

Environment and Sustainability Committee

Thursday, 18 July 2013 at 10:30

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

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of last meeting held on 20 June 2013 | 3 - 6 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Electronic Working | |
| 5 | Presentation on Planning Policy work | |
| 6 | Strategic Planning Observations | |
| 6a | Strategic Planning Observations on an Outline Planning Application for Residential Development, on L | 7 - 24 |
| 6b | SPO on the erection of a single wind turbine at land at Orston, Nottinghamshire | 25 - 44 |
| 6c | Summary of Planning Consultations | 45 - 48 |
| 7 | Nottinghamshire Local Aggregates Assessment- 2013 | 49 - 74 |
| 8 | Work Programme | 75 - 78 |

Notes

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

Customer Services Centre 0300 500 80 80

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

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Christine Marson (Tel. 0115 977 3887) or a colleague in Democratic Services prior to the meeting.

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

minutes

Meeting ENVIRONMENT AND SUSTAINABILITY COMMITTEE

Date Thursday 20 June 2013 (commencing at 10.30am)

membership

Persons absent are marked with 'A'

COUNCILLORS

Richard Butler
Steve Calvert
Jim Creamer
Stan Heptinstall A
Roger Jackson

Bruce Laughton
Pamela Skelding
Parry Tsimbiridis
John Wilkinson

Ex-officio (non-voting)

A Alan Rhodes

OFFICERS IN ATTENDANCE

Mick Allen – Group Manager, Waste and Energy Management
Lisa Bell – Team Manager, Planning Policy
Martin Gately – Democratic Services Officer
Jas Hundal – Service Director, Transport, Property & Environment

TO NOTE THE APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

The appointments at the Annual Meeting of Council of Councillor Jim Creamer as Chairman and Councillor John Wilkinson as Vice-Chairman of the Committee respectively were noted.

MEMBERSHIP

RESOLVED 2013/026

That the membership as set out above be noted.

MINUTES

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

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Stan Heptinstall (other reasons).

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

TERMS OF REFERENCE

RESOLVED 2013/027

That the Committee's terms of reference be noted.

MUNICIPAL WASTE MANAGEMENT STRATEGY - PRESENTATION

Jas Hundal Service Director, Transport, Property & Environment and Mick Allen Group Manager, Waste and Energy Management gave a presentation on the Municipal Waste Management Strategy.

STRATEGIC PLANNING OBSERVATIONS

(a) Planning application for a mixed use development on land East and West of Chapel Lane, Bingham

RESOLVED 2013/028

That Rushcliffe Borough Council be advised that the principle of such development on the Land East and West of Chapel Lane, Bingham in terms of strategic and National economic, housing and regeneration policies is supported by Nottinghamshire County Council, subject to the concerns regarding the potential impact of the proposal on Nottinghamshire's Rights of Way network being adequately addressed by the applicant.

b) Planning application for a single micro scale wind turbine, Byron Farm, Kirkby-in-Ashfield

RESOLVED 2013/029

1. That Ashfield District Council be advised that the development is supported in principle as it is recognised that significant weight is given to renewable energy at a National and strategic planning level.

2. That the County Council has no significant concerns over the impact of the proposal of this scale and in this location on the landscape and openness of

the Green Belt, and consequently does not raise any objections in landscape terms.

c) Planning application for a manufacturing, research and development facility, with energy generation demonstration facility and offices, Blenheim Lane, Nottingham

RESOLVED 2013/030

1. That Nottingham City Council be advised that the principle of development on the Blenheim site is supported as the proposal is considered to be in line with both existing and emerging local planning policies in terms of both its location and enabling waste to be managed further up the waste hierarchy.
2. That the County Council has no significant concerns over the impact of the proposal on the highway network of the County
3. That if Nottingham City Council is minded to grant planning permission for the proposal, the issues raised in terms of visual and landscape impacts should be satisfactorily addressed.

d) Outline planning permission for a mixed use development at the Rolls Royce site, Hucknall

RESOLVED 2013/031

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

e) Strategic Planning Observations

RESOLVED 2013/032

That the report be noted

**BROXTOWE ALIGNED CORE STRATEGY PROPOSED CHANGES
CONSULTATION FEBRUARY 2013**

RESOLVED 2013/033

The Committee endorsed the comments set out in the report, which formed the officer response to Broxtowe Borough Council attached at appendix 3 to the report.

WASTE AND MINERALS PROJECT GROUPS - TERMS OF REFERENCE

RESOLVED 2013/034

The terms of reference and membership of the Waste and Minerals Project Groups was approved.

BIODIVERSITY OPPORTUNITY MAPPING AND ENVIRONMENTAL SENSITIVITY PROJECT

RESOLVED 2013/035

The Committee noted the recently commissioned work on Biodiversity Opportunity Mapping and Environmental Sensitivity.

WASTE CORE STRATEGY – POST HEARING MODIFICATIONS

RESOLVED 2013/036

The three main modifications for a 4 week period of public consultation and minor additional modifications to the Nottinghamshire and Nottingham Waste Core Strategy were approved.

REVIEW OF MINERALS SEARCH FEES

RESOLVED 2013/037

The Committee approved the increase in charges for minerals searches from £20.00 to £60.00 (plus VAT).

WORK PROGRAMME

Additions to the Work Programme included a briefing on the Gasification of coal and an update on PFI for the September meeting.

RESOLVED 2013/038

That the Committee's work programme be noted.

The meeting closed at

CHAIRMAN

M_20Jun13

18th July 2013**Agenda Item: 6 (a)****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON AN OUTLINE PLANNING
APPLICATION FOR RESIDENTIAL DEVELOPMENT, ON LAND NORTH OF
SKEGBY LANE, MANSFIELD****Purpose of the Report**

1. To seek Committee ratification for comments set out in this report which were sent to Mansfield District Council (MDC) on 27th June 2013 in response to the request for strategic planning observations on the above planning application for residential development at Skegby Lane, Mansfield.

Information and Advice

2. A planning application was submitted to Mansfield District Council on the 8th May 2013 for residential development on 6 hectares of agricultural land to the north of Skegby Lane, Mansfield. This is an outline application only, with all matters reserved, however the applicant envisages a development of up to 150 dwellings with associated landscaping and recreation space.
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. Officer comments, outlining the information below, were sent to Mansfield District Council on 27th June 2013 in order to meet their consultation deadline for this application. A site plan is provided at Appendix 1.
4. The planning application package comprises of an indicative masterplan, Design and Access Statement, Planning Statement and assessments relating to transport, flood risk, landscape and visual impact, ecology, utilities and archaeology/heritage. This report is based on the information submitted with the application in the context of national and local policy.
5. The application site lies outside the urban boundary within the Landscape Protection Policy Area (or open break) between Mansfield and Sutton-in-Ashfield as set out in the Mansfield District Local Plan.

Description of the Proposal

6. The application site is located on two agricultural fields north of the B6014 Skegby Lane adjacent to the Ladybrook Estate, but just beyond the western boundary of Mansfield. Skegby Lane runs along an elevated ridge between Mansfield and Sutton-in-Ashfield and forms the southern site boundary for the eastern field and is also the likely point of access. A row of around 30 properties line part of the lane, some of which back onto and form the boundary with the western field proposed for development. A tall telecommunications tower and compound is also located directly on this southern site boundary, making use of this elevated position. The eastern boundary is formed by the rear gardens of houses in Andover Road, Winborne Close and Lymington Road as well as the field boundary adjacent to the Millennium Green public park. To the north of the western field is a historically noteworthy fishpond within the large curtilage of a private dwelling. The western boundary is formed by a strip of juvenile woodland, which has in effect carved up a previously larger field and provided a screen from the A617.
7. Field hedges generally surround the site and enclose the two individual fields. Tall hedges and interspersed trees line the Skegby road frontage, meaning that the site is not readily visible from the road. With the exception of the row of properties, the area is generally characterised by its rural setting acting as an open break between Mansfield and Sutton-in-Ashfield. Agricultural pasture land falls away to the south of Skegby Lane towards Kings Mill Hospital located on lower ground.
8. The overall site area of the two fields is 6 hectares and once areas for landscaping and access are discounted the applicant envisages up to 150 dwellings at a density of 30 per hectare.
9. As an outline application with all matters reserved, the particulars have not been set, however an illustrative masterplan has been provided and design and layout matters and rational are discussed in the Design and Access Statement. The masterplan indicates a single point of access on Skegby Lane to the west of the Millennium Green, from which a spine road would lead into the site to serve the properties. The exiting field hedge between the fields would be largely kept as a feature, along with the juvenile woodland to the west and much of the hedge along the road frontage. A LEAP (Local Equipped Area for Play) could be sited adjacent to the Millennium Green with the potential to link through. Two balancing ponds for surface water would be sited in the north-eastern corners of both fields to the rear of existing properties.
10. The applicant, in recognising the distance to local shops, indicates that there is potential for one of the gateway houses to be converted to a local shop, although the scope of the application does not include any retail use.
11. The site lies immediately beyond the Mansfield Settlement Boundary on land protected under Mansfield District Council's Local Plan Policy NE4(A) which seeks to protect the open landscape character between Mansfield and Sutton-in-Ashfield. The purpose of the policy is to prevent the coalescence of the two settlements and prevent urban sprawl.

Planning Policy Context

National Planning Policy Framework (NPPF)

12. A notable aim of the NPPF (para 47) seeks to boost the supply of housing and requires Local Authorities to provide a 5 year supply of deliverable housing sites against the housing requirements with a 5% or 20% buffer to provide for choice and competition or in cases of under achievement. Relevant policies for the supply of housing should not be considered up to date if the Local Authority cannot demonstrate a 5 year supply.
13. Following the revocation of the East Midlands Regional Plan, Mansfield District Council have adopted a local housing needs approach and can currently demonstrate a 7 year housing land supply based on this locally agreed target.
14. A key part of the NPPF is the presumption in favour of sustainable development, which directs that development should be approved where it accords with the Development Plan, or where the Plan is out of date or silent, approving development unless there are significant and demonstrable adverse impacts to outweigh any benefits.
15. The NPPF (Annex 1, para 215) also addresses the level of weight which can be attributed to saved policies and emerging Plans. Following the end of the transition period, full weight to saved policies has now ended, meaning that weight should be given to these policies according to their consistency with the NPPF.

Mansfield District Local Plan 1998

16. The Mansfield Local Plan remains in place and many of the policies have been 'saved' pending replacement by the Mansfield Core Strategy and other Development Plan Documents. Development on the application site is currently restricted by Policy NE4(A). It states:

Planning permission will not be granted for any developments which would detract from the open character of sensitive gaps between settlements in the following locations:-

NE4(A) - between Sutton-in-Ashfield and Mansfield, from fishpond hill to Skegby lane.

17. The purpose of the policy is to prevent the coalescence of the two settlements and help define their separate characteristics and prevent urban sprawl. The supporting text adds the following:

Land adjacent to the north of Kings Mill Hospital up to Brick Kiln Lane/Abbott Road helps maintain an important break between the outer edges of Mansfield and Sutton. It is important for the character and appearance of the area, and indeed, the perception of local people that the two towns do not merge.

Strategic Planning Issues

18. The application is seen as a departure from the development plan by means of Policy NE4 of the Mansfield Local Plan and the applicant fails to justify why this departure is appropriate. It must be recognised that this is a saved plan of some age and therefore the NPPF carries

significant weight as a material consideration. Clearly the proposed development would contribute new housing, including a level of affordable homes (circa 30 units) which could help to boost local housing supply and delivery in accordance with the aims of the NPPF. The proposed location represents the edge of the urban area, with many local facilities and services relatively accessible by foot, although some distances are just beyond what is generally assumed to be accessible. Intake Farm Primary School is around 1km walking distance from the site entrance and Rosebrook Primary School is around 1.5km walking distance. Typically the attractiveness of walking falls off for distances over 800m or half a mile. Three local bus services are available from stops circa 600 metres from the site entrance.

19. It is considered that issues of landscape impact and highways impact are particularly relevant in this case and these comments and others are summarised as follows.

Landscape and Visual Impact

20. The County Councils' landscape team, in considering the submitted information, raise notable concerns regarding the proposal and considers the Landscape and Visual Impact Assessment (LVIA) to be technically flawed which prevents a balanced and considered appraisal from being made.
21. It is noted that a full assessment of visual impact was not undertaken due to non-access to adjacent properties and that given the elevated nature of the site, the proximity to other properties and the potential for some 3-storey type dwellings, such a level of detail is important.
22. The LVIA fails to consider the correct Landscape Character Assessment applicable to the area and its recommended landscape actions. County Councils' landscape team are not in agreement with the LVIA findings in relation to impact on Landscape Character. The applicants LVIA finds that the sensitivity level is 'High', with the degree of change evaluated as 'High', leading to a magnitude of impact as 'Substantial Impact, - Neutral effect'. The landscape team considers that any substantial impact would not have a neutral impact without considerable mitigation.
23. Due to the elevated position on a natural high point and the inclusion of 3 storey dwellings (11.5m to ridge height) it is recommended that a plan showing the theoretical Zone of Visual Influence (ZVI) is produced to a study area of 2Km to show visibility lines from representative viewpoints.
24. A key issue is the acceptability of development in the 'sensitive gap' or landscape area between Mansfield and Sutton-in-Ashfield. The policy position relating to the landscape area preventing the coalescence of Mansfield and Sutton-in-Ashfield is noted both in terms of Policy NE4 of the Mansfield Local Plan (as noted above) and also the position taken by the Mansfield Landscape Character Area Assessment in ML28- Penniment Lane Urban Fringe Farmlands. It recommends to:

'Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements.'

25. It is noted that development is proposed in two locations on the Ashfield side of the 'gap' through the review of the Ashfield Local Plan which is at an early stage of preparation, however officers are not in agreement with the applicant's contention that this should necessarily lead to a similar re-appraisal on the Mansfield side.
26. While the proposed development is relatively narrow, it is located at the narrowest point between the two conurbations and as such it is considered it would have the most significant negative impact upon the desire to maintain two distinct urban areas and their individual civic identity and set a precedent for further such development.
27. On matters of layout and design, whilst the plans are only at outline stage, the Design and Access Statement and indicative masterplan, allows for some assessment. The landscape team considers there to be a good design rationale, protecting and retaining most features such as trees and hedgerows. The inclusion of balancing ponds and new landscaping would be beneficial, however the stability of ponds on the sloping ground should be ensured and new tree planting particularly against the boundary of properties in Andover Close should be pulled back as far as possible from the boundary, so to avoid over-shadowing the existing properties which are at a lower ground level. As the site slopes up from these existing properties, the massing of the proposed new housing would also be magnified, particularly for the 3 storey units envisaged.
28. In summary the proposal is not currently supported on landscape grounds and it is recommended that the LVIA and other information is reworked to address identified deficiencies in order to successfully show the site's suitability for development. Full landscape comments can be found in appendix 2.

Transport

29. Whilst only an outline application, access is proposed from a new turning on Skegby Lane and a transport assessment based upon 150 dwellings and residential travel plan have been submitted. At this stage the Highway Authority (HA) has undertaken a preliminary review of these submitted plans, noting a number of fundamental issues which need to be addressed by the applicant.
30. The HA considers the design of the proposed 'T' vehicular access to be inadequate to serve the site without compromising the safety and free-flow of traffic along Skegby Lane. Guidance suggests that for the level of traffic using this road a right hand turning facility will be required into the proposed new development. The visibility splays at this junction should also be increased so that 142m visibility distance is achieved both to the west and east of the access.
31. The Transport Assessment analysis expects that the proposed development of 150 dwellings would increase the level of traffic using Skegby Lane by 5% and considers this to have a negligible impact on the operation of the A617/ Skegby Lane junction and the A38 Sutton Road and Skegby Lane junction. The HA notes that these junctions may already be at capacity and that any increase in traffic may compromise their operation. Therefore further assessments are requested relating to the impact on these junctions. It is recommended that the determination of the application is deferred until such information is provided to the satisfaction of the HA. Detailed highway comments can be found in appendix 3.

Ecology

32. The proposals will not affect any statutorily or locally designated nature conservation sites and surveys have found the site to be of low conservation value. However the plantation woodland and hedgerows are of value and much of this is to be retained and should be protected from the impacts of construction. The ponds to the north of the site were not surveyed for the presence of protected species and certain assumptions have been made and it is advised that an inspection is undertaken, if possible before any determination, to cover obligations under the Habitats Directive. The requirements for additional surveys for bats has been identified by the applicant and again it is recommended that these are undertaken prior to any determination. Other standard conditions and method statements are recommended to protect species that might be present.
33. In terms of ecological enhancements, measures should be incorporated into a detailed landscaping scheme for the site and a landscape management plan should also be conditioned so that new and retained areas of habitat are managed for wildlife. The conservation value of the proposed balancing ponds should be maximised at the design stage.

Developer Contributions

34. Should the application proceed, then Nottinghamshire County Council will seek developer contributions relating to County responsibilities in line with the Council's adopted Planning Contributions Strategy. Such contributions, in the case of residential development, could for example cover provision for education and integrated transport measures.

Planning Policy- Waste

35. Attention is drawn to Policy WSC1 in the emerging Nottinghamshire and Nottingham Waste Core Strategy (WCS) which requires due consideration to design and construction of new development in such a way as to minimise waste arisings, maximise the use of recycled materials and assist with the collection, separation, sorting, recycling and recovery of waste from the development. The WCS is currently in the examination stage, having completed its public hearing, and therefore due weight can be afforded to the emerging plan at this advanced stage of preparation.

Archaeology

36. The archaeology officer advises that the proposed development site is likely to contain important archaeological remains in the form of early mining remains along with possible earthworks. Surviving deposits would provide very valuable information, but are likely to be damaged or destroyed by the proposed development. However it is considered that there is insufficient information at present to gauge its importance or level of survival. It is therefore recommended that additional information in the form of an archaeological field evaluation is undertaken and submitted for consultation before the planning application is determined. Detailed archaeology comments can be found in appendix 4.

Conclusions

37. The application is a departure from the Mansfield Local Plan and the applicant fails to justify why this departure is appropriate. The County Council raises significant concerns, particularly with landscape impact in terms of the loss of part of the protected landscape area between Mansfield and Sutton-in-Ashfield and visual impact due to this elevated site. Further assessment work is required to address concerns raised. In terms of highways issues and archaeology, further work is required to satisfy the Highways Authority and archaeology officer that the development can mitigate impacts.

Other Options Considered

38. 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

39. The proposed development is considered to be a departure from the development plan as it is contrary to Policy NE4 (*open character of sensitive gaps between settlements*) of the Mansfield Local Plan and particular issues and impacts relating to landscape, visual impact, highways and archaeology are highlighted to Mansfield District Council as the determining authority.

40. Further work is required to satisfy the County Council with regards to highways, landscape, visual impact and archaeology.

Statutory and Policy Implications

41. 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

42. There are no direct financial implications.

Implications for Sustainability and the Environment

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

RECOMMENDATION/S

1) That Mansfield District Council be advised that, whilst the principle of housing development in terms of strategic, national housing and economic growth is supported, the application constitutes a departure, by means of Policy NE4 (*Open character of sensitive gaps*

between settlements), from Mansfield District Council's Local Plan and the applicant fails to justify why this departure is appropriate.

2) That further highway related work is necessary to assess impact on the safety and operation of local roads and junctions and that additional archaeological work is provided by the applicant in the form of a field evaluation, due to it being considered that inadequate and insufficient information has been provided with the application to properly assess its acceptability in landscape and visual impact terms.

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

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

For any enquiries about this report please contact: Joel Marshall, Planning Policy Team, ext 74978

Constitutional Comments (NAB 24.06.13)

44. Environment and Sustainability Committee has authority to approve the recommendations set out in this report by virtue of its terms of reference.

Financial Comments (SEM 24/06/13)

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

Background Papers and Published Documents

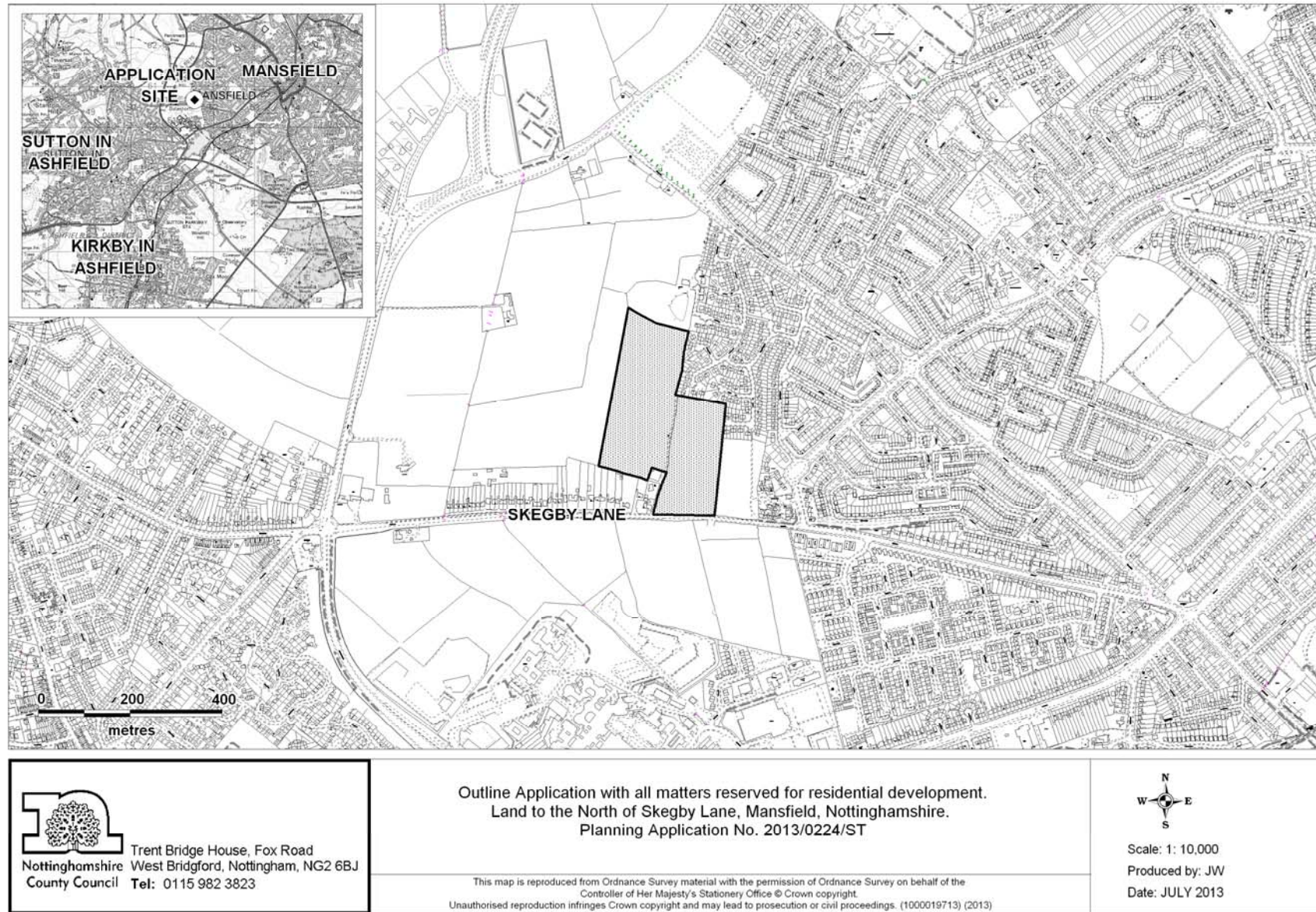
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division and Members Affected

Mansfield West -

Councillor Diana Meale
Councillor Darren Langton

Appendix 1 – Map showing proposed application site



Appendix 2- Detailed Landscape Comments

The following documents were referred to:-

- 1656 - Landscape and Visual Impact Assessment – May 2013 by Jackson Design Associates
- 1656 – Planning Statement 1 - February 2013 by Jackson Design Associates
- 1656 - Design and Access Statement 1 - January 2013 by Jackson Design Associates
- 1656 – 101-B-Indicative Masterplan - February 2013 by Jackson Design Associates

1. Landscape and Visual Impact Assessment – May 2013 by Jackson Design Associates

- 1.1 In the introduction, the LVIA states its intention to follow the principles produced by **The Countryside Agency and Scottish Natural Heritage's Landscape Character Assessment Guidance for England and Scotland** and **The Landscape Institute and the Institute of Environmental Management and Assessment's guidelines for Landscape and Visual Impact Assessment, Second Edition published in 2002.**

The methodology of the assessment is not clearly defined, with the definitions for magnitude of change having landscape and visual impacts muddled together. There is no clear definition of how Landscape sensitivity is evaluated; similarly there are no clear definitions for visual sensitivity of receptors or the magnitude of visual change. Without these definitions clearly stated it is impossible to consider the assessment of effects.

The introduction concludes that no technical difficulties were encountered in assessing the landscape and visual impacts of the proposed development, but then goes on to state that there was no access to potentially affected private properties. While this is not always essential, given the elevated nature of the site and its juxtaposition to an extensive housing estate; this is an important element of the study and a competent assessor would be able to make a judgement.

- 1.2 In the baseline study, references are made to the national, regional and local Landscape Character Assessments. While there is information on the national character area, there is nothing for the East Midlands's Regional level. The document also incorrectly makes reference to the Nottinghamshire Countryside Appraisal 1997 which has been superseded by the Greater Nottingham Landscape Character Assessment (June 2009).

The development site is now covered within the Mansfield Landscape Character Area Assessment under ML28: Penniment Lane Urban Fringe Farmlands. While the submitted document does include the general characteristic features for this policy area, it fails to mention the evaluated landscape strength, ie Conserve, or any of the recommended landscape actions. The last of these; **'Other development/ structures in the landscape'** - *Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements*, has a significant bearing on the scheme's intention.

- 1.3 Item 1.25 within the submitted document identifies the approach taken to determine representative viewpoints. While there is a certain rationale to the viewpoint selection, it is considered that this is highly subjective and could easily be skewed or misunderstood through the use of aerial images, especially with the proposed inclusion of 3 storey buildings (11.5m ridge line).

It is our recommendation that a plan showing the theoretical Zone of Visual Influence (ZVI) is produced to clarify visibility lines, and the most appropriate representative viewpoints. This ZVI plan should encompass a study area of 2Km and consider the highest development point in both the construction, and operational phases.

- 1.4 Section 3 of the document details the predicted landscape impacts to both the Landscape Character and Visual Receptors. As mentioned in item 1.1, without a clear definition of how the landscape sensitivity has been graded, or the views have been measured in both sensitivity of receptors and magnitude of visual change, it is impossible to effectively review the judgements made.

While the above points stands, we would seriously question at least some of the assessments made. For example, with reference to the impact on Landscape Character Assessment, the document states under Land Use:

'The land use will change from agricultural to residential with significant areas of public open space and green corridors.'

The **sensitivity level** is evaluated as **High**, with the **degree of change** evaluated as **High** leading to a **magnitude of impact** stated as **Substantial Impact, NEUTRAL** effect. It is our view that any substantial impact would not have a neutral effect without considerable mitigation.

- 1.5 It is our recommendation that this document be thoroughly reworked by the authors to identify and clearly outline the definition of terms for both landscape and visual elements. These terms should then be accurately evaluated in the assessments for both the landscape character and visual receptors selected, considering the development both with, and without mitigation measures. This process should be carried out for both the construction and operational phases.

2 Planning Statement 1 - February 2013 by Jackson Design Associates

- 2.1 While it is understood that the application area has been promoted as a suitable development site in the **Strategic Housing Land Availability Assessment (SHLAA)**, we are of the understanding from the submitted statement that policy NE4 of the now out of date Mansfield Local Plan, adopted in 1998, has been 'saved' and will continue to guide development in the area until they are superseded by emerging LDF policies.

Policy NE4 states:

'planning permission will not be granted for any developments which would detract from the open character of sensitive gaps between settlements in the following locations:- NE4(a) between Sutton-in-Ashfield and Mansfield, from Fishpond Hill to Skegby Lane.

- 2.2 In addition to the above, the recommend actions in the Mansfield Landscape Character Area Assessment, ML28: Penniment Lane Urban Fringe Farmlands are:

Other development/ structures in the landscape:

'Retain and enhance the open, undeveloped character of land particularly to the south where it is important for retaining separation between settlements.

- 2.3 The statement goes on to detail information outlined in the Ashfield District new Local Plan which is under development and will cover the period 2010 -2023 when completed. This information shows two large areas of housing proposed on the north eastern edge of Ashfield within the area both district councils have previously identified as 'The Sensitive Gap'. In the statement the applicant suggests that based on the details in the Ashfield Plan, Mansfield District Council should similarly re-appraise their policy on built development within the sensitive gap area.
- 2.4 While the proposed development within this application is relatively narrow in land take, it is located at the narrowest point between the two conurbations, and as such will have the most significant negative impact upon the desire to maintain a distinct division between the two urban areas. The perceived argument that this should be acceptable because the other council is suggesting something similar does not make it right or appropriate. We feel this argument is unfounded and could lead to this slim wedge of green space disappearing, swiftly and easily once a precedent is set, resulting in the individual civic identity of the two districts becoming blurred.

3 Design and Access Statement 1 - January 2013 by Jackson Design Associates

- 3.1 Taking into account that the points made in section 1 and 2 above, have already covered, the submitted design and access statement is a very thorough and well balanced document. It clearly set out the supporting evidence for the proposed development and a strong clear set of design principles that have been applied to the design. There is however a couple of minor points of consideration that appears not to be addressed.
- 3.2 The map accompanying the site audit clearly shows overhead power cables running through the site. This is confirmed as a low, pole mounted system in photographs 10 & 11 in this document, yet there is no mention of how these existing utilities are to be dealt with. This is a Health and Safety issue that will need addressing in subsequent detail designs.
- 3.3 On several occasions the document makes reference to both a LAP and a LEAP standard play facility being included within the scheme. While the LEAP scheme is clearly shown on the indicative masterplan there is no space shown for the LAP play area.
- 3.4 The comprehensive section 3, covering design, makes reference to the scale range of buildings planned. This includes buildings up to 3 storeys high with a ridge line of 11.5m. The inclusion of this height of building on a natural high point within the surrounding landscape reinforces the need to undertake the recommended theoretical Zone of Visual Influence (ZVI) study, outlined in 1.3 above.

4 101-B-Indicative Masterplan - February 2013 by Jackson Design Associates

- 4.1 In our opinion the indicative masterplan included in the application is on the whole very well considered. The design rationale has been consistently well applied to the site, protecting and retaining most of the best landscape features and incorporating some additional new beneficial features such as the SUDS swales and balancing ponds and the considerable number of additional trees.
- 4.2 While it is understood that this is an indicative plan where the layout has not been finalised there are a couple observations outlined below.
- 4.3 The location of the balancing ponds is logical considering the existing general topography of the site, and the design desire to maximise visual breathing space between the existing and new development. They are of considerable size, and will be located in an elevated position in close proximity to existing residential properties to the east.

This is more of a detail, technical matter that should not prove impossible to resolve, however careful calculation and consideration of the constructions stability, capacity and overflow arrangements are required.

- 4.4 The second point concerns the massing of buffer tree planting to the boundaries adjacent to the existing residential housing. As can be seen from the site photographs in the design & access statement these existing properties are set considerably below the existing topography of the application site, therefore any massing of built structure or taller landscape feature against these boundaries will have magnified impacts.

In all but a few cases the design layout for housing has maintained a relatively generous distance from the existing boundary, and those few that are close we feel constitute an acceptable number considering the scale of the development planned. Obviously if the design can be adjusted slightly to pull these few proposed properties further away from the boundary, all the better.

The more significant problem with the indicative scheme is the massing of trees around the existing residential properties at the end of Andover Road. While these will take time to mature; the quantity,

close proximity to the boundary, and elevated planting height is likely to create dense shade to these properties for most of the day. We recommend this screen planting should be pulled back as far as possible from the site boundary to minimise overshadowing issues.

5 Summary & Recommendations

- 5.1 In summary, the landscape team does not support this application. The LVIA supporting document is technically flawed and as such a balanced and considered appraisal cannot be made. The Planning statement is highly contentious in its thinking and goes against the Mansfield Landscape Character Area Assessment policy actions for ML28: Penniment Lane Urban Fringe Farmlands.
- 5.2 The above points noted, the second two documents reviewed were very well considered and applied. Therefore it is our view that should the LVIA document be comprehensively reworked to address the technical deficiencies and successfully show this site's suitability for the proposed development, a more considered assessment could be undertaken.
- 5.3 To achieve the goal of a successful application from a Landscape perspective we require the following recommendations to be addressed:
- The LVIA document to be comprehensively reworked, addressing technical deficiencies identified.
 - Clarification of issues identified in the Design & Access Statement
 - Consideration and rationalised response to the points raised with regard to the indicative masterplan.

We trust these comments are clear and understandable, but should you have any specific questions you wish clarifying please do not hesitate to contact me.

Regards
Mike Elliott
Landscape Architect

Appendix 3 - Detailed Highways Comments

The Highway Authority has undertaken a preliminary review of the submitted Transport Assessment (TA). Before a full response is submitted, several fundamental issues have been identified that need to be addressed.

Paragraph 4.3.1 of the TA states that vehicular access into the site will be from a simple priority "T" junction which the Highway Authority considers is insufficient to serve the site without compromising safety and the free flow of traffic along Skegby Lane. Section 2.15 of TD 42/95 would suggest that right turning provision be provided where the minor road exceeds 300 vehicles 2-way AADT. The scale of this development is such that the number of trips at the junction will exceed this figure. Drawings will therefore need to be submitted to show a right turning facility into the site.

Visibility at the site access has been determined by recorded vehicular speeds along Skegby Lane, with a visibility splay requirement of 142m and 119m to the west and east sides respectively. TA 22/81 advises that when two different values are obtained, the higher value should be used in the design process. Drawings will therefore need to be submitted to show that a 2.4m x 142m visibility splay can be achieved on both sides of the proposed site access, without obstructing visibility for drivers at adjacent junctions.

Paragraph 6.5.6 of the TA expects the development to increase the volume of two-way traffic along Skegby Lane by 5%, and assumes that this will have a negligible impact on the operation of the A617/ B6014 Skegby Lane, and A38 Sutton Road / B6014 Skeby Lane junctions. These junctions may already be at capacity, so any increase in traffic no matter how small may seriously compromise their operation. In order to support this statement, the applicant will need to provide appropriate Linsig outputs for these junctions so that they can be assessed by Nottinghamshire County Council's Signal Engineers. The Highway Authority reserves the right to extend the study area of the model, pending the results of the requested modelling.

The Travel Plan and Floor Risk Assessment have been sent to the appropriate Officers for observations. Their comments will be forwarded as soon as they are available.

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

Matt Leek.
Development Control, Highways North.

Appendix 4 - Detailed Archaeology Comments

Thank you for your request for comments on the archaeological implications of this proposal. I have checked the application site against the County Historic Environment Record and have the following comments to make.

Historically, archaeological investigations within Nottinghamshire have centred on the Trent Valley. The reasons for this are varied and complex but the net result has been the creation of regions within the county where archaeological evidence is either totally absent, or detected, but at a very low and dispersed level. However, in recent years, several major developments along with mineral extraction has highlighted the fact that far more archaeology exists outside the Trent valley than was first thought. The proposed development sites contains historic environment features in the form of early mining remains along with possible earthworks. Furthermore, there is evidence for a range of archaeological; features in the fields to the north east and west the proposed development site.

It is likely that the application site contains important archaeological remains. If so, it is likely that any surviving archaeological deposits will be able to provide us with very valuable information. However, the proposed development is likely to damage or destroy some of these deposits. Unfortunately, we do not have enough information about the buried archaeological resource to indicate its importance and level of survival.

Archaeology is a material consideration here, and we need to be certain that we have sufficient information for a fully informed decision to be made. Accordingly, I recommend that the applicants be requested to supply additional information on the buried archaeological resource, in accordance with the advice given in the National Planning Policy Framework 2012 (paragraph 128). An **archaeological field evaluation** is necessary here, and this work should include an element of desktop assessment, possibly with a scheme of trial trenching and/or a geophysical survey. A professional archaeologist or archaeological organisation should carry out this work, and the results of the evaluation should be available to our members before the planning application is determined. I will be happy to provide further advice or comment as required.

I also would be grateful if I could be notified as to any further progress regarding this application. Please do not hesitate to contact me for further advice.

Yours faithfully,

Dr Chris Robinson
Archaeological Officer

Appendix 5 – Other comments

Ecology Comments

1. The proposals will not affect any statutorily or locally designated nature conservation sites.
2. Surveys of the site have comprised a desktop study, Phase 1 Habitat Survey and a 'preliminary protected species assessment'. The phase 1 Survey was carried out in February 2013.
3. These surveys indicate that the site is predominantly arable in nature and therefore the habitats affected by the proposals are of low inherent nature conservation value. However, a number of high-quality habitats are present on site including scrub, broad-leaved plantation woodland and hedgerows, but it appears from the Indicative Masterplan that these are being retained.
4. A Habitat Suitability Index (HSI) assessment of ponds immediately to the north of the development site has been carried out, in relation to great crested newts, and it is concluded that the proposals will not have an impact on this European Protected Species. However, it should be noted that access to the ponds was not actually obtained during the surveys, and that the HSI was carried out at a distance. Therefore certain assumptions appear to have been made, for example that fish are present and that there is an absence of aquatic vegetation. MDC need to be satisfied with this approach, given their obligations under the Habitats Regulations, and I would advise that an effort is made to obtain access to these ponds to confirm the assumptions that have been made, prior to the determination of the application.
5. No breeding birds survey of the site has been carried out, which is disappointing. However, the site is unlikely to support significant populations of any notable species. Nevertheless, a standard condition should be used to control vegetation clearance during the bird nesting season.
6. The ecological assessment recommends that a bat activity survey is carried out at the site to establish the extent to which bats are using the site and to inform any necessary mitigation and site enhancements. Given the protected status of bats, it is necessary for these surveys to be carried out prior to the determination of the application, as per paragraph 99 of Government Circular 01/2005 (which remains in force).
7. It is stated that the site provides suboptimal habitat for reptiles around the field margins, and a recommendation is made that clearance of these field margins is carried out under a method statement, under the supervision of an ecologist. It is therefore recommended that MDC attach a condition to any permission granted requiring the submission of and compliance with such a method statement.
8. A number of enhancement measures are outlined in section 7.2 of the ecological appraisal, and these should be incorporated into a detailed landscaping scheme for the site, the production of which should be made a condition of any permission granted. The production of a landscape management plan should also be conditioned, to ensure that

created and retained areas of habitat on the site are managed in such a way that maximises their nature conservation value.

9. A condition should be used to require the submission of further details relating to the balancing ponds, again to ensure that their nature conservation value is maximised.
10. A further condition should be used to require the submission of details relating to the protection of retained features (such as hedgerows and woodland) during construction; alternatively, this could be incorporated into a CEMP.

Nick Crouch
Senior Practitioner Nature Conservation

Planning Policy –Waste Comments

With regards to waste policy, we would draw attention to Policy WCS1 of the emerging Nottinghamshire and Nottingham Waste Core Strategy, which requires the design and construction of new development in such a way as to 'minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from development'. This is in line with PPS10, which requires all planning authorities, including local district and borough councils, to consider the waste implications of new development.

Eilidh McCallum
Planning Officer

18 July 2013**Agenda Item: 6 (b)****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS ON THE ERECTION OF A SINGLE
WIND TURBINE AT LAND AT ORSTON, NOTTINGHAMSHIRE****Purpose of the Report**

1. To seek Committee approval for comments set out in this report to be sent to Rushcliffe Borough Council (RBC) in response to the request for strategic planning observations on the above planning application for a single wind turbine at land at Orston, Nottinghamshire.

Information and Advice

2. A planning application was submitted to Rushcliffe Borough Council on the 16th April 2013 for the erection of a 50m single wind turbine (74m to tip of blade) on land at Spa Lane, Orston, Nottinghamshire
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 Rushcliffe Borough Council in their role as determining planning authority for this application. A site plan is provided at Appendix 1.
4. The planning application is accompanied by a Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.
5. The application site lies within open countryside.

Description of the Proposal

6. The application site is located within open countryside, 1km northeast of the village of Orston. The site is located on the west side of Spa Lane, which links Orston with Alverton. The site is currently used for hay production. It adjoins a poultry farm to the north. The field has indigenous hedgerows with isolated individual trees. The site is on higher ground facing the River Smite valley, to the west. The site is accessible from the A52 at Elton, then via Station Road to Orston.

7. The planning application is for a single 500kw wind turbine and associated infrastructure, including a 170m long access track. The turbine is a 3-blade model with a hub height of 50m and a blade diameter of 48m, giving a total maximum height above ground level of 74m. The turbine construction will require concrete foundations, which are of an octagonal shape, having a diameter of 10.4m, to a depth of 1.5m. Construction will be completed from a temporary working area (approx 60m x 60m) and storage areas in the vicinity of the turbine site and do not form part of this application.
8. The access track will be a permanent construction, to allow access for maintenance over a 20 year period. The track is to be constructed from the existing field gate on Spa Lane. The track would then follow a westerly direction, towards the proposed turbine site. The track would be constructed from imported 40mm limestone hardcore.

Planning Policy Context

National Planning Policy Framework (NPPF)

9. There are clear aims and policies at a national strategic level that underline the need to meet renewable energy targets. The Governments renewable energy target seeks to generate 10% of UK electricity from renewable sources by 2010, its aspiration by 2020 is 20%. As a minimum, the UK must meet its legally binding target of 15% by 2020 as set out in the EU Renewable Energy Directive.

Rushcliffe Local Plan

10. Rushcliffe Borough Council has formally adopted a Non-Statutory Replacement Local Plan (NSLP) and has determined that it carries significant weight in determining planning applications. This is following the abandonment of the Local Plan process.
11. The following policies are considered to be of relevance in the determination of this planning application; Policy EN20 seeks to restrict development in the open countryside, except for rural activities and other uses appropriate to the countryside and Policy EN24 which seeks to promote renewable energy, other than where sites have nationally recognised designations; and ensuring that location and design minimise increases in ambient noise levels and adverse impact on visual or residential amenity.

Rushcliffe Core Strategy

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

Strategic Planning Issues

Landscape and Visual

13. The applicants Landscape and Visual Impact Assessment (LVIA) fails to note the policy for each of the Nottinghamshire Landscape Character Assessment Zones and also fails to note

that the nearby villages of Aslockton and Whatton in the Vale have Conservation Areas status and as well as the key characteristics taken from the Conservation Area appraisals, the Townscape appraisal plans should also be taken note of which show the key views and vistas within and out of the Conservation Areas.

14. The LVIA is not clear as to whether the viewpoints for the visual analysis had been agreed with either Rushcliffe Borough Council or Nottinghamshire County Council as is best practice and the list of viewpoints does not seem to be exhaustive as there are other settlements with potential views such as Whatton in the Vale, Staunton in the Vale, Scarrington and Hawksworth. The Landscape team agree, in the main with the conclusions regarding the significance of visual impacts of those viewpoints assessed.
15. The LVIA incorrectly states that *'there are however relatively few rights of way in the vicinity of the turbine.'* This is not correct as there are a number of footpaths and bridleways in the area.
16. The LVIA states that the proposed turbine would have a negligible physical effect on the landscape, but effects other than that of the turbine and its foundation itself need to be considered, such as - will the construction of ancillary buildings and 170 metre access track have any physical effects?, will any vegetation need to be removed to bring the turbine to site? (this is not stated in the LVIA report) Will hedgerow removal be necessary to create the visibility splays necessary for maintenance vehicles to access and exit site? This needs to be considered by the applicant and the physical impact re-assessed.
17. The Landscape team agree with the conclusions with regards to the effects on landscape character in that impact of the turbine on the national character area as a whole is negligible.
18. The Landscape and Reclamation Team disagrees with the statement that *'no important views towards the village are likely to be significantly affected'* as there are identified views from the Conservation Area of Orston that will be affected by the development.
19. The application makes no mention of any vegetation clearance that may be necessary to bring the turbine to the site on a flatbed trailer/low loader except a standard clause which states:

'All hedges, shrubs, bushes, trees, overhanging branches and cables along the nominated route should be trimmed back to allow a 4.0m high window.'

and as such, more information is required on this matter.

20. Detailed landscape and visual impact comments are contained at Appendix 2.

Biodiversity

21. The application is supported by an Ecological Appraisal, dated 13th March 2013. The nearest statutorily designated site is Orston Plaster Pits SSSI, located 1.7km to the south west (although this site is not identified in the applicants Ecological Appraisal); this site would not be affected by the proposals. A small number of non-statutory sites (Sites of Importance for Nature Conservation, also known as Local Wildlife Sites) also occur in the area, the nearest

being approximately 500m from the development site. Again, none of these sites would be affected by the proposals.

22. A Desk Study, Phase 1 Habitat Survey, and Habitat Suitability Index (HSI) survey (the later in relation to great crested newts) have been carried out but no specific surveys have been completed in relation to birds or bats, the two groups of species which are normally at greatest risk from wind turbines. However, the Nature Conservation team conclude that these would not be necessary. However a standard condition should be included to control vegetation clearance during the bird nesting season.
23. The applicants Phase 1 Habitat Survey indicates that the field in which the proposed turbine is to be located is improved in nature, although no species list is provided to support this. However, aerial photos suggest this is the case, and the adjacent fields are ridge and furrow whilst the field in question is not, suggesting that it has undergone 'improvement' in the past. On this basis, the habitat directly affected by the proposals is not considered to have any significant nature conservation value.
24. HSI surveys have been carried out on two ponds in proximity to the development site, which have been assessed as having 'good' and 'average' habitat suitability for great crested newts (a European Protected Species), respectively. Unfortunately, two additional ponds within the survey area were not surveyed due to access restrictions (although it is noted that only 3 ponds in total are marked on the Phase 1 Habitat plan). The nearest pond is approximately 100m from the location of the proposed development, and whilst it is stated that the field in question comprises improved grassland of low potential for amphibians, Rushcliffe Borough Council needs to be mindful of its duty under Regulation 9(3) of the Habitats Regulations to have regard to the requirements of the Habitats Directive, and thus the 'three tests' which must be met before planning permission can be granted for an activity which would otherwise contravene the strict protection afforded to European Protected Species. In this case, whilst 'Reasonable Avoidance Measures' are put forward in the Ecological Appraisal, it is recommended that Rushcliffe Borough Council seek explicit confirmation from the applicant that no impact on great crested newts is predicted, with reference to Natural England's 'Risk Assessment Tool'.
25. No evidence of badgers was found during the Phase 1 Habitat Survey. Nevertheless, the site has some potential for badgers, and it is recommended in the Ecological Appraisal that a repeat survey for badgers is carried out within 50m of the working area prior to development commencing, with mitigation measures provided as necessary. This should be secured through an appropriately worded condition.
26. Detailed Biodiversity comments can be found in Appendix 3.

Cumulative Impact considerations

27. An application for two wind turbines at Sibthorpe was refused by Rushcliffe Borough Council in April 2013 and an application for an 87.5m high wind turbine to the west of this application site at East Bridgford is pending a decision.
28. In combination with this proposed development, the two proposals outlined above are not considered to have any effects in terms of cumulative impacts.

Conclusions

29. The overall National Planning Policy context in relation to wind turbines, as outlined above, is strongly supportive of the principle of wind turbines and the wider benefits of deploying renewable energy technologies in tackling climate change, subject to a number of considerations. The responsibility for determining planning applications for wind turbines lies with district planning authorities.
30. Additional information is required before the Landscape and Reclamation Team will be able to provide a considered response to the planning application.
31. The proposal is unlikely to have any significant impacts on protected or notable habitats or species however, it is requested that, if Rushcliffe Borough Council are minded to approve the application, a condition be attached that a repeat survey for badgers is carried out within 50m of the working area prior to development commencing, with mitigation measures provided as necessary and that a standard condition should be included to control vegetation clearance during the bird nesting season.
32. It is recommended that Rushcliffe Borough Council seek explicit confirmation from the applicant that no impact on great crested newts is predicted, with reference to Natural England's 'Risk Assessment Tool' to ensure their duty under Regulation 9(3) of the Habitats Regulations to have regard to the requirements of the Habitats Directive is met.

Other Options Considered

33. 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

34. It is recognised that significant weight is given to renewable energy at a National and strategic planning level.
35. Additional work is required in relation to the impact of the proposal on the landscape.
36. The proposal is unlikely to have any significant impacts on protected or notable habitats or species.
37. There would be no cumulative effects of this proposal when considering other similar proposals in the vicinity.

Statutory and Policy Implications

38. 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

39. There are no direct financial implications.

Implications for Sustainability and the Environment

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

RECOMMENDATION/S

1) That Rushcliffe Borough Council be advised that the development is supported in principle as it is recognised that significant weight is given to renewable energy at a National and strategic planning level.

2) If Rushcliffe Borough Council are minded to grant planning permission for the proposal, the issues raised above in terms of visual and landscape impacts should be satisfactorily addressed and that two conditions with regards to nature conservation are included as follows:

- The applicants undertake a repeat survey for badgers within 50m of the working area prior to development commencing, with mitigation measures provided as necessary; and
- Vegetation clearance should be controlled during the bird nesting season.

3) That Rushcliffe Borough Council seek explicit confirmation from the applicant that no impact on great crested newts is predicted.

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 (NAB 24.06.13)

41. Environment and Sustainability Committee has authority to approve the recommendations set out in this report by virtue of its terms of reference.

Financial Comments (SEM 24/06/13)

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

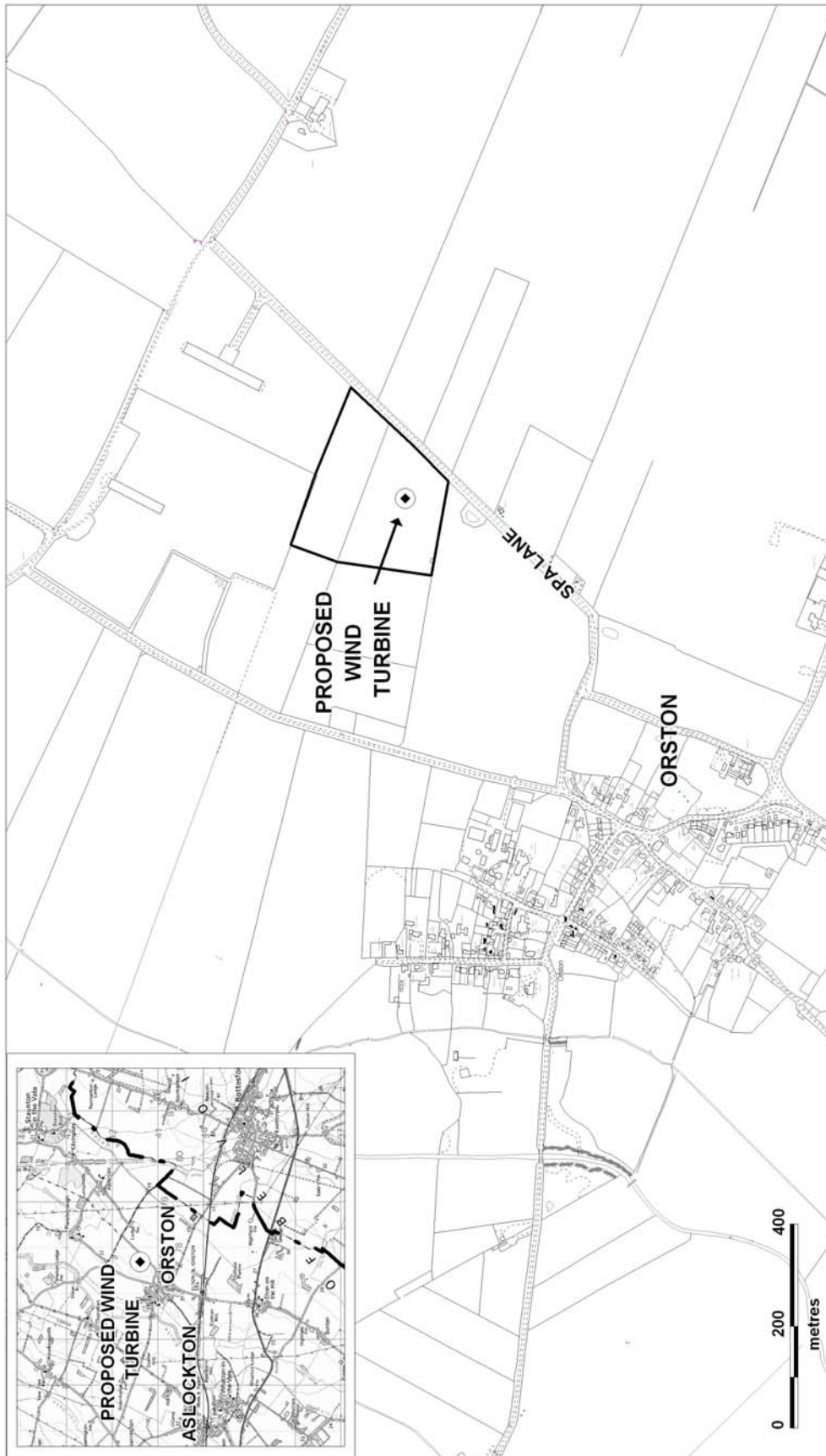
Background Papers and Published Documents

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

Electoral Division(s) and Member(s) Affected

Councillor Martin Suthers OBE

APPENDIX 1: SITE LOCATION PLAN



Proposed Installation of 1 no. 500kw wind turbine (hub height 50m +max height to blade tip of 74m) with associated infrastructure including access track.
OS Field 7442 Spa Lane Orston Nottinghamshire.
Planning Application No. 13/00720/FUL

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (1000019713) (2013)



Scale: 1: 10,000
Produced by: JW
Date: JULY 2013



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

APPENDIX 2: DETAILED LANDSCAPE AND RECLAMATION COMMENTS

Memo



From: Helen Jones, Landscape & Reclamation, Highways, Trent Bridge House

To: Nina Wilson, Principal Planner, Policy, Planning and Corporate Services Department

Date: 20 June 2013

Your ref: -2013/00720/FUL

Our ref: G403R-T04/HMJ/

Tel: 0115 977 4552

Email: helen.jones@nottscc.gov.uk

PLANNING APPLICATION NO.	2013/00720/FUL
LOCATION:	Spa Lane, Orston
PROPOSAL:	Erection of single 74 metre wind turbine and other ancillary development

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 by David Collins. The Landscape Team have considered the following documents in order to make these comments:-

- **Letter from Hallmark Power Limited to RBC – April 2013**
- **Site Location Plans including plans of turbine and foundations**
- **Landscape and Visual Impact Assessment – FPCR – April 2013**
- **Visuals – Figures 1 - 5 – FPCR – April 2013**
- **Photographs and photomontages - Figures 6 -15 – FPCR – April 2013**
- **Planning Statement including Design and Access Statement – Hallmark Green Power – undated**
- **Route survey prepared for Hallmark Power Ltd - Delivery of wind turbine to Spa Lane , Orston - undated**

The full comments are included in the attached Appendix 1, but a summary of the NCC conclusions is provided below:-

To summarise the conclusions of the report :-

- **Landscape and Visual Impact Assessment – FPCR – April 2013**

The applicant needs to carry out a cumulative Landscape and Visual Impact Assessment, this is mentioned briefly in the Planning Statement including Design and Access Statement but there is no information in the LVIA report.

Methodology - Include definitions of degrees of significance of impact, note significant impacts in terms of Environmental Assessment regulations

Baseline landscape assessment – Include key characteristics of National Character Area 48 – Trent and Belvoir Vales in the description, include landscape actions for Policy Area SN06 here as well as in the Planning Statement including Design and Access Statement

Baseline visual assessment – Include information about adjacent Public Rights of Way with reference numbers (see attached map)

Viewpoints – Reconsider degree of significance assessed for viewpoint F,

Landscape effects – Determine significance of physical impacts

Visual effects

Residential settlements – make amendments to the text avoiding a generalised significance of impacts,

Road users – add precise descriptions of locations where views are possible from minor roads,

Public Rights of Way- Include information about adjacent Public Rights of Way with reference numbers (see attached map) as above, add an additional viewpoint to take into account views from PROW ref Orston Bridleway 13.

Designations - amend text to take into account identified views from Orston Conservation Area

Summary and Conclusions – to be amended when the above information has been included

- **Planning Statement including Design and Access Statement – Hallmark Green Power – undated**

Make amendments for clarity where cross referenced with LVIA report

- **Route survey prepared for Hallmark Power Ltd - Delivery of wind turbine to Spa Lane , Orston – undated**

Provide more detailed information on whether vegetation removal will be required in order to bring the turbine to site, particularly on close minor roads and how much vegetation will need to be cleared to achieve the '*4.0 metre window*'.

In summary the landscape team are not able to comment fully on the proposal until the above information is provided by the applicant, once this is provided we will consider the reports again.

Helen Jones
Landscape Architect

Appendix 1 - Full Comments

Landscape and Visual Assessment - FPCR – April 2013

1.0 Introduction

The objectives listed in Paragraph.1.2 include the following, '*To identify and assess any cumulative landscape and visual effects*' of the proposal. No information is included in the LVIA concerning cumulative assessment although limited information is included in the Planning Statement and is discussed below.

Paragraph 1.5 -There is a cut and paste error here where Derbyshire is referred to rather than Nottinghamshire.

2.0 Methodology

The guidance referred to is appropriate to the application and the methodology follows best practice. In Paragraph 2.21 - Significance of effects of landscape and visual impact, it would be useful to include definitions of the degrees of significance so that the final conclusions of the assessment can be compared with these definitions. Those impacts which are significant in terms of the EA legislation should be noted here, these are typically substantial and substantial/moderate impacts.

Paragraph 2.22 a study area of 3 - 4 km from the site is accepted for this assessment.

3.0 Baseline Conditions – Landscape Context

Paragraph 3.4 National Landscape Character – the key characteristics are taken from the legacy documents for NCA 48, an updated version for this NCA now exists and this should be used to describe the key characteristics of the area, (a copy is attached for information).

Paragraph 3.5 to 3.13 Local Landscape Character – These paragraphs refer to the Nottinghamshire Landscape Character assessment to describe the character of the study area. They mention the landscape sensitivity, landscape condition, and strength of landscape character of the relevant Policy Zones. They should also note the policy for each zone which is as follows:-

SN06 Conserve and Enhance

SN07 Conserve

SN08 Conserve and Enhance

Paragraph 3.18 – 3.24. Designations -The text notes that parts of the villages of Orston and Thoroton are designated as Conservation Areas. It should also be noted that the nearby villages of Aslockton and Whatton in the Vale also have Conservation Areas. As well as the key characteristics taken from the Conservation Area appraisals, the Townscape appraisal plans should also be taken note of, these show the key views and vistas within and out of the Conservation Areas.

4.0 Potential Effects and Mitigation

Construction Phase

Paragraph 4.3 This is understood to mean that the construction phase will last for 3 months.

5.0 Visual Analysis

Paragraph 5.1. *'A range of representative viewpoints has been selected to assist in the description of effects'*. Note that it is not mentioned in the Landscape and Visual impact assessment that the viewpoints were agreed in advance with either Rushcliffe Borough Council or Nottinghamshire County Council as is best practice.

Paragraph 5.3 This list does not seem to be exhaustive there are other settlements with potential views such as Whatton in the Vale, Staunton in the Vale, Scarrington and Hawksworth.

Paragraph 5.5 *'The network of public footpaths and bridleways through the local area provides potential locations for views towards the proposed turbine. There are however relatively few rights of way in the vicinity of the turbine.'*

This is not correct, there are a number of footpaths and bridleways in the area; these are shown on the attached plan which includes their reference numbers.

The visual baseline for each of the viewpoints is described in Paragraphs 5.9 - 5.30.

NCC comments on the viewpoints based on site visit on 29th May (with trees in full leaf)

Viewpoint A: View north from Mill Lane, Orston

Visual sensitivity of this viewpoint is assessed as medium/high. Receptors are identified as residents and road users. Magnitude of change is assessed as medium/high
→ Moderate/substantial **adverse** visual effect

This viewpoint should have a high visual sensitivity as this is a key vista identified from the Conservation Area (See Townscape Appraisal Plan). Users of PROWs ref Orston Footpaths 3,4,11 and 14 are also receptors, and are of high sensitivity. NCC agrees with the magnitude of change. This still means significance of impact would range from moderate to substantial adverse. NCC agrees with this assessment which is a significant impact in terms of the EA regulations.

Viewpoint B: View north from Lordship Lane, Orston

Visual sensitivity of this viewpoint is assessed as medium/high. Receptors are identified as residents. Magnitude of change is assessed as medium/high.
→ Moderate/substantial **adverse** visual effect

As above, this viewpoint should have a high visual sensitivity as this is a key vista identified from the Conservation Area (See Townscape Appraisal Plan). Users of PROWs ref Orston Footpaths 3,4,11 and 14, and road users are also receptors, and of high and low sensitivity respectively. NCC agrees with the magnitude of change. This still means significance of impact would range from moderate to substantial adverse. NCC agrees with this assessment which is a significant impact in terms of the EA regulations.

Viewpoint C: View north from Nottingham Road, Bottesford

Visual sensitivity of this viewpoint is assessed as medium/high. Receptors are identified as residents, and road users. Magnitude of change is assessed as low.

→ Slight **adverse** visual effect

NCC agrees with this assessment which is not significant in terms of the EA regulations.

Viewpoint D: View west from Normanton Lane

Visual sensitivity of this viewpoint is assessed as medium. Receptors are identified as residents and road users. Magnitude of change is assessed as low.

→ Slight **adverse** visual effect

Users of PROWs to the west are also receptors, and are of high sensitivity although they are at approximately 2 km from the site at this point, so views are diminished by the effects of intervening vegetation. NCC therefore agrees with this assessment, which is not significant in terms of the EA regulations

Viewpoint E: View northwest from near Belvoir Castle

Visual sensitivity of this viewpoint is assessed as high. Receptors are identified as road users and visitors on the terrace of Belvoir Castle, a designated feature. Magnitude of change is assessed as low.

→ Slight **adverse** visual effect

Magnitude of change may be negligible at a distance of 8km so visual effect may therefore be negligible. This impact is not significant in terms of the EA regulations.

Viewpoint F: View north from Station Road, Elton

Visual sensitivity of this viewpoint is assessed as medium. Receptors are identified as road users. Magnitude of change is assessed as low/medium.

→ Slight **adverse** visual effect

Although there are limited stopping points on a country road it seems misleading to choose a viewpoint where the site is screened by a tree when a more open view could be obtained at a slightly different stopping point on the road. Users of Bridleway ref Orston BW 8 to the northwest are also receptors, and are of high sensitivity at approximately 1 km from the site at this point. Visual sensitivity of this viewpoint should therefore be assessed as high/medium. Magnitude of change is accepted as low/medium from a point where the turbine would be visible. This would lead to a slightly higher Moderate/Slight **adverse** visual effect. Note from this viewpoint the electricity pylons further to the east can be seen so the closer turbine could be seen also. This impact is not significant in terms of the EA regulations.

Viewpoint G: View north east from Cliff Hill Lane, Aslockton

Visual sensitivity of this viewpoint is assessed as high. Receptors are identified as road users and residents. Magnitude of change is assessed as low to no change because of the screening effects of intervening vegetation.

→ Slight **adverse** /negligible visual effect

NCC agrees with this assessment which is not significant in terms of the EA regulations.

Viewpoint H: View south east from Thoroton

Visual sensitivity of this viewpoint is assessed as medium because the small number of residential views are screened by intervening farm buildings. Receptors are identified as road users and residents. The magnitude of change is not stated and needs to be added but is assumed to be low.

→ Slight **adverse** visual effect

NCC agrees with this assessment which is not significant in terms of the EA regulations. We also note that further down the road, south west of the village there is only limited view where the hedge height is reduced due to crossing point of electrical pylons.

Viewpoint I: View south from Flawborough

Visual sensitivity of this viewpoint is assessed as high. Receptors are identified as road users and residents. Magnitude of change is assessed as low

→ Slight **adverse**/negligible visual effect.

Visual sensitivity of this viewpoint is assessed as high and magnitude of change as slight which NCC are in agreement with. This impact is not significant in terms of the EA regulations. Views from Flawborough Footpath 2 are screened by mature vegetation. We also note that further down the road, south west of the village views are limited by rising land.

Viewpoint J: View north from north of Sutton

Visual sensitivity of this viewpoint is assessed as medium. Receptors are identified as road users. Magnitude of change is assessed as low

→ Slight **adverse** visual effect

The visual sensitivity of users of PROW ref Elton footpath 1 should also be taken into account these are at approximately 2.5 kilometres from the site but sensitivity remains at medium due to the effects of intervening vegetation. NCC agrees with this assessment which is not significant in terms of the EA regulations.

Summary of significance of visual impacts of viewpoints

A Moderate/substantial **adverse** visual effect

B Moderate/substantial **adverse** visual effect

C Slight **adverse** visual effect

D Slight **adverse** visual effect

E Slight **adverse** visual effect

F Slight **adverse** visual effect NCC assessment - Moderate to slight adverse

G Slight **adverse** visual effect

H Slight **adverse** visual effect

I Slight **adverse** visual effect

J Slight **adverse** visual effect

6.0 Assessment of effects

Physical Landscape Effects

Paragraph 6.1 states that the proposed turbine would have a **negligible** physical effect on the landscape, but effects other than that of the turbine and its foundation itself need to be considered, such as - will the construction of ancillary buildings and 170 metre access track have any physical effects?, will any vegetation need to be removed to bring the turbine to site? (this is not stated in the LVIA report) Will hedgerow removal be necessary to create the visibility splays necessary for maintenance vehicles to access and exit site? This needs to be considered by the applicant and the physical impact re-assessed.

Effects on landscape character

We are agreed that impact of the turbine on the national character area as a whole is **negligible**.

The impact of the turbine on the adjacent county character areas is analysed and summarised in table on page 19 for Policy Zone 06 as a **moderate/slight adverse** landscape effect up to 2 kilometres from turbine site.

Typical definitions would be:-

Moderate adverse - The proposed scheme would be out of scale with the landscape or at odds with the local pattern and landform

Will leave an adverse impact on a landscape of recognised quality

Minor adverse - The proposed scheme would not quite fit into the landform or scale of the landscape

Affect an area of recognised landscape character

The landscape character effects are assessed to be a combination of the above definitions which we would agree with

The impact of the turbine landscape effect beyond 2 kilometres from turbine is **slight adverse to negligible**

Typical definitions would be:-

Minor adverse - The proposed scheme would not quite fit into the landform or scale of the landscape

Affect an area of recognised landscape character

Negligible

The proposed scheme would complement the scale, landform and pattern of the landscape

Maintain existing landscape quality

The landscape character effects are assessed to be a combination of the above definitions which we would agree with.

Visual effects

Residential settlements Paragraphs 6.7- 6.11

Orston – it would be better to say there is moderate **adverse** visual impact for a limited number of properties on Spa Lane and Lordship Lane only and not generalise with an overall assessment for the whole village.

Thoroton – as above it would be better to highlight individual properties that have a view of the turbine and define Significance of Impact rather than generalise with an overall assessment for the whole village.

Flawborough – as above it would be better to highlight individual properties that have a view of the turbine and define Significance of Impact rather than generalise with an overall assessment for the whole village.

Paragraph 6.10 Distant villages including Bottesford visual impacts - agreed.

Paragraph 6.11 *'There are relatively few individual properties and farmsteads within 2km of the proposed turbine and no significant visual impact are predicted.'*

This should be rewritten as:-

'There are relatively few individual properties and farmsteads which have a view of the proposed turbine within 2km of the site and no significant visual impact are predicted (that is impacts greater than a moderate adverse visual Impact).'

Road users Paragraphs 6.12 – 6.13

Paragraph 6.12 – For clarity it should be stated that a slight/negligible **adverse** visual effect is predicted. Paragraph 6.13 is too vague and this needs to give more precise descriptions of where views are possible from minor roads and national cycle routes and their significance of impact, as described earlier a generalised significance of visual impact should not be made.

Public Rights of Way Paragraph 6.14

We disagree that there are few PROWS in the area, those present are shown on the attached map together with their reference numbers. An additional viewpoint should be included from the close bridleway to the north west of the site (Bridleway Orston 13) where views are of high sensitivity, as this recreational activity is focussed on the countryside. Again views from PROWs should not be averaged out across the whole network.

Recreational users Paragraphs 6.15 - 6.16

For clarity it should be stated that a moderate/substantial **adverse** visual effect is predicted for users of the cricket field, which is agreed.

Designations Paragraphs 6.17 - 6.18

Paragraph 6.17 This states that 'no important views towards the village are likely to be significantly affected'. We would disagree with this as there are identified views from the

Conservation Area of Orston that will be affected by the development.(See viewpoint A.) We are in agreement with Paragraph 6.18 that there will be no adverse visual effects on the designated site of Belvoir Castle.

Summary and conclusions

The summary repeats the conclusions of the above sections therefore any comments made above which result in amendments need to be amended in this section also.

Planning statement including design and access statement - Hallmark Green Power – undated

Paragraph 2.10 stated that a *‘community turbine at East Bridgford was not deemed to require an ES.’*

Although this is correct, it should also be added to the statement that the NCC Landscape and Reclamation Team did request that a Landscape and Visual impact assessment was provided by the applicant as well as a cumulative LVIA as part of the submission before a decision was made.

Paragraph 7.8.4 lists policy zone landscape actions for Policy Zone SN06, it would be more useful if this was included in the LVIA documents rather than here where they would aid the baseline description of the landscape.

8.1 Other material considerations

8.1 Heritage assets

Paragraph 8.1.1 draws attention to an important vista from the Orston Conservation Area, which although relevant to consideration of landscape sensitivity is not mentioned in the LVIA report.

9.0 Planning evaluation

Paragraph 9.1.5 states that issues to consider include ‘visual/landscape impact, including any cumulative impact’ ; cumulative impact is not considered in the LVIA report.

9.2 Landscape impact

Paragraph 9.3.1 and 9.3.2 - Any comments that have been made concerning the LVIA also apply to this summary which is a synopsis of the LVIA.

Paragraph 9.4 - This is the only information provided by the applicant on the cumulative impact of the proposed scheme, this is far too brief and this information should be amplified and more correctly located in the LVIA document.

Additional information should be provided about all applications in the vicinity including those in the planning stage rather than just those with approval. These should include the site recently granted permission at Palmers Hollow, Normanton, 3 kilometres east of the application site

mentioned in paragraph 9.6.3. An analysis of potential inter visibility of other developments and the proposed development should be carried out by the applicant.

9.5 Conclusions on potential landscape impact

Paragraph 9.5.2 – *‘any potential harm to the landscape character is not considered to be of significant weight in the planning balance.’*

We do not agree with this statement - although no significant effects on landscape character have been identified, significant adverse visual effects have been identified from Orston and these should be mentioned here.

9.8 Public amenity

Paragraph 9.8.3 - Any amendments made to the LVIA report also need to be incorporated into this quoted section.

Paragraphs 9.8.4, 9.8.5, and 9.8.6 - We do not agree with these paragraphs for reasons detailed previously related to the LVIA report: the impact of the proposal on adjacent PROWs has been underestimated.

Paragraph 9.12.2 Visual Impact - Any amendments to the LVIA also need to be incorporated into this section. We are in agreement that none of the visual impacts can be described as ‘oppressive and overbearing.’

10.7 Landscaping

Paragraph 10.7.1 – No comments.

Delivery of proposed 500KW wind turbine to Spa Lane, Orston – route survey prepared for Hallmark Power Ltd – undated

This report makes no mention of any vegetation clearance that may be necessary to bring the turbine to the site on a flatbed trailer/low loader except a standard clause which says:-

‘All hedges, shrubs, bushes, trees, overhanging branches and cables along the nominated route should be trimmed back to allow a 4.0m high window.’

More information required

APPENDIX 3: DETAILED BIODIVERSITY COMMENTS

Re: Consultation on 50m Wind Turbine, Orston – Rushcliffe Borough Council
Ref: 13/00720/FUL

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. We have the following comments regarding nature conservation issues:

- The application is supported by an Ecological Appraisal, dated 13th March 2013.
- The nearest statutorily designated site is Orston Plaster Pits SSSI, located 1.7km to the south west (although this site is not identified in the Ecological Appraisal); this site would not be affected by the proposals. A small number of non-statutory sites (Sites of Importance for Nature Conservation, also known as Local Wildlife Sites) also occur in the area, the nearest being approximately 500m from the development site. Again, none of these sites would be affected by the proposals.
- A Desk Study, Phase 1 Habitat Survey, and Habitat Suitability Index (HSI) survey (the later in relation to great crested newts) have been carried out. No specific surveys have been completed in relation to birds or bats, the two groups of species which are normally at greatest risk from wind turbines.
- The Phase 1 Habitat Survey indicates that the field in which the proposed turbine is to be located is improved in nature, although no species list is provided to support this. However, aerial photos suggest this is the case, and the adjacent fields are ridge and furrow whilst the field in question is not, suggesting that it has undergone 'improvement' in the past. On this basis, the habitat directly affected by the proposals is not considered to have any significant nature conservation value.
- HSI surveys have been carried out on two ponds in proximity to the development site, which have been assessed as having 'good' and 'average' habitat suitability for great crested newts (a European Protected Species), respectively. Unfortunately, two additional ponds within the survey area were not surveyed due to access restrictions (although it is noted that only 3 ponds in total are marked on the Phase 1 Habitat plan). The nearest pond is approximately 100m from the location of the proposed development, and whilst it is stated that the field in question comprises improved grassland of low potential for amphibians, Rushcliffe Borough Council needs to be mindful of its duty under Regulation 9(3) of the Habitats Regulations to have regard to the requirements of the Habitats Directive, and thus the 'three tests' which must be met before planning permission can be granted for an activity which would otherwise contravene the strict protection afforded to European Protected Species. In this case, whilst 'Reasonable Avoidance Measures' are put forward in the Ecological Appraisal, it is recommended that RBC seek explicit confirmation from the applicant that no impact on great crested newts is predicted, with reference to Natural England's 'Risk Assessment Tool'.
- Minor negative impacts are predicted on bats following the assessment of information gathered during the Desktop Study; as already indicated, no specific bat activity surveys were carried out. However, Natural England's Technical Information Note TIN059 (*Bats and single large wind turbines: Joint Agencies interim guidance*, dated 18 September 2009)

states that “a bat survey should normally be recommended for applications for turbines that will be located within 50m of the following features:

- Buildings or other features or structures that provide potential as bats roosts
- Woodland
- Hedgerows
- Rivers and lakes
- Within or adjacent to a site designated for bats”

In this case, none of these situations apply; in particular, the turbine has been sited such that it is more than 50m from any boundary features (and a **condition** relating to micro-siting should be used to ensure that this is the case). On this basis, there does not appear to be a requirement for a bat survey. The Ecological Appraisal concludes that minor negative impacts on bats cannot be precluded, but that impacts on bat populations at the local level are considered unlikely.

- The ornithological (i.e. bird) interest of the site is considered to be low, although no surveys have been carried out. However, it is stated that “the majority of bird species likely to be present within the survey area comprise small perching birds which are not generally considered to be vulnerable to wind turbine developments”. Although not backed up with survey evidence, this appears to be a reasonable assumption to make. A standard **condition** should be used to control vegetation clearance during the bird nesting season.
- A number of bird species of ‘high risk’ from collision with turbines (generally larger, less manoeuvrable species such as wildfowl and raptors) have been recorded in the wider area, all associated with the Kilvington Lakes site some 2km the north east. The Ecological Appraisal states that such species “may occasionally be present over the site on passage, but due to the lack of suitable breeding and foraging habitat within the application site, these species are not likely to be regularly present”. Regarding the absence of surveys in this respect, Natural England’s Technical Information Note TIN069 (*Assessing the effects of onshore wind farms on birds*, dated 7th January 2010) states that “situations for which detailed assessments requiring surveys and monitoring are likely to be necessary include:
 - Locations where Schedule 1 (Wildlife & Countryside Act 1981) and/or Annex 1 (EU Birds Directive) species are present in significant numbers, especially those which may be sensitive to wind farm effects (see Appendix 1).
 - Locations within, or in the vicinity of, designated or proposed Special Protection Areas (SPAs), ornithological Ramsar Sites and ornithological SSSIs, again especially when used by species which may be sensitive to wind farm effects.
 - Known bird migration routes and local flight paths, wetland sites and other locations where potentially vulnerable species occur in relatively high concentrations.
 - Topographical features such as ridges and valleys and, on the coast, cliffs and headlands, which may funnel or otherwise concentrate bird flight activity.”

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

- No evidence of badgers was found during the Phase 1 Habitat Survey. Nevertheless, the site has some potential for badgers, and it is recommended in the Ecological Appraisal that a repeat survey for badgers is carried out within 50m of the working area prior to development commencing, with mitigation measures provided as necessary. This should be secured through an appropriately worded **condition**.

- No significant impacts on any other protected or notable species appear likely.

We trust you will find the above comments of use, but if you require any further information, please do not hesitate to contact us.

Nick Crouch
Senior Practitioner Nature Conservation

18th July 2013**Agenda Item: 6 (C)****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****STRATEGIC PLANNING OBSERVATIONS****Purpose of the Report**

1. To provide a summary of the current status of planning consultations received, and being dealt with, by the County Council from Nottinghamshire District and Borough Councils and central government.

Information and Advice

2. Policy, Planning and Corporate Services has received 11 planning consultations during the period 13th May to 13th June 2013.
3. Appendix A contains a list of all the planning consultations received during the above period.

Other Options Considered

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

Reason for Recommendation

5. This report is for information only.

Statutory and Policy Implications

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

RECOMMENDATION

- 1) This report is for information only.

Jayne Francis-Ward

Corporate Director, Planning, Policy and Corporate Services

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

Background Papers

Individual Consultations and their responses.

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

Constitutional Comments

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

Financial Comments

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

Electoral Division(s) and Member(s) Affected

All.

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

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
Ashfield District Council						
13.06.13	Ashfield District Council V/2013/0298	364-376 Watnall Road, Hucknall	Twelve semi-detached residential properties	JM	O	Letter sent 21 st June
Gedling Borough Council						
13.06.13	Gedling Borough Council 2013/0546	Land off Teal Close	Outline planning application comprising residential development (up to 830 units)	JM	C	September E&S Committee
Mansfield District Council						
28.05.13	Mansfield District Council 2013/0224/ST	Land to the North of Skegby Lane, Mansfield	Outline application with all matters reserved for residential development	JM	C	July E&S Committee
10.06.13	Mansfield District Council 2013/0214/ST	Land at Booth/Peel Crescent, Mansfield	Application to replace an extant outline planning permission 2010/0394/ST in order to extend the time limit for implementation – outline application including the reserved matters of access, layout and scale for the construction of 12 No. two storey houses.	JM	O	Letter sent 13 th June
Newark and Sherwood District Council						
17.05.13	Newark & Sherwood District Council 13/00458/OUTM	Land West of Waterfield Way, Clipstone	Renewal of extant planning permission 09/01136/OUTM – for the erection of up to 100 Residential Units, Structural Landscaping, Open Space Provision and Access Roads	NW	O	Ongoing

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
17.05.13	Newark & Sherwood District Council		Newark & Sherwood Community Infrastructure Levy (CIL) – Consultation on proposed changes to list of infrastructure projects to be funded by CIL	NW	O	Ongoing
Rushcliffe Borough Council						
13.05.13	Rushcliffe Borough Council 13/00720/FUL	OS Field 7442, Spa Lane, Orston	Installation of 1 no. 500kW wind turbine (hub height 50m +max height to blade tip of 74m) with associated infrastructure including access track	NW	C	July E&S Committee
29.05.13	Rushcliffe Borough Council 13/00991/FUL	Holme Lock, Adbolton Lane, Holme Pierrepont	Proposed Hydro Power Scheme	JM	O	Letter sent 7 th June
Other Consultations						
20.05.13	City of Lincoln Council		Site Allocations: Stage 1 Preliminary Engagement	NW	O	Ongoing
22.05.13	Rotherham Metropolitan Borough Council		Rotherham Local Plan: new homes and jobs in your community	NW	O	Ongoing
10.06.13	Charnwood Borough Council		Pre-submission consultation on the Charnwood Local Plan 2006 to 2028 Core Strategy	JM	O	Ongoing

Response type

- C Committee
- O Officer

18 July 2013**Agenda Item: 7****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****NOTTINGHAMSHIRE LOCAL AGGREGATES ASSESSMENT - 2013****Purpose of the Report**

1. To approve the Nottinghamshire Local Aggregates Assessment (2013).

Information and Advice

2. Aggregate minerals (such as sand and gravel and hard rock) make an essential contribution to national prosperity and quality of life. They help to underpin the construction industry and provide the critical raw materials for built development, other construction, manufacturing and the maintenance of infrastructure. Aggregates are usually defined as hard granular materials which may be comprised of primary (extracted from the land or the sea) or recycled materials.
3. The National Planning Policy Framework (NPPF) introduced the requirement for Mineral Planning Authorities to undertake a Local Aggregates Assessment (LAA) which states that:

“Minerals planning authorities should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data”.
4. Following the publication of the NPPF, the Government issued further guidance on the Managed Aggregate Supply System (MASS) in October 2012. This sets out that the LAA should cover an assessment of:
 - Recycled aggregate;
 - Secondary aggregate;
 - Imported aggregate; and
 - Land-won aggregate.
5. The guidance also stated that the LAA should cover the issues set out below, which the County Council consider have been included within the LAA:

- A forecast of the demand for aggregates based on the average of 10-years sales data and other relevant local information;
 - An analysis of all aggregate supply options, as indicated by landbanks, mineral plan allocations and capacity data. This analysis should be informed by planning information, the aggregate industry and other bodies; and
 - An assessment of the balance between demand and supply, and the economic and environmental opportunities and constraints that might influence the situation. It should conclude if there is a shortage or a surplus of supply and, if the former, how this is being addressed.
6. The Nottinghamshire LAA identifies the current and future situation within Nottinghamshire with respect to all aspects of aggregate supply and takes into account other local considerations. The Nottinghamshire LAA covers the following areas:
- Aggregates in Nottinghamshire;
 - Local production;
 - Future aggregate provision;
 - Future growth; and
 - Conclusions
7. The Nottinghamshire LAA is attached in Appendix 1.
8. The MASS guidance indicates that all LAAs should be submitted for consideration and scrutiny to the relevant aggregate working party. The aggregate working parties should provide technical advice on the adequacy of each local aggregate assessment. Nottinghamshire County Council consulted with the East Midlands Aggregates Working Party (EMAWP) and other neighbouring Mineral Planning Authorities on an initial draft of the LAA in November 2012. Responses were received from a number of neighbouring authorities and the EMAWP which included some suggested modifications which have now been incorporated into the final document.
9. The LAA concludes that the provision of Sand and Gravel is the biggest issue for Nottinghamshire and over the plan period resource depletion in the Idle Valley is likely to be the biggest factor potentially influencing exports to South Yorkshire. The extent of the impact will depend on the level of demand (due to the economic conditions) over the plan period, but it is likely that sand and gravel will either be sourced from quarries around Newark or from other markets outside of Nottinghamshire to meet demand which could affect the amount of mineral being provided.
10. It also concludes that Sherwood Sandstone production is much lower than sand and gravel and over the plan period no specific issues have been identified. Limestone production is very low due to the limited reserves and few issues have been raised.
11. Based on the available information set out in the LAA it is considered that the apportionment figures developed using the 10 year average sales methodology are accurate and that there will be no significant increase in economic activity or development to warrant an increase in the level of provision.
12. The Nottinghamshire LAA will be monitored annually alongside the annual monitoring of the Minerals Local Plan (when adopted). The monitoring of the levels of demand from significant

new infrastructure projects will also be key and will be undertaken through the annual review of the LAA. This will ensure that there is an adequate and steady supply of aggregate minerals provided over the plan period and that any fluctuations in future requirements can be addressed.

Other Options Considered

13. The only other option would be not to approve the Local Aggregates Assessment but the production of this document is a Government requirement as set out in the National Planning Policy Framework (NPPF) and Managed Aggregate Supply System (MASS) guidance.

Reason/s for Recommendation/s

14. To agree the 2013 Nottinghamshire Local Aggregates Assessment. Production of Minerals Local Plans and associated documents is a statutory requirement.

Statutory and Policy Implications

15. 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

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

Implications for Sustainability and the Environment

17. The production of Minerals Local Plans and associated documents is a statutory requirement.

RECOMMENDATION/S

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

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

For any enquiries about this report please contact: Lisa Bell, Planning Policy Team Manager, ext 74547

Constitutional Comments (NAB 24.06.13)

18. Environment and Sustainability Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference.

Financial Comments (SEM 24/06/13)

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

Background Papers and Published Documents

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

Electoral Division(s) and Member(s) Affected

All

Nottinghamshire Minerals Local Plan

Local Aggregates Assessment

July 2013



Index

	Summary	1
1.	Introduction	
2.	Aggregates in Nottinghamshire.....	4
	Primary aggregates	4
	Alternative aggregates.....	5
3.	Local production	7
	Sand and gravel.....	7
	Sherwood Sandstone	8
	Aggregate Limestone.....	11
	Alternative aggregates.....	12
4.	Future aggregate provision.....	14
	Sand and Gravel.....	14
	Sherwood Sandstone.....	15
	Limestone.....	16
5.	Future Growth	17
	National Infrastructure Projects.....	17
	Population.....	17
	House building.....	17
6.	Conclusion.....	19

Summary

This is the first Nottinghamshire Local Aggregates Assessment (LAA) to be produced under the requirements set out in the National Planning Policy Framework. The assessment covers Nottinghamshire (excluding Nottingham City) and will set apportionment figures for aggregate minerals for inclusion in the Nottinghamshire Minerals Local Plan.

Aggregate minerals are made up of sand and gravel, Sherwood Sandstone and limestone and are used in the construction industry. Their main uses include concrete, mortar, asphalt, railway ballast and bulk fill.

The LAA sets out:

- Summaries of past aggregate production, number of active quarries and the distribution of the extracted mineral.
- Future apportionment levels based on the NPPF 10 year average figure and comparison to past apportionment figures.
- The key issues that could affect the future demand for aggregates over the next plan period.

Key Findings

Nottinghamshire is an important producer of sand and gravel and Sherwood Sandstone and has a large export market particularly to South Yorkshire and the wider East Midlands. Limestone production is limited with most imported from Derbyshire and Leicestershire.

The recession has seen output for all aggregate minerals fall significantly since 2007. This can be seen most dramatically with sand and gravel as output in 2010 fell to its lowest level since records began in 1974.

The 2009 draft apportionment figures agreed by the Regional Aggregate Working Party are no longer considered accurate as they were only based on a period of economic growth. The NPPF 10 year average production methodology will therefore be used as this takes into account a period of growth and recession.

Based on current evidence it is not considered that there will be a sufficient increase in demand from major infrastructure projects to set apportionment figures above the NPPF methodology. Sand and gravel output from the Idle Valley could also fall over the plan period due to resource depletion influencing the amount of mineral that can be exported to South Yorkshire. Ongoing monitoring will be undertaken to ensure that this remains correct over the plan period.

Introduction

- 1.1 The requirement to prepare a Local Aggregates Assessment (LAA) was introduced through the publication of the National Planning Policy Framework in March 2012. The purpose of the LAA is to enable Minerals Planning Authorities to provide a steady and adequate supply by identifying local apportionments for all aggregate minerals in their area. These apportionment figures should be based on the last 10 years average production figures taking into account national and sub national guidelines on provision and any important local considerations.

More detailed guidance on LAAs was published by the Department for Communities and Local Government (DCLG) in October 2012 and adds the requirement to produce a 3 year average production figure in order to monitor future demand.

- 1.2 This LAA sets out the aggregate minerals found in Nottinghamshire, the current situation in terms of annual output, number of active quarries and the amount of aggregate that will need to be provided over the plan period.
- 1.3 The draft LAA was submitted to the East Midlands Aggregate Working Party for consideration in November 2011. The feedback from the working party has been incorporated in to this version.
- 1.4 The Aggregates Working Party is made up of MPAs from across the region and industry representatives. Its role is to provide technical advice about the supply and demand for aggregates and undertake annual monitoring of aggregate production and levels of permitted reserves across the East Midlands. This information is supplied to MPAs and to the National Aggregate Co-ordinating group to inform national aggregate provision.
- 1.5 The latest survey information is from 2011, and it is these figures that the LAA is based on.
- 1.6 The LAA is required to be updated on an annual basis, and will enable the MPA to monitor on going patterns and trends in aggregate production and ensure that adequate reserves are maintained over the plan period.
- 1.7 Background papers focusing on each aggregate mineral as well as all other minerals have been produced to support the Minerals Local Plan:

Background papers – specific minerals

- Aggregates - sand and gravel, options for meeting shortfalls
- Aggregates - Sherwood Sandstone, options for meeting shortfalls
- Aggregates – Limestone (crushed rock), options for future provision
- Alternative aggregates
- Brick clay

- Gypsum
- Building stone
- Industrial dolomite
- Silica sand
- Coal
- Hydrocarbons – oil and gas

Background papers – other issues

- Minerals safeguarding
- Biodiversity
- Landscape character
- Archaeology
- Development management policies

Other technical reports

- Sustainability Appraisal – scoping report
- Strategic Flood Risk Assessment
- Habitats Regulations Assessment

All of the above documents are available on our website:
www.nottinghamshire.gov.uk/minerals

Aggregates in Nottinghamshire

- 2.1 Aggregates account for around 90% of minerals used in construction and are essential in maintaining the physical framework of buildings and infrastructure on which our society depends. Aggregates are usually defined as hard granular materials and include sand and gravel, Sherwood Sandstone and limestone. Their main uses include concrete, mortar, roadstone, asphalt, railway ballast, drainage courses and bulk fill.

Primary aggregates

- 2.2 Nottinghamshire's geology gives rise to the following primary aggregate minerals, as illustrated in Plan 1.

Sand and gravel

- 2.3 Important alluvial (river) sand and gravel deposits are found in the Trent and the Idle Valleys which have made Nottinghamshire the largest sand and gravel producing area in the East Midlands. Limited extraction also occurs in glaciofluvial sand and gravel deposits near East Leake, south of Nottingham. Sand and gravel is mainly used in ready mixed concrete production, although Nottinghamshire's reserves are particularly valuable because they meet high strength concrete specifications as the gravel is made up of quartzite.

Sherwood Sandstone

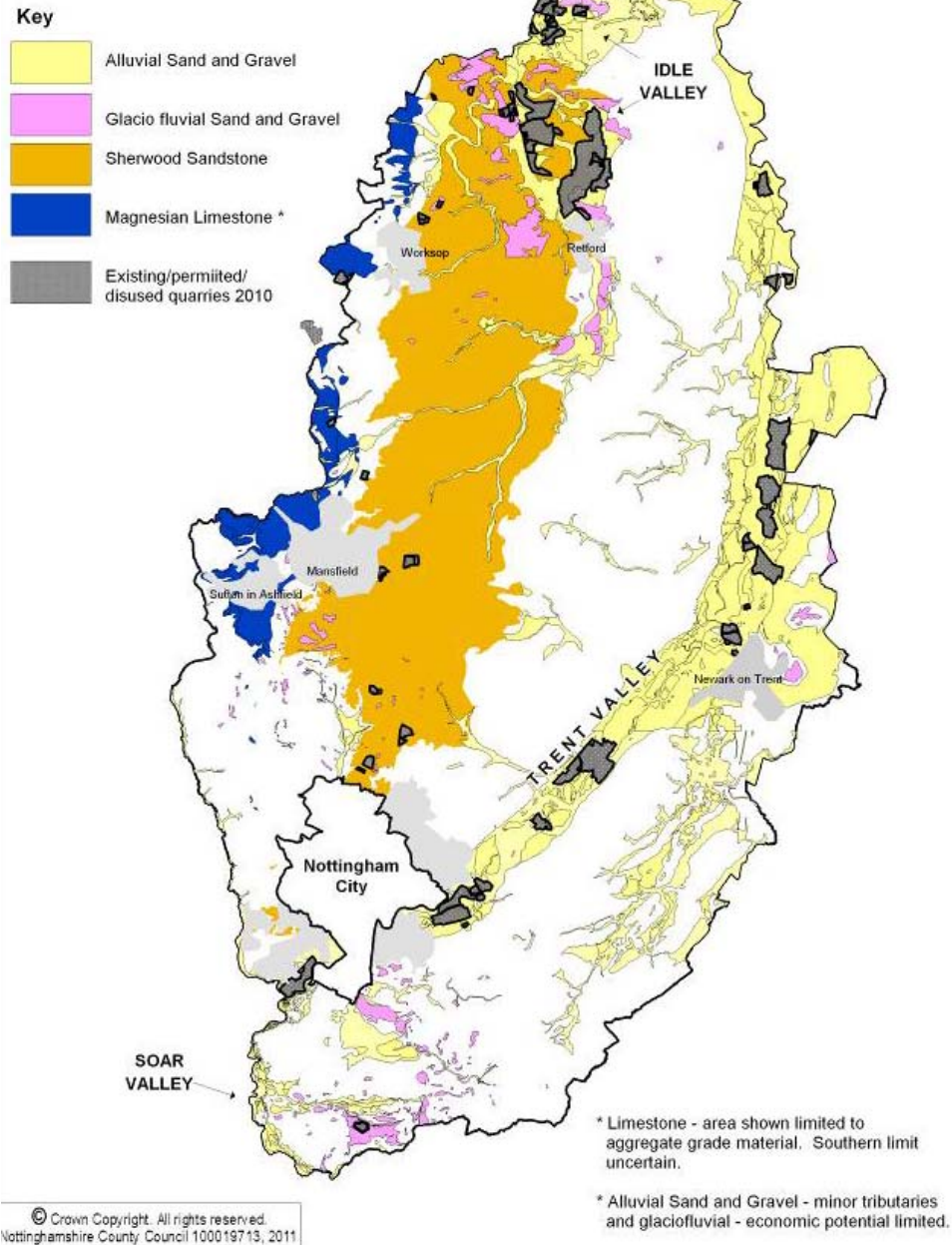
- 2.4 Although defined as sandstone, this rock formation rapidly breaks down to sand when extracted. The Sandstone occurs as a broad north-south belt stretching from the border with South Yorkshire, southwards to Nottingham. The mineral is mainly used to produce asphaltting and mortar sand. There is relatively little overlap with the uses that the alluvial and glacial sand and gravels are put to. The Sherwood Sandstone is also used for non-aggregate industrial and other specialist end-uses, the future requirements of which are considered in the background paper on Sherwood Sandstone.

Magnesian Limestone

- 2.5 This resource occurs as a relatively narrow belt to the west of the Sherwood Sandstone. This outcrop comprises the southernmost limits of the UK's second largest limestone resource that extends from the Durham coast through Yorkshire into Derbyshire and Nottinghamshire. Limestone suitable for use as an aggregate is only found in the Mansfield area and to the north where the mineral is used mainly as a road sub-base material although some mineral is of industrial grade quality. Production is relatively small scale and the lowest in the East Midlands. Around Linby the limestone is suitable for building and ornamental purposes, although aggregates can be produced as a by-product of utilising reject building stone. The future requirements and issues for building and industrial limestone are considered in the background paper on Limestone.

Figure 1: Location of aggregate minerals in Nottinghamshire

**Plan 1 - Nottinghamshire -
Primary Aggregate Resources**



Alternative aggregates

- 2.6 Alternative aggregates comprise secondary and recycled materials, although these terms are often used interchangeably. Recycled aggregates are materials that have been used previously and include construction and demolition waste, asphalt road planings and used railway ballast. Secondary aggregates are by-products of other processes that have not been previously used as aggregates. They include colliery spoil, china clay

waste, slate waste, power station ashes, blast furnace and steel slag, incinerator ashes and foundry sands.

- 2.7 Alternative aggregates are currently most widely used in lower grade applications such as bulk fill. However, the range of uses is widening due to advances in technology and the increasing economic incentive to use them instead of primary aggregates.
- 2.8 In Nottinghamshire, sources of alternative aggregates include construction and demolition waste, power station ash, river dredgings, road planings and rail ballast.

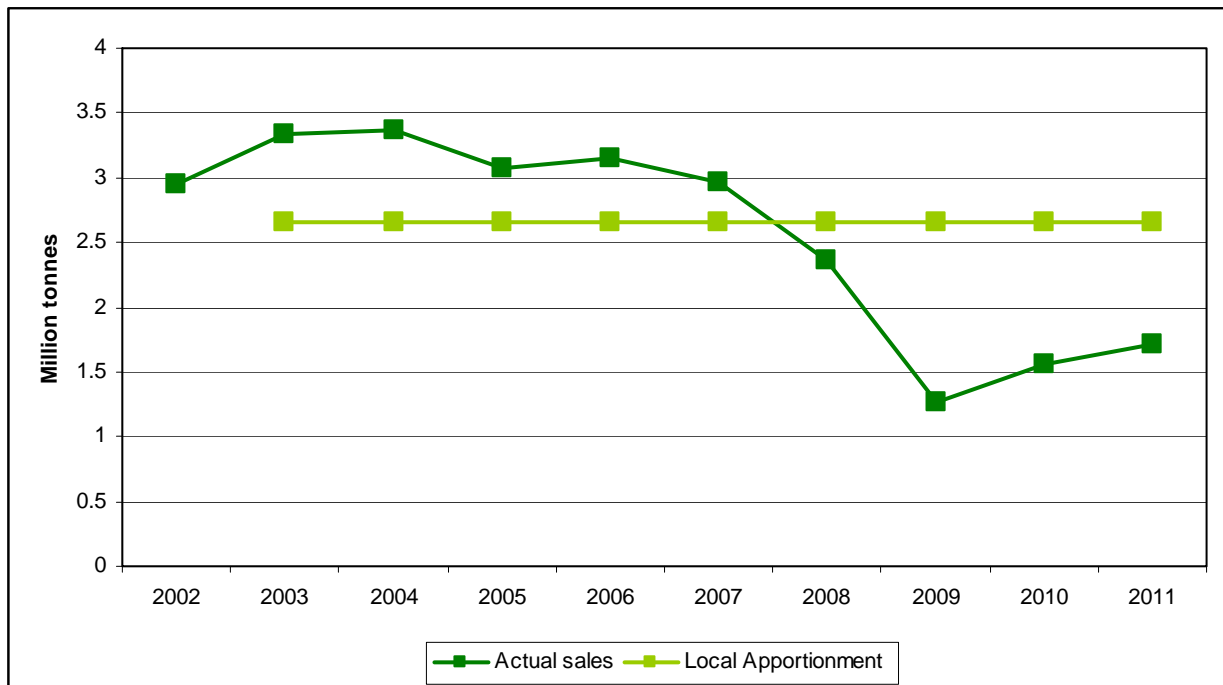
Deposit	Principle use	Occurrence	Market
Sand and gravel	Ready mixed concrete/ High strength concrete	Trent Valley & Idle Valley	South Yorkshire, East Midlands & Nottinghamshire market
Sherwood Sandstone	Asphalting sand, mortar sand and other specialist industrial uses	A broad north-south belt from South Yorkshire border to Nottingham	As above
Limestone	Mainly used for road sub-base.	Aggregate limestone is found in the Mansfield area and to in the north west of the county	Nottinghamshire. Majority of limestone imported into the county.

Local production

Sand and gravel

- 3.1 From 2001, production increased steadily to a high of 3.37 million tonnes in 2004, well above the current apportionment of 2.65 million tonnes, before declining slightly over the following years. Production fell sharply from 2007 onwards (in line with the national output) to just 1.27 million tonnes in 2009. This was a result of both the recession and production at Finningley quarry temporarily moving across the county boundary into Doncaster. Extraction in Nottinghamshire restarted at Finningley quarry in 2010 but the total countywide output only increased to 1.59 million tonnes representing the lowest production figure since records began in 1973. Production in 2011 increased slightly to 1.71 million tonnes. See Figure 2 below.

Figure 2: Recent sand and gravel production, 2001-2011 (million tonnes)



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (Million tonnes)	2.95	3.34	3.37	3.08	3.15	2.97	2.37	1.27	1.56	1.71

Resources and landbank

- 3.2 There are 12 permitted sand and gravel sites although at present only 9 are being worked. A combination of falling sales and new reserves being permitted in recent years has increased the landbank above the minimum 7 year minimum after it fell to 5.5 years in 2007. As of December 2011 the landbank stood at 7.3 years equal to 19.3 million tonnes

Table 1: Permitted sand and gravel quarries in Nottinghamshire

Site	Operator	Status
Langford Lowfields	Tarmac	Active
Girton	Tarmac	Active
Besthorpe	Lafarge	Active
Sturton Le Steeple	Lafarge	Yet to be worked
East Leake	CEMEX	Active
Cromwell	CEMEX	Yet to be worked
Misson West	Hanson	Active
Misson Newington	Hanson	Active
Scrooby	Rotherham Sand & Gravel	Active
Mattersey	Rotherham Sand & Gravel	Dormant
Finningley	Lafarge	Active
Misson Bawtry Road	Rowley	Active

Sherwood Sandstone

- 3.3 Historically Sherwood Sandstone production has been much lower than sand and gravel production as it is generally used in different, more specialist markets. Production has slowly declined since the mid 1990s. Between 2001 and 2007 it remained relatively stable at around 0.5-0.6 million tonnes although still below the apportionment figure of 0.7 million tonnes. As with sand and gravel, output fell significantly from 2008 onwards to record lows of just 0.32mt in 2009 and 2010 as a result of the recession. Output increased slightly in 2011 to 0.35mt. See Figure 3 below.

Figure 3: Recent Sherwood Sandstone production, 2001-2011 (million tonnes)



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (million tonnes)	0.58	0.60	0.51	0.50	0.50	0.55	0.45	0.32	0.32	0.35

Resources and landbank

- 3.4 There are seven permitted Sherwood Sandstone quarries (Table 2) although at present only six are being worked. The Sherwood Sandstone landbank has remained well above the seven year minimum standing at 9.8 years as of December 2011 equating to 6.8 million tonnes.

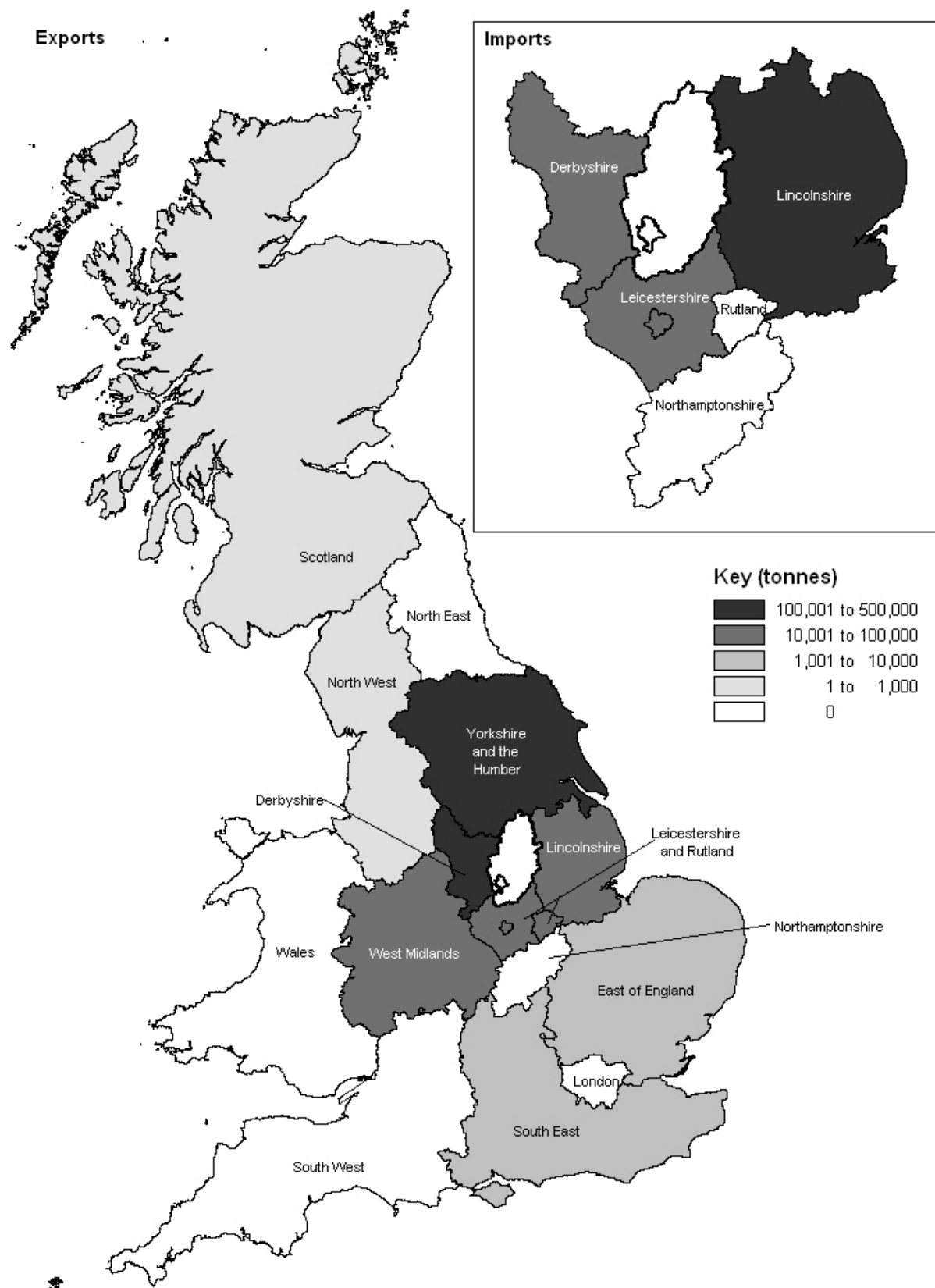
Table 2: Permitted Sherwood Sandstone quarries in Nottinghamshire

Site	Operator	Status
Burntstump	Tarmac	Active
Bestwood 2	Tarmac	Active
Carlton Forest	Tarmac	Active
Ratcherhill	Mansfield Sand Company	Active
Rufford	Welbeck Estates	Active
Scrooby Top	Rotherham Sand & Gravel	Active
Serlby	Rotherham Sand & Gravel	Dormant

Imports and exports of sand and gravel (including Sherwood Sandstone)

- 3.5 Imports and exports of aggregates are only recorded in the full surveys undertaken by the East Midlands Aggregate Working Party (EMAWP), with the last full survey being 2009. This survey does not include a breakdown for Sherwood Sandstone, hence all sand and gravel import and export figures in this report include Sherwood Sandstone.
- 3.6 Our imports of sand and gravel (including Sherwood Sandstone) from the East Midlands are very small in comparison to the amount extracted from our own quarries (250,000 tonnes compared to 1.60 million tonnes in 2009). It is likely that these imports supply markets close to the county boundary.
- 3.7 In 2009 52% of the sand and gravel (including Sherwood Sandstone) extracted in Nottinghamshire was exported out of the county (comprising of 22% to the East Midlands and 30% elsewhere). This is in part due to the high strength quartzite gravel that meets the specifications for making high strength concrete. The main export markets are South Yorkshire and neighbouring authorities in the East Midlands although some is transported a much greater distance.

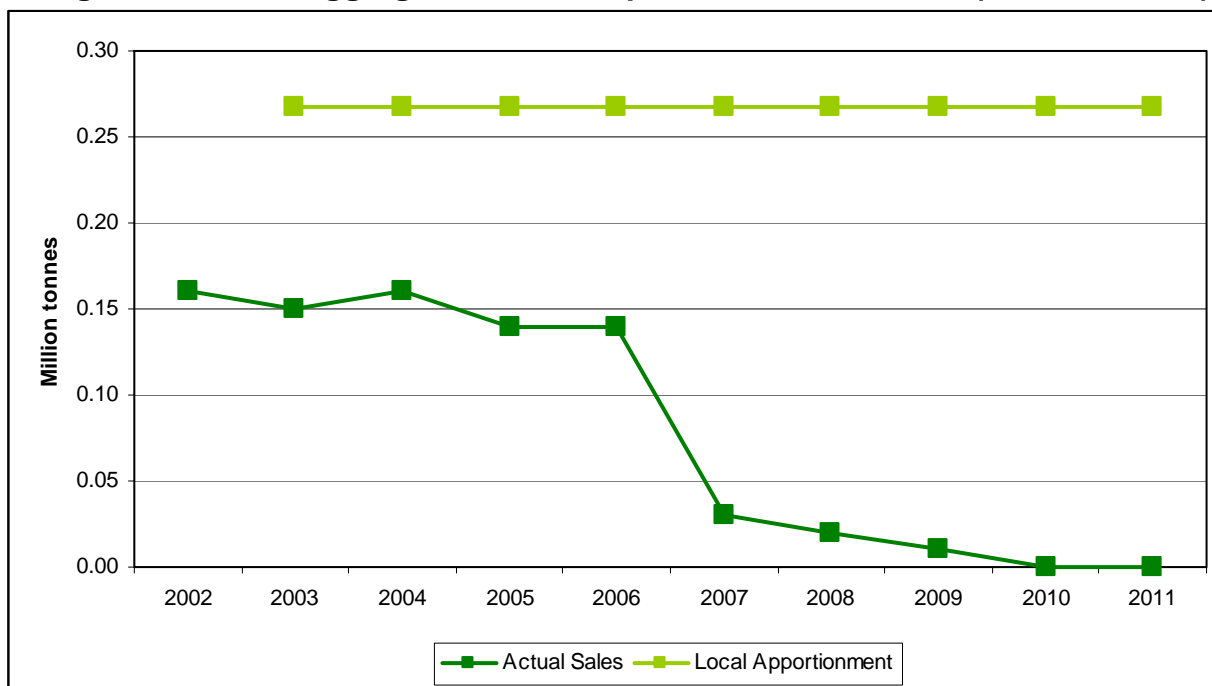
Figure 4: Sand and gravel (including Sherwood Sandstone) imports and exports, 2009 (tonnes)



Aggregate Limestone

- 3.8 Limestone production in Nottinghamshire has been low by regional standards. Production over the last 10 years has been well below the apportionment figure of 0.26. Up to 2006 production remained stable around 0.15 million tonnes before significantly falling from 2007 onwards. In 2010 and 2011 zero output was recorded. See figure 5 below.

Figure 5: Recent aggregate limestone production, 2001-2011 (million tonnes)



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Production (million tonnes)	0.16	0.15	0.16	0.14	0.14	0.03	0.02	0.01	0.0	0.0

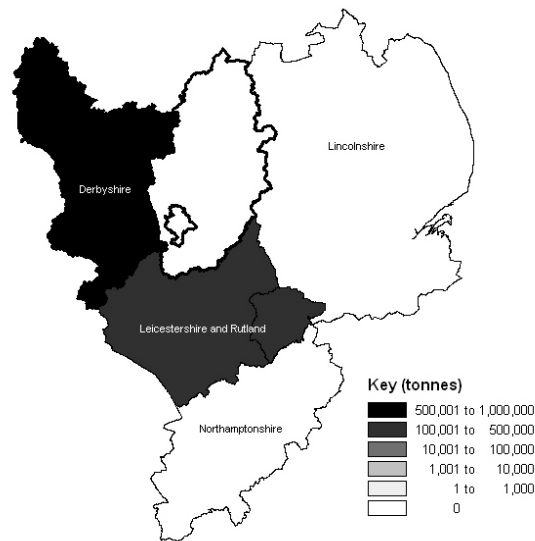
Resources and landbank

- 3.9 Nottinghamshire only has one dedicated aggregate limestone quarry (at Nether Langwith) and is only worked seasonally as it serves as a satellite to a much larger quarry in Derbyshire. Some aggregate is also produced from reject stone at a building stone quarry although this tonnage is small. As of December 2011 the landbank stood at nearly 13 years, above the minimum of 10 years however if this was based on actual production the landbank would be significantly higher.

Imports and exports of aggregate limestone

- 3.10 Limestone resources in Nottinghamshire are relatively limited therefore the majority of limestone used is imported from Derbyshire and Leicestershire (see Figure 6). No mineral was exported at the time of the 2009 EMAWP survey.

Figure 6: Aggregate limestone imports, 2009 (tonnes)



Alternative aggregates

- 3.11 Production figures for alternative aggregates are limited to national estimates. Since 1980 there has been a significant increase in annual alternative aggregate production in Great Britain, rising from 20 million tonnes to 71 million tonnes by 2007. It is estimated that alternative aggregates currently make up around 25% of aggregate use. This proportion is three times higher than the European average. Current forecasts for the East Midlands suggest an annual production of 6.8 million tonnes per annum up to 2020.
- 3.12 Local data for alternative aggregates is very limited however the main types of alternative aggregates in Nottinghamshire are set out below:

Power station ash

- 3.13 Nottinghamshire has three power stations which produce furnace bottom ash and pulverised fuel ash. In total around 1.7 million tonnes of ash is produced each year. The main use is in the production of building blocks, cement or as a secondary aggregate.

Construction and demolition waste

- 3.14 National estimates suggest that around 80-90% of construction and demolition waste is re-used or recycled, a large proportion of which usually occurs on site within the same development using mobile processing plants.
- 3.15 There are no local figures but estimates suggest that around 1 million tonnes was produced in 2010/11. There is also a number of permanent recycling facilities that have a total capacity of around 430,000 tonnes per annum.

Used rail ballast crushing

- 3.16 Worn out rail ballast is taken by rail to recycling centres for crushing into aggregate. As this material comprises high quality limestone or granite it can be re-processed for high-grade uses. In Nottinghamshire there is a railway ballast recycling centre at Toton railway sidings in Stapleford with an annual output of between 100,000 -200,000 tonnes.
- 3.17 Further information is included in the background paper on alternative aggregates and also in the Nottingham and Nottinghamshire Waste Core Strategy Documents.

Future Aggregate Provision

- 4.1 In order to provide a steady and adequate supply of aggregates over the plan period, the NPPF states that future apportionments should be based on the last 10 years average production taking into account national and sub national guidelines and any important local considerations.

National and Sub-National Aggregate Guidelines

- 4.2 Prior to the introduction of the National Planning Policy Framework (NPPF), the supply of land-won aggregates in England was based on national and sub national guidelines for aggregates provision published by DCLG. The most recent guidelines covering the period 2005-2020 were published in 2009.
- 4.3 The East Midlands Aggregate Working Party used these guidelines to produce draft apportionment figures for each MPA. The figures were then approved by the East Midlands Regional Assembly in 2010 and were to be incorporated into the Regional Plan via the review process. However due to the abolition of the Regional Spatial Strategy the figures were never adopted.
- 4.4 It was decided at the Aggregate Working Party meeting in February 2013 that the draft 2009 figures are now considered out of date as they were only based on aggregate output from a period of economic growth, and should, therefore, not be taken into account when determining the new apportionment figures.

Sand and gravel provision

- 4.5 By far the greatest planning issue for Nottinghamshire is the long term provision of sand and gravel over the plan period. Ensuring that the correct apportionment is identified will ensure adequate provision is made without resulting in overprovision and the unnecessary allocation of sites.
- 4.6 Based on the 10 year average sales methodology, the sand and gravel apportionment would be 2.58 million tonnes. This figure reflects the current downturn, however as the methodology is based on a period of economic growth as well as the recession it provides a level of flexibility for the future when the demand for sand and gravel increases. The 3 year average is 1.51 million tonnes and reflects the current economic downturn and illustrates the subdued nature of the construction industry at present. As this is the first 3 year average to be produced it is difficult to identify any short term trends.
- 4.7 This can be compared against recent sub national guidelines (see Table 3) although as stated earlier the 2009 draft apportionment figures have been discounted by the East Midlands Aggregate Working Party as they are now considered out of date. This is because they were based solely on a period of economic growth in the early to mid 2000s.

Table 3: Sand and Gravel Apportionment

	NPPF 10 year average	Current Minerals Local Plan apportionment	Draft 2009 apportionment
Sand and gravel (million tonnes)	2.58	2.65	3.25

Resource depletion in the Idle Valley

- 4.8 The Idle Valley, located in the north of the county has a long history of sand and gravel extraction. Traditionally a large proportion of this has supplied markets in Yorkshire and Humberside due to its close proximity and limited mineral reserves elsewhere.
- 4.9 Resource depletion is now starting to limit output, and over the last 10 years the number of active quarries has fallen from 9 to 6. This has seen capacity fall from around 1.5 million tonnes in 2003 to around half in 2011. Some of the loss of capacity is due to the recession delaying the implementation of the permitted quarry at Sturton Le Steeple although further reserves will still be required in the future. From the call for sites, 2 greenfield sites have been put forward as well as a number of extensions to existing sites, however even if all these sites were allocated and gained planning permission capacity is unlikely to increase to levels seen previously as existing quarries close.
- 4.10 The full impact of the lower output is difficult to predict at present due to the recession, although if demand increases significantly over the plan period reserves elsewhere will be needed to cover the shortfall.
- 4.11 Production will either increase from the Trent Valley close to Newark, a significantly greater distance from the markets in Yorkshire and Humberside or reserves outside the county will need to be sourced. If reserves outside the county are exploited or a combination of different sources are used this could see exports from Nottinghamshire to Yorkshire and Humberside fall.

Sherwood Sandstone provision

- 4.12 Sherwood Sandstone production is much lower than sand and gravel and historically has been in steady decline. This along with the drop in sales due to the recession is reflected in the 10 year average sales figure of 0.46 million tonnes. The 3 year average is 0.33 million tonnes and reflects the current economic downturn.
- 4.13 This can be compared against recent sub national guidelines (see Table 5 below) although as stated earlier the 2009 draft apportionment figures have now be discounted by the East Midlands Aggregate Working Party as they now considered out of date. The difference in apportionments is much lower for Sherwood sandstone than with sand and gravel as the declining output had been taken into account.

Table 5: Sherwood Sandstone Apportionment

	NPPF 10 year average	Current Minerals Local Plan apportionment	Draft 2009 apportionment
Sherwood Sandstone (million tonnes)	0.46	0.7	0.57

No additional specific local factors have been identified when considering the future apportionment for Sherwood Sandstone.

Limestone provision

- 4.14 Limestone is only worked from one quarry in Nottinghamshire and production has been very low due to the seasonal working of the site and abundance of limestone worked in Derbyshire and Leicestershire.
- 4.15 Based on the 10 year average sales methodology, the limestone apportionment would be 0.08 million tonnes which reflects the higher output levels earlier in the 10 year period. The 3 year average is 0.03 million tonnes and reflects the very low levels of extraction in recent years. See Table 6 below.

Table 6: Limestone Apportionment

	NPPF 10 year average	Current Minerals Local Plan apportionment	Draft 2009 apportionment
Limestone (million tonnes)	0.08	0.26	0.10

- 4.16 As part of the call for sites, an extension to Neither Langwith and two new greenfield quarries have been put forward. The two new quarries have been put forward to meet specific issues rather than to meet any shortfall identified over the plan period. A potential quarry has been put forward at Steetley near Worksop which would directly supply limestone to a recently built pre-cast concrete works. A key part of any planning application will be the sustainability issues related to the minimal transport required. The second is a potential quarry at Holbeck which has been put forward primarily for the extraction of Industrial dolomite. When the dolomite is extracted aggregate limestone would be available for extraction. The extraction of the aggregate limestone is being promoted by the industry to avoid sterilisation of the mineral. If either or both of these sites were permitted, output is likely to be higher than the apportionment however it is not a target or ceiling to limit production.

Future Growth

National Infrastructure Projects identified for Nottinghamshire

- 5.1 The National Infrastructure Plan identifies two projects that are currently underway in Nottinghamshire: the Nottingham Express Transit (NET) phase 2 expansion and the widening of the A453 between Junction 24 of the M1 and Nottingham. The NET expansion is likely to bring about a short term increase in demand for aggregates however construction is expected to be completed by the end of 2014. Work on the A453 widening started in January 2013 and is expected to be completed by summer 2015. The project is likely to increase demand for aggregate but this will be largely met from quarries in Derbyshire and Leicestershire as they are located closer than those in Nottinghamshire. Looking to the future the recently announced High Speed 2 line (HS2) phase two will pass along the western boundary of the county. At this stage it is difficult to identify an exact start date or indeed the exact amount of mineral that would be required for the project. However progress will be monitored through future LAAs.

Population forecasts

- 5.2 The population of Nottinghamshire (the Geographic County, including Nottingham City) is expected to grow over the plan period by almost 140,000 to about 1.23m; a rate of around 13%. Theoretically it is likely that this rate of growth can easily be accommodated in the apportionment figure as it takes into account the large export market for Nottinghamshire aggregates. However it is difficult to make a direct comparison between the figures.

House building

- 5.3 House building is a significant user of the county's aggregates and this is likely to continue over the next plan period. A steady increase in housing completions to 2030 is being planned for in District and Borough Local Plans, however this has to be offset against the significant fall in completions in recent years due to the recession. See Figure 7 below.

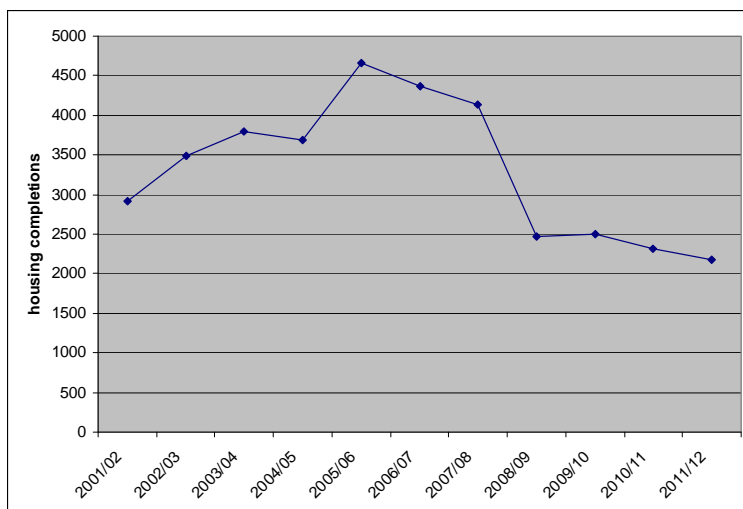


Figure 7: Housing completions 2001-2012

- 5.4 The District/Boroughs throughout the County are at different stages of their Local Plan preparations, however, all have identified their future housing requirements set out over different time periods. Planned house-building rates for the County are 4,450 dwellings per annum, somewhat higher than that achieved over the 10 years to 2010. Table 7 below identifies how this is apportioned.

Table 7: Future house building rates per annum

District/Borough	Requirement	Requirement (per annum)
Ashfield District Council	7,094 dwellings (2010-2023)	545 dwellings
Bassetlaw District Council	6,384 dwellings (2010-2028)	350 dwellings
Broxtowe Borough Council	6,150 dwellings (2011-2028)	362 dwellings
Gedling Borough Council	7,250 dwellings (2011-2028)	426 dwellings
Mansfield District Council	7,820 dwellings (2011-2031)	391 dwellings
Newark and Sherwood District Council	14,800 dwellings (2006-2026)	740 dwellings
Nottingham City Council	17,150 dwellings (2011-2028)	1,009 dwellings
Rushcliffe Borough Council	9,400 dwellings (2011-2026)	627 dwellings
TOTAL		4,450 dwellings

- 5.5 Depending on the length of the economic downturn it is expected that housing completions will increase over the plan period, as identified in the District/Borough's Local Plans. Overall this is likely to be comparable to those experienced over the past 10 years as each of the District/Borough's have yet to achieve the completions identified above.
- 5.6 Future house building over the plan period will be a significant element of the use of the County's aggregates. Planned levels are high in relation to current and recent past house-building. Consequently the steady growth in planned provision over the plan period, along with the current economic circumstances would suggest a slow and steady increase from current levels towards the planned average figures by the end of the period.

Conclusion

- 6.1 The NPPF set out the requirement for Mineral Planning Authorities to calculate their own aggregate apportionments based on the past 10 year average sales and other important considerations. This is a departure from the previous apportionment methodology which was based on national and sub national guidelines published by Central Government.
- 6.2 The recession has also seen aggregate output at a local and national level fall significantly since 2007. In Nottinghamshire this can be seen most dramatically with sand and gravel output in 2010 which fell to its lowest level since records began.
- 6.3 The provision of Sand and Gravel is the biggest issue for Nottinghamshire and over the plan period resource depletion in the Idle Valley is likely to be the biggest factor potentially influencing exports to South Yorkshire. The extent of the impact will depend on the level of demand (due to the economic conditions) over the plan period, but it is likely that sand and gravel will either be sourced from quarries around Newark or from other markets outside of Nottinghamshire to meet demand which could affect the amount of mineral being provided.
- 6.4 Sherwood Sandstone production is much lower than sand and gravel and over the plan period no specific issues have been identified.
- 6.5 Limestone production is very low due to the limited reserves and few issues have been raised. Two potential quarries have been put forward for consideration in the plan which could provide increased output, however these are being put forward for specific reasons such as sustainability reasons rather than relating to the identification of adequate reserves over the plan period.
- 6.6 The construction of the NET line 2 and the A453 widening are expected to be completed by the time the Minerals Local Plan is adopted. Longer term, the proposed route of the HS2 could increase demand for aggregates, however the timetable for this is unclear at present. A slight increase in house building is planned for in District/Borough Local Plans however the condition of the economy is likely to play a significant role in the number of housing completions. Previous levels of higher housing completions are also reflected in 10 year average sales figures.
- 6.7 Therefore based on the available information set out in this LAA it is considered that the apportionment figures developed using the 10 year average sales methodology are accurate and that there will be no significant increase in economic activity or development to warrant an increase in the level of provision.
- 6.8 This Local Aggregates Assessment will be monitored annually alongside the annual monitoring of the Minerals Local Plan (when adopted). The monitoring of the levels of demand from significant new infrastructure projects will also be key and will be undertaken through the annual review of the LAA. This will ensure that there is an adequate and steady supply of aggregate minerals provided over the plan period and that any fluctuations in future requirements can be addressed.

18 July 2013**Agenda Item: 8****REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2013/14.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

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

RECOMMENDATION/S

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

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

For any enquiries about this report please contact: Ruth Rimmington, Democratic Services Officer on 0115 9773825

Constitutional Comments (HD)

8. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

9. There are no financial implications arising directly from this report.

Background Papers

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

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

Electoral Division(s) and Member(s) Affected

All

ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
12 September 2013				
Waste Core Strategy update	To provide Members with an update of the Waste Core Strategy, including feedback from examination process and next steps.	Information	Sally Gill	Lisa Bell
PFI Update				
Update on Developer Contribution Strategy				
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson
October 2013				
Minerals Local Plan Preferred Approach (date TBC)	To seek approval to undertake public consultation on the Council's Minerals Local Plan Preferred Approach.	Decision	Sally Gill	Lisa Bell
Strategic Planning Observations	Regular update to Committee on summary of applications received.	Information	Sally Gill	Nina Wilson
Items to be scheduled for future meetings (dates to be confirmed)				
Further discussion of relevant issues following initial consideration of renewable energy at the Committee meeting of 29 November 2012.	Information			
Strategic and operational study into effectiveness of HWRC.	Information			
Consideration of options to progress recycling and waste minimisation across the County.	Information			

