Ltd on the 7<sup>th</sup> February 2013 for the redevelopment of the former Stanton Ironworks site. The proposed scheme is for a major mixed-use development to include 1,950 residential units, a neighbourhood centre and employment uses. A site plan is provided at Appendix 1.
3. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Erewash Borough Council in their role as determining planning authority for this application.
4. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.

***Description of the Proposal***

5. The proposed development would consist of a mixed use neighbourhood centre and comprise the following built elements:
  - 1,950 residential dwellings;
  - 150 bed accommodation for the elderly;

- Up to 20,000m<sup>2</sup> B1 Employment Uses;
  - Up to 50,000m<sup>2</sup> B2 & B8 Employment Uses;
  - Up to 2,787m<sup>2</sup> (gross) A1 food retail;
  - Up to 1,275m<sup>2</sup> (gross) A1 non-food retail;
  - Up to 1,672m<sup>2</sup> (gross) A3/4/5 Uses;
  - One 420 pupil Primary School;
  - GP/Health Centre;
  - Up to 30ha of formal and informal Open Space and allotments;
  - Community Plaza; and
  - Associated infrastructure, landscaping and car parking.
6. It should be noted that alongside this planning application the applicants submitted a separate planning application to Derbyshire County Council, for the retention and restoration of the former Grove Farm Tip (Ref: CW8/112/94).

### ***Planning Policy Context***

#### *National Planning Policy Framework (NPPF)*

7. One of the core principles of the National Planning Policy Framework (NPPF) is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met. The NPPF looks to boost significantly the supply of housing. The principles and policies contained in the NPPF also recognise the value of and the need to protect and enhance the natural, built and historic environment, biodiversity and also include the need to adapt to climate change.
8. A key aspect of the NPPF is that it includes a presumption in favour of sustainable development which means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.
9. The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. The weight given to these policies will be very dependant on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
10. The Government is committed to securing economic growth, with the planning system encouraging sustainable growth, as set out in paragraphs 18 and 19 of the NPPF.
11. With regards to the provision of new retail uses, the NPPF identifies a hierarchy for the location of main town centre uses which refers to; town centres first, then edge of centre locations and only to be located in out of centres locations if there are no suitable sites available. There is also a preference for accessible sites that are well connected with regards to those applications for edge and out of centre locations.

12. Where main town centre uses are proposed outside of an existing centre and not in accordance with an up to date Local Plan, a sequential test would be applied to the development, as set out in paragraph 24 of the NPPF. This sequential assessment would need to demonstrate that there are no suitable sites within a main town centre or in an edge of centre location, to justify an out of centre site. The NPPF does recognise that larger residential development sites may need to make provision for their own local shops and employment areas.
13. Paragraphs 47 and 49 of the NPPF state that local planning authorities should identify sufficient deliverable housing sites to provide five years worth of housing against their housing requirement with an additional buffer of either 5% (to ensure choice and competition) or 20% (where there has been a record of persistent under delivery) and that,

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

#### East Midlands Regional Plan (RS)

14. On the 6<sup>th</sup> July 2010 the Secretary of State announced the revocation of Regional Strategies. On the 20<sup>th</sup> March 2013 the Secretary of State laid in Parliament a statutory instrument to revoke the Regional Strategy for the East Midlands. This came into force on 12<sup>th</sup> April 2013 as such the East Midlands Regional Plan no longer forms part of the Development Plan.

#### Erewash Local Plan

15. The Erewash Borough Local Plan was adopted in July 2005. Key policies of the Local Plan were saved and now form the Saved Policies Document (July 2008) which provides policy guidance from July 2008.
16. The Application Site is currently allocated for *‘industrial and business development’* in the adopted Erewash Local Plan. Policy E2 deals with proposals bringing forward alternative development on sites of existing employment uses. It identifies 4 policy tests where proposals for alternative development would need to demonstrate the following:
1. *The proposal will not prejudice the development potential of land identified for industrial and business purposes;*
  2. *The proposal will not result in redevelopment for retail purposes, unless all relevant criteria in proposals S1, S2 and S3 are met;*
  3. *It can be demonstrated that an alternative use would result in the substantial relief of any serious environmental problems associated with the existing use of*

*the site;*

*4. In respect of vacant sites, it can be demonstrated that the premises are no longer capable of providing an acceptable standard of accommodation for industrial or business purposes.'*

17. The regeneration of Stanton Ironworks is supported under Policy E4 of the Saved Policies of the Erewash Local Plan, which seeks to retain employment generating uses (Class B1, B2 and B8) and also improve infrastructure, landscaping, accessibility and high quality design and energy efficiency.

18. The provision of mixed use development is also supported through Policy E6, subject to the Erewash Borough Council being satisfied that the uses proposed are compatible with regard to noise, hours of work, accessibility parking, emission of fumes, smell or dust, vibration and other environment considerations. The policy highlights that high quality design would be sought, with full regard being given to landscape, materials, scale and particularly the interface between the uses.

19. The application site comprises a former Ironworks, with part of the site being vacant and derelict Brownfield land. Thus, there is support through Policy H1 for new housing development within the urban framework of Ilkeston, Long Eaton and Sandiacre subject to it comprising:

*“infilling, conversion, small – scale development, the use of neglected, derelict or under used land or redevelopment of land or premises subject to meeting the requirements of the other policies, particularly policies H12, E2, DC1 and DC9”.*

20. Policy S6 provides the policy test for the provision of local shops located outside of a defined shopping centre, and within the confines of settlements. The provision of individual shops or small groups of shops (Use Class A1) to meet the needs of the local community, will be permitted subject to the following criteria are met.

- 1. “The development is accessible by public transport or has good links to an existing residential area;*
- 2. The traffic generated by the development can be accommodated on the local road network;*
- 3. The scale and design of the development will fit in with its surroundings and will not harm residential amenity;*
- 4. Adequate parking and servicing is available”.*

Erewash Core Strategy

21. Erewash Borough Council recently submitted their Core Strategy to the Planning Inspectorate. The redevelopment of Stanton continues to be a regeneration opportunity within Erewash's emerging Core Strategy, with particular reference to the Ilkeston urban area (Draft Policy 7). The provision of a mixed use neighbourhood development is supported through Draft Policy 20, which refers specifically to the Stanton Regeneration Site identifying the provision of approximately 2,000 new homes, a high quality business park (approx. 10ha), employment land (approx. 10ha), a centre of neighbourhood importance, and a strategic area of green infrastructure.

### **Strategic Planning Issues**

#### *Transport*

22. Due to the scale of the development and the complexity of the Transport Assessment and associated traffic modelling NCC are only able to provide initial comments on the planning application at this stage.

23. The site and its access arrangements are contained wholly within the Derbyshire District of Erewash Borough Council. Consequently, it is only necessary for Nottinghamshire County Council to consider the traffic impact of the development on the Nottinghamshire road network. It will be for Derbyshire County Council to consider the suitability of the internal highway layout and connections to the existing road network as well as the wider traffic impact within Derbyshire. The Highways Agency (HA) will be responsible of considering the impact of the proposed development on the Strategic Highway Network particularly the A52 trunk road and the M1 motorway.

24. The Transport Assessment has identified three junctions within the Nottinghamshire County road network for capacity improvement. These are the A609/A6007 (Festival Inn) Trowell, proposed for conversion to traffic signals, the A6007 Ilkeston Road/Pasture Road a mini roundabout proposed additional designation left turn lane, and the A6002 Coventry Lane/A6007 Ilkeston Road/Hickings Lane proposed for the conversion to traffic signals.

#### *Retail*

25. The applicants have submitted a planning statement that states at paragraph 5.42,

*"...the assessment has identified that the retail element is vitally important to meet the location needs of a new planned community. Furthermore, the scale of retail proposed is found to be appropriate as it will not result in having an adverse impact on the vitality and viability of any existing centre".*

26. It is considered that the proposed development would not impact upon the vitality and viability of existing town centres, however, it would be advisable to obtain an independent assessment of the applicant's retail study.

#### *Ecology*

27. This development is located entirely within Derbyshire, and as such no direct impact on ecological receptors in Nottinghamshire will occur; it is assumed that potential impacts on ecological receptors at the site will be examined by Derbyshire-based organisations that have ecological expertise, such as Derbyshire Wildlife Trust. Nevertheless, the nearest Local Wildlife Site in Notts, Moorbridge Lane Wetland North (SINC 5/861) lies around 220m east of the nearest part of the proposed development, and there is the potential for indirect impacts (such as through noise or disturbance) on this site and other ecological receptors in Nottinghamshire. As a result, the LPA should satisfy themselves that any such potential cross-boundary indirect impacts have been identified and assessed as part of the ES, although given the physical separation of the development site (including by the M1), such indirect impacts appear unlikely.

#### *Landscape and Visual Impact*

28. In general the methodology of the Assessment submitted follows best practice, however, the assessment of landscape character impact does not refer to the East Midlands Regional Landscape Character Assessment (EMRLCA) published by Natural England.

29. Comments are limited to the visual impact of the proposed development on key receptors identified in Nottinghamshire and to the degree of visual impact on identified viewpoints in Nottinghamshire.

30. The Landscape and Visual Impact Assessment submitted with the Planning Application does not provide a complete list of viewpoints in text and does not cross-refer to viewpoints in the description. Nottinghamshire County Council would expect to see a summary table of the visual impacts at the 20 viewpoints at year 1 (after the opening of the development) and at year 15. This is currently not included and should be added. The report also considers impacts after 25 years rather than 15 years as is the normal practice.

31. The submitted Landscape and Visual Impact Assessment concludes that there are no significant impacts (greater than moderate adverse visual impacts) as a result of the proposed development on Nottinghamshire's footpaths and residential properties. Nottinghamshire County Council accepts these conclusions, however, there appears to be no viewpoints in Nottinghamshire within the M1 motorway corridor and as such Nottinghamshire County Council request that a viewpoint in this corridor is included to provide a consideration of traveller receptors.

32. Detailed comments on Landscape are contained at Appendix 2.

#### *Archaeology*

33. The Archaeology report submitted with the Planning Application appears to assume that some types of later development will have removed traces of earlier developments. In reality it is only the relatively recent past that ground levels for new development are likely to have been thoroughly reduced so as to remove earlier remains.

34. Nottinghamshire County Council would strongly recommend that allowance be made to test, before or during development, the large areas of the site which have been excluded from consideration in the report with provisions to ensure appropriate recording can take place where required.
35. Detailed comments on Archaeology are contained at Appendix 3

### Overall Conclusions

36. There are concerns relating to the impact of the proposed development on Nottinghamshire's highway network.
37. It is considered that the proposed development would not impact upon the vitality and viability of existing town centres, however, it would be advisable to obtain an independent assessment of the applicant's retail study.
38. No direct impact on ecological receptors in Nottinghamshire will occur, as a result of the proposed development.
39. There are no significant visual impacts on viewpoints in Nottinghamshire, however, an additional viewpoint from Nottinghamshire's M1 corridor should be included to consider traveller receptors.
40. There are concerns that the archaeological report fails to address large parts of the site and allowances to test these areas prior or during development should be included.

### **Other Options Considered**

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

### **Reason/s for Recommendation/s**

42. It is recommended that the development is supported in principle as it is recognised that significant weight is given to economic, regeneration and housing development at a National and strategic planning level.
43. There are concerns over the potential impact of the proposal on the highway network of Nottinghamshire and the visual impact from traveller receptors on the M1 motorway corridor. These concerns can not be addressed until further work has been undertaken satisfactorily and relevant information has been provided by the applicants to address these concerns.
44. There are concerns over the applicants submitted archaeology report which excludes large parts of the site. A condition is requested, if planning permission is granted to ensure that provisions are in place to appropriately record any findings either prior to, or during the development.

## **Statutory and Policy Implications**

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

### **Financial Implications**

46. There are no direct financial implications.

### **Implications for Sustainability and the Environment**

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

## **RECOMMENDATION/S**

1) That Erewash Borough Council be advised that the principle of such development on the former Stanton Ironworks in terms of strategic and National economic and regeneration policies is supported by Nottinghamshire County Council, subject to the concerns regarding the potential impact of the proposal on the highway network in Nottinghamshire and concerns relating to the visual impact from traveller receptors on the M1 motorway corridor. These concerns can not be addressed until further work has been undertaken satisfactorily and relevant information has been provided by the applicants, this will need to be addressed to enable Nottinghamshire County Council to make an informed decision on the proposed development in relation to its potential highway network impacts and the potential visual impacts.

2) That if Erewash Borough Council are minded to grant planning permission a condition is requested to ensure that the developer to undertake archaeological testing of the large areas of the site (not identified in the submitted archaeological report) prior to or during development.

**Jayne Francis-Ward**

**Corporate Director, Policy, Planning and Corporate Services**

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

### **Constitutional Comments (SHB. 19.01.13)**

48. Committee have power to decide the Recommendation

### **Financial Comments (DJK 21.03.2013)**



49. The contents of this report are duly noted; there are no financial implications.

### **Background Papers and Published Documents**

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

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

Sutton in Ashfield – Councillor Fiona Asbury

Kirkby in Ashfield North - Councillor John Knight

Kirkby in Ashfield South – Councillor Rachel Madden

Selston – Councillor Gail Turner

Beauvale – Councillor David Taylor

Eastwood – Councillor Keith Longdon

Kimberley and Trowell – Councillor Ken Rigby

Beeston North – Councillor Steve Carr

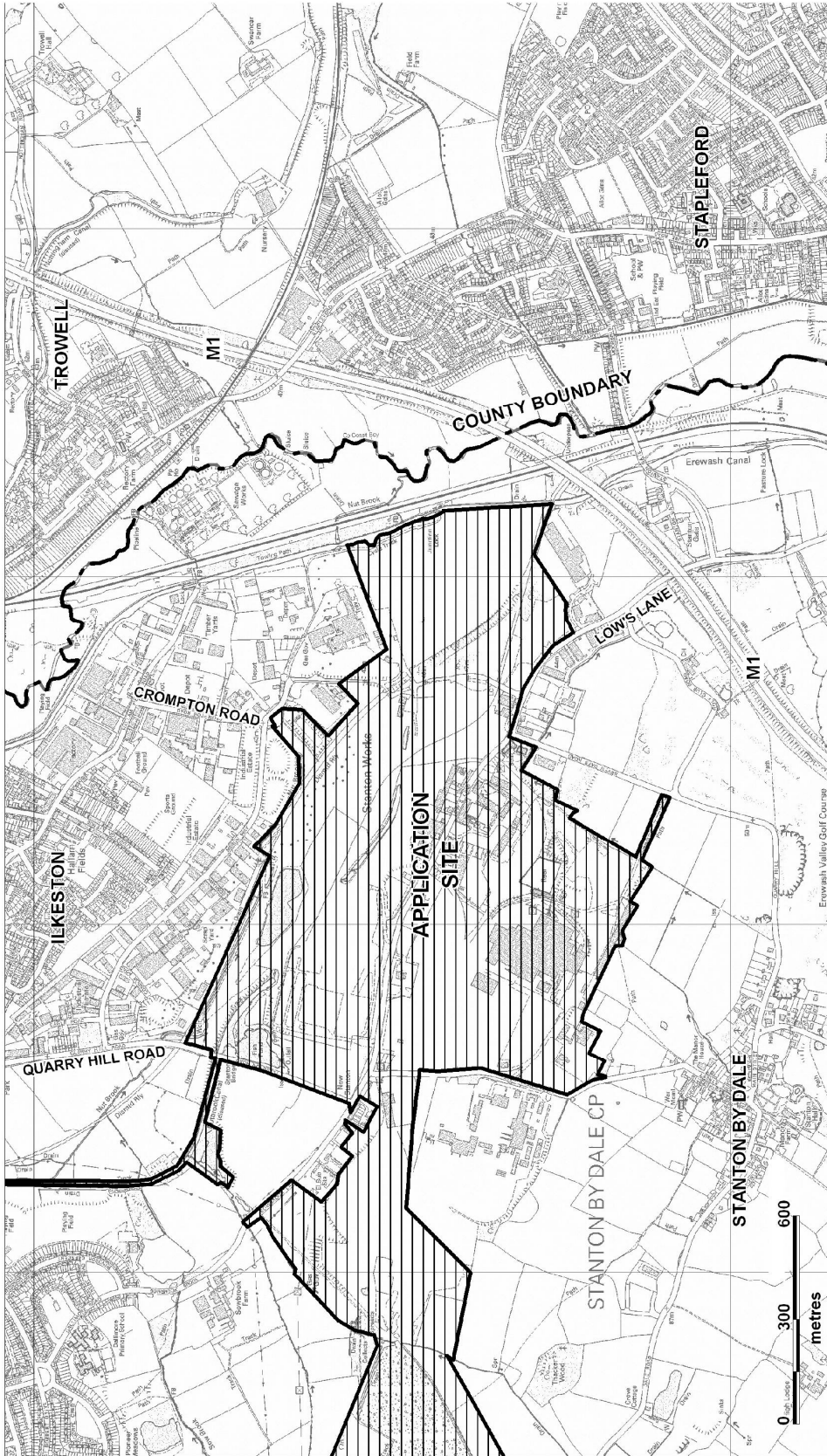
Soar Valley – Councillor Lynn Sykes

Bramcote and Stapleford - Councillor Stan Heptinsall

Chilwell and Toton – Councillor John Doddy

Beeston and Attenborough – Councillor Eric Kerry

# Appendix 1 – Site Location Plan



Proposed Development - Outline Planning Application (with all matters reserved except for access) for demolition and site clearance works to allow for construction of a mixed use development, comprising residential, neighbourhood centre incl Class A1 Retail, Cafe/Bars/Restaurants, Employment, incl. offices and general industry and storage and distribution; 150 bed accommodation for the elderly within a care village environment; GP/Health centre; one 2 Form Primary School; public open spaces incl. sports pitches, allotments, public improvements and public plaza; plus associated car parking, landscaping, engineering and infrastructure works.

Former Stanton Ironworks, Lows Lane, Stanton By Dale, Derbyshire.

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Scale: 1:15,000  
 Produced by: JW  
 Date: MARCH 2013



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## **Appendix 2 – Detailed Landscape Comments**

Thank you for asking the landscape team to comment on the above application. These are the comments of the landscape team only and separate comments will be provided on noise issues. The Landscape Team have considered the following documents in order to make these comments:-

**Environmental Statement** -Part 2 Section 5 Landscape and Visual Impact Assessment - Alliance Planning November 2012 and associated Figures, Photographs and Appendices as shown below.

Appendix 5.1 Landscape and Visual Figures

Appendix 5.2 Site Appraisal

Appendix 5.3 Visual Appraisal Methodology

Appendix 5.4 Countryside Character Details

Appendix 5.5 Visual Effects table

Appendix 5.6 Pre development tree condition survey at New Stanton

**Environmental Statement** – Non Technical Summary- Alliance Planning November 2012

**Methodology for Landscape and Visual Impact Assessment** - reference 026104 November 2012

**Planning Statement** – Alliance Planning – November 2012

**Design and Access Statement**- Barton Wilmore – November 2012

**Documents referred to for information purposes only**

**Development Specification** – Alliance Planning- November 2012

**Site Management Plan** - Alliance Planning- November 2012  
**Comments**

**Environmental Statement - Part 2 Section 5 Landscape and Visual Impact Assessment - Alliance Planning November 2012 and associated Figures, Photographs and Appendices**

In general the methodology of the Landscape and Visual Impact Assessment follows best practice and refers to the existing guidance contained in 'Guidelines for Landscape and Visual Impact Assessment', 2<sup>nd</sup> edition 2002, published by the Landscape Institute of Environmental Management and Assessment. The assessment of landscape character impact refers to the correct documents at National and County Level, it does not however refer to the East Midlands Regional Landscape Character Assessment (EMRLCA) published by Natural England which would be expected, however this is not essential.

The proposed site is located in Derbyshire, in the Erewash District, the Landscape Team have therefore limited the comments to the visual impact of the development on key receptors identified in Nottinghamshire, and to the degree of visual impact on identified viewpoints in Nottinghamshire. A full review of the landscape and visual impact assessment will have been provided by Derbyshire County Council.

There are 5 viewpoints in Nottinghamshire

Viewpoint 11 – PROW Trowell Footpath, looking southwest

Viewpoint 14 – Trowell Park Drive, within Trowell Estate looking west

Viewpoint 17 – View taken from open space adjacent to Field Farm looking west

Viewpoint 18 – View taken from the top of Stapleford Hill, looking west

Viewpoint 20 – View taken from (Stapleford) High Street looking northwest

The LVIA report is slightly confusing in that it does not cross refer to these viewpoints in the text but rather groups the viewpoints and the conclusions of Appendix 5: Visual Effects Table, together. It gives a summary of the visual impact of the proposed development in paragraphs 5.173 - 5.191. The summary of the visual impacts would be clearer if a tabulated summary was also included in either the LVIA document or as an appendix. This should be set out in the same format as Table 5.2 Significance of Effects on site features, and should be called Significance of Effects on viewpoints 1 – 20 (or similar). The table should include visual impacts at each of the viewpoints at Year 1 after the opening of the development, and at a point where the green infrastructure of the site is beginning to mature. The report considers impacts at year 25 rather than year 15 as is the normal procedure, but this is accepted.

However, despite the above comment, it appears that there are no significant visual impacts (ie: greater than moderate adverse visual impacts) as result of the proposed development on footpaths, and residential properties in Nottinghamshire, which the landscape team would agree with. However It is noted that there are no viewpoints in Nottinghamshire with in the M1 motorway corridor – we would expect a consideration of traveller receptors to be included in the visual assessment. Although these are not as sensitive as residential receptors, the motorway is the closest point to the proposed site from which significant views may be obtained in Nottinghamshire. A viewpoint in this corridor should be included by the applicant.

The report identifies 3 open views from residential properties and listed buildings in Nottinghamshire. R24 Swancar Farm (residential), R25 Properties at Mayfield Drive and Longden Close Stapleford (residential) and LB14 Trowell Hall (Listed Building)

**Environmental Statement** – Non Technical Summary- Alliance Planning November 2012

As detailed above, the Landscape team agree with the conclusions of the LVIA presented in the Non-Technical Summary but a table showing the impacts on the individual viewpoints included within the LVIA would aid overall clarity.

**Methodology for Landscape and Visual Impact Assessment - reference 026104 November 2012 – Paragraphs 2.2 – 2.20**

No comments, this is accepted as a standard methodology for carrying out a landscape and visual impact assessment as detailed above.

**Planning Statement – Alliance Planning – November 2012**

Landscape and ecological character paragraphs 2.17 – 2,20 No comments  
Landscape strategy paragraphs 6.9 -6.13 No comments

**Design and Access Statement- Barton Wilmore**

No comments, this is largely concerned with the design of the green infrastructure proposals for the site which will have been commented on in more detail by Derbyshire County Council.

**Conclusions**

**To summarise the proposed development will not have a significant visual impact on viewpoints in Nottinghamshire and there will be an open view of the proposed site beyond the motorway corridor from one Listed building and 2 groups of residential properties in Nottinghamshire. For clarity the LVIA document should include additional tabulated information to summarise the visual impacts on each of the 20 identified viewpoints. A viewpoint from the M1 motorway corridor in Nottingham should also be added to the LVIA document.**

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

Helen Jones  
Landscape Architect



## Appendix 3 – Detailed Archaeology Comments

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**From:** Ursilla Spence  
**Sent:** 22 March 2013 11:59  
**To:** Nina Wilson  
**Subject:** RE: Proposed development at Stanton Ironworks - ERE/0213/0001

Dear Nina,

I have read the archaeological report submitted in respect of the application with great interest. These sites which have a very long history of industrial development are amongst the most difficult to assess in terms of the archaeological mitigation and investigation they require. The report submitted seems very thorough, and from that point of view it looks a good piece of work. However, I did note that there seemed to be a willingness to assume that some types of later development will have removed traces of earlier. In reality, it is only in the relatively recent past that ground levels for new development are likely to have been thoroughly reduced so as to remove earlier remains. Before WWII, spoil heaps, new buildings, and all sorts of significant development will have taken place without topsoil stripping, for example. I have experience of spoil heaps completely encompassing well preserved standing buildings - one example not too far from this site. I was not completely convinced that some large areas of the site, which were excluded from consideration, really would have negligible archaeological interest, and I would strongly recommend that allowance be made to test these areas before or during development with provisions to ensure appropriate recording can take place where warranted. This is not directly affecting Nottinghamshire's archaeological resource, other than through the potential of providing a precedent in the treatment of industrial archaeology on complex and major redevelopment sites.

Ursilla Spence  
Senior Practitioner, Archaeology

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