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Sent via email to
FAO Laura Gardner
planning@nsdc.info

2nd July 2020

Dear Laura,

Ref: 20/00873/FULM. Residential development of 103 dwellings and associated access and infrastructure. Field reference Number 7108 Eakring Road, Bilsthorpe, Nottinghamshire,

Thank you for your email dated 17th June 2020 requesting strategic planning observations on the above application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities there are number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications, these include Minerals and Waste, Education, Transport and Public Health.

County Planning Context

Transport and Flood Risk Management

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

Should further information on the highway and flood risk elements be required contact should be made directly with the Highway Development Control Team and the Flood Risk Management Team to discuss this matter further with the relevant officers dealing with the application.

Minerals and Waste

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the saved policies of the Nottinghamshire Minerals Local Plan (adopted 2005), form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the emerging Publication Version of the Minerals Local Plan (July 2019). These should be taken into account where proposals for non-minerals development fall within them.

Minerals

In relation to the Minerals Local Plan, the proposed development site lies within the Mineral Safeguarding and Consultation Area for brick clay. As per National Planning Policy (para. 204), the emerging Minerals Local Plan (Publication Version, July 2019) contains a policy (SP7) concerning the safeguarding and consultation areas. Although the plan is not yet adopted, its provisions should be given some weight as a material consideration. In the Publication Version, Policy SP7 requires

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developments within the minerals safeguarding area to demonstrate it will not needlessly sterilise minerals and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction will be sought where practical.

The applicant therefore should address policy SP7 and so National Policy and consider if prior extraction is feasible, which could form part of the land preparation for the development. This would prevent the unnecessary sterilisation of the mineral resource and also reduce the waste generated from the construction stage of the development. The applicant should be able to demonstrate that the feasibility of extracting brick clay prior to development has been considered and if found to be not practical nor viable, the applicant should be able to demonstrate why this is the case.

Overall, considering the proposal is an extension of the Bilsthorpe area, the County Council from a minerals perspective would not consider the development to be inappropriate in this location, however it should be demonstrated there is a sound argument that identifies a clear and demonstrable need for the non-mineral development and that the practicality of prior extraction has been fully considered.

Waste

In terms of the Nottinghamshire and Nottingham Waste Core Strategy (adopted in 2013), there are two policies which should be taken into consideration when determining this application; WCS10: Safeguarding waste management sites and WCS2: Waste awareness, prevention and re-use.

Policy WCS10 seeks to safeguard permitted waste management facilities and potential future sites from sterilisation from other development uses. The policy though does not seek to restrict development but to take a flexible approach so to accommodate development. For example, taking consideration of any nearby waste management facilities in a site plan layout, which could include using parking or landscaping as a buffer zone from any existing or potential waste use.

For this application at Eakring Road, the proposed development is nearby to several waste management facilities. To the South-East of the proposed development, approximately 400m at the closest extent, on Brailwood Road, there are active waste management sites of Oakwood Fuels, Bilsthorpe Household Waste Recycling Centre, HBC Vehicles and the former Bilsthorpe non-hazardous landfill, which is currently being restored. Also, to the North-East of the proposed development site, to the East of the current Bilsthorpe Business Park, planning permission was granted in 2016 for the Bilsthorpe Energy Centre. The Energy centre is permitted to manage un-processed and pre-treated waste materials through a Plasma Gasification Facility, Materials Recovery Facility and Energy Generation Infrastructure. Though construction has not yet commenced, under condition one of the planning permission (reference ES/2950) the applicant has until 2021 to implement the permission.

Considering the distance between the proposed development site and the facilities of Oakwood Fuels, Bilsthorpe Household Waste Recycling Centre, HBC Vehicles and the former Bilsthorpe non-hazardous landfill, it is unlikely that the proposal would pose a sterilisation risk to these sites. However, in terms of the permitted Bilsthorpe Energy Centre it is likely there will be some visual intrusion on the proposed development site once the waste management site has been constructed, in particular the houses in the North East corner of the proposed development. In terms of other environmental impacts, such as noise and odour, as the proposed development site is a site allocation within the Newark and Sherwood Allocations & Development Management DPD, the impacts from the Waste facility on housing at the proposed development site were considered as part of the application. Therefore, conditions were included within the permission to control any potential impacts on this proposed housing site.

In response to the pre-application consultation, the County Council raised that the applicant may wish to, when determining the layout of the site, consider landscaping of the site so to minimise any potential visual impacts of the Bilsthorpe Energy Centre on the proposed housing. The presence of the woodland on the west of the proposed development site would offer some screening/buffering from potential visual impacts. The district council will need to be satisfied that this does offer

appropriate screening and buffering so to address Policy WCS10 and safeguard the permitted waste facility.

In terms of Policy WCS2: Waste awareness, prevention and re-use, the proposed development should be 'designed, constructed and implemented 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 the development.' In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

Public Health

The Public Health response is outlined in appendix one however if any further information is required, the Public Health team will be able to provide further advice via email planning.publichealth@nottscc.gov.uk

Built Heritage

The County Council does not have any comments to make from the built heritage perspective.

Strategic Highways

The County Council does not have any strategic transport planning observations since the forecast development impact on the major road network, i.e. at the A614 / Mickledale Lane junction, is due to be resolved by the proposed introduction of traffic signal control, subject to the necessary funding and statutory approvals, a scheme being promoted by the County Council through the Government's MRN funding programme .

Planning Obligations

The following sets out the Planning Obligations that are being sought by Nottinghamshire County Council to mitigate the impact of the above development. These are detailed in appendix two and summarised below.

Transport and Travel Services

The County Council request a planning condition to be added to state the following: *No part of the development shall be brought into use unless plans including the location for bus stop NS0908 Eakring Road have been made to the satisfaction of the Local Planning Authority.*

The County Council would also request a planning obligation of £15,500 for bus stop infrastructure. This would be used to provide improvements to the bus stop denoted as NS0908 Eakring Road and shall include installation of real time bus stop pole & displays including associated electrical connections, polycarbonate bus shelter, solar lighting and raised boarding kerbs.

Also, the Travel Plan should include reference to a suitable target for public transport modal share to achieve an uplift in the target share for this site in comparison with the SOA percentage modal split for bus. Free introductory bus travel should be made available to residents of the development to encourage usage of public transport, which should be set out in the Travel Plan.

Libraries

The County Council would request a planning obligation of £3,631 to provide additional stock within the Bilsthorpe Library so to accommodate the needs of the increased population from this proposed development.

Education

In relation to primary, the proposed development of 103 dwellings would generate an additional 22 primary aged pupils. Based on current data, there is projected to be surplus of places within the primary planning area and the impact of this development alone would not lead to a deficit in provision. As a result, the County Council will not be seeking any planning obligations for primary education. The County council reserves the right to re-assess the response if prior to determination, further planning applications are made, or new pupil forecasts are published which would result in a forecast shortfall of pupil planning places in the relevant planning area.

In relation to Secondary, the proposed development is within the Rainworth Secondary Planning Area and would yield an additional 16 secondary school places. Based on current projections there is currently insufficient capacity within the planning area to accommodate the additional pupils generated. As a result, the County Council would seek a planning obligation for secondary education of £382,000 (16 places x £23,875 per place). This would be used to provide additional secondary provision within the Rainworth Planning Area.

As developer contributions are being sought in relation to the County Council's responsibilities it is considered essential that the County Council be a signatory to any legal agreement arising as a result of the determination of this application.

Further information about the County Councils approach to planning obligations can be found in its Planning Obligations Strategy which can be viewed at <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/planning-obligations-strategy>

If the Council has any queries regarding planning obligations please contact William Lawrence, the County Councils Developer Contributions Practitioner on 0115 804 2738 or by email william.lawrence@nottscc.gov.uk

Conclusion

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Emma Brook
Planning Officer
Nottinghamshire County Council

This document is unsigned as it is electronically forwarded. If you require a signed copy, then please contact the sender.

Appendix One. Public Health

The Public Health response is outlined below however if any further information is required, the Public Health team will be able to provide further advice via email planning.publichealth@nottsc.gov.uk

[The Nottinghamshire Health and Wellbeing Strategy](#) sets out the ambitions and priorities for the Health and Wellbeing Board with the overall vision to improve the health and wellbeing of people in Nottinghamshire:

- To give everyone a good start in Life
- To have healthy and Sustainable places
- To enable healthier decision making
- To work together to improve healthcare services

[The Nottinghamshire Joint Strategic Needs Assessment \(JSNA\)](#) provides a picture of the current and future health needs of the population of the county. This is a useful source of information when considering the health and wellbeing of residents in planning process.

The use of [local health profile](#) report pulls together existing information in one place about localities affected by a development proposal, highlights issues that can affect health and wellbeing of residents covered within the planning process. Promoting health and wellbeing enhances resilience, employment and social outcomes. For example, consider limiting long term illness or disability as part of the development needs of a localities to ensure that it is age friendly providing good access to health and social care facilities.

[The Nottinghamshire Spatial Planning and Health Framework](#) identifies that local planning policies play a vital role in ensuring the health and wellbeing of the population and how planning matters impact on health and wellbeing locally. In addition, a health checklist is included to be used when developing local plans and assessing planning applications:

It is recommended that this checklist is completed to enable the potential positive and negative impacts of this application on health and wellbeing to be considered in a consistent, systematic and objective way, identifying opportunities for maximising potential health gains and minimizing harm and addressing inequalities taking account of the [wider determinants of health](#).

Obesity is a major public health challenge for Nottinghamshire. Obesity is a complex problem with many drivers, including our behaviour, environment, genetics and culture. [Nearly a quarter of children in England are obese or overweight by the time they start primary school aged five, and this rises to one third by the time they leave aged 11.](#)

To address Childhood Obesity in 10-11-year olds. It is recommended that the six themes by the TCPA document [Planning Healthy Weight Environments](#) are considered to promote a healthy lifestyle as part of this application.

In addition to [Active Design](#) Sport England 10 principles that promote activity, health and stronger communities through the way our towns and cities are built and designed to encourage activity in our everyday lives.

The six TCPA themes are:

1. Movement and access: Walking environment; cycling environment; local transport services.
2. Open spaces, recreation and play: Open spaces; natural environment; leisure and recreational spaces; play spaces.
3. Food: Food retail (including production, supply and diversity); food growing; access.
4. Neighbourhood spaces: Community and social infrastructure; public spaces.
5. Building design: Homes; other buildings.
6. Local economy: Town centres and high streets; job opportunities and access.

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The Ten Principles of Active Design.

1. Activity for all
2. Walkable communities
3. Connected walking & cycling routes
4. Co-location of community facilities
5. Network of multifunctional open space
6. High quality streets & spaces
7. Appropriate infrastructure
8. Active buildings
9. Management, maintenance, monitoring & evaluation
10. Activity promotion & local champions

Please note for major developments (over 25 dwellings) the Clinical Commissioning Groups (CCG) should be consulted for impact on primary care which may lead to a request for infrastructure support through S106/CIL.

Bassetlaw developments contact Bassetlaw Strategic Estates Group. Nottinghamshire developments email the Nottingham and Nottinghamshire Estates team Noweccg.estates@nhs.net

Appendix Two. Planning Obligations.

The following sets out the Planning Obligations that are being sought by Nottinghamshire County Council to mitigate the impact of the above development. Further information about the County Councils approach to planning obligations can be found in its Planning Obligations Strategy which can be viewed at <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/planning-obligations-strategy>. If the Council has any queries regarding planning obligations please contact William Lawrence, the County Councils Developer Contributions Practitioner on 0115 804 2738 or by email william.lawrence@nottscc.gov.uk

Transport and Travel

General Observations and Accessibility

The planning application covers an area of land to the east of Eakring Road in Bilsthorpe and is for residential development of up to 103 dwellings. Site access appears to be via a new access onto Eakring Road with the closest bus stops approximately 225 metres away from the centre of the site on Eakring Road and Mickledale Lane. Bus Stop NS0908 is currently unmarked. A formal bus stop location for this stop will be required fronting the site to allow new residents access public transport. This stop location should be agreed during this planning process and marked on plans in order that existing and new residents are aware of the proposed location and have the opportunity to comment.

Bus Service Support

Bilsthorpe is served by two commercial bus services operated by Stagecoach. Service 28b operates between Mansfield and Eakring and The Sherwood Arrow service links Bilsthorpe with Nottingham and Ollerton. Both services operate to an hourly frequency on Mondays to Saturdays with peak hour facilities. The Sherwood Arrow service also operates to Worksop and Retford on alternate hours and offers a 2-hourly Sunday daytime service. These routes are supplemented by school-day only services providing links to schools in Ollerton and Southwell. The frequency and capacity offered by these services is probably adequate to cater for the additional patronage generated by this development and is consistent with the comments at Section 4.3.8 of the Transport Assessment.

At this time, it is not envisaged that contributions towards local bus service provision will be sought.

Bus Stop Infrastructure

The current infrastructure observations from Transport & Travel Services photographic records are as follows:

NS0058 Eakring Road – Both ways bus stop pole and raised boarding kerbs

NS0908 Eakring Road – No infrastructure.

NS0033 Saville Road – Bus stop pole and raised boarding kerbs

NS0643 Saville Road – Bus stop pole and raised boarding kerbs

The County Council request a planning condition to be added to state the following: No part of the development shall be brought into use unless plans including the location for bus stop NS0908 Eakring Road have been made to the satisfaction of the Local Planning Authority.

The County Council would also request a planning obligation OF £15,500 for bus stop infrastructure. This would be used to provide improvements to the bus stop denoted as NS0908 Eakring Road and shall include installation of real time bus stop pole & displays including associated electrical connections, polycarbonate bus shelter, solar lighting and raised boarding kerbs.

Sustainable Travel

Section 5.8.3 of the Transport Assessment states that a full Residential Travel Plan (RTP) for the scheme will be submitted separately. 'Table 6.4: Modal Split Summary (2011 Census)' refers to a 2.25% modal split for Bus, Minibus or Coach for the Newark & Sherwood Middle Super Output Area

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(SOA) and 6.4.4 states that the local SOA has a good level of sustainable travel mode use with bus, rail, walk car share, and cycling accounting for approximately 18% of all trips.

The Travel Plan should include reference to a suitable target for public transport modal share to achieve an uplift in the target share for this site in comparison with the SOA percentage modal split for bus. Free introductory bus travel should be made available to residents of the development to encourage usage of public transport, which should be set out in the Travel Plan.

Justification

The level of funding requested would provide the following improvements:

NS0908 Eakring Road – Install real time bus stop pole & displays including associated electrical connections, polycarbonate bus shelter, solar lighting and raised boarding kerbs.

The Council's Public Transport Planning Obligations Funding Guidance for Prospective Developers sets out the standard of bus stop facilities to achieve an acceptable standard to promote sustainable travel and make the development acceptable in planning terms. The current level of facilities at the specified bus stops are not at the standard set out in the Appendix to the guidance document. Bus stop NS0058 Eakring Road has basic facilities (both ways bus stop pole and raised boarding kerbs), and NS0908 Eakring Road has no facilities.

Stop NS0908 would be established as a stop with a real time information departure display. The overall impact of providing real time and disruption information to customers is positive with additional patronage and increased confidence. Research conducted by Transport Focus has highlighted that at-stop real time information is seen as an important factor for non-bus users and is therefore a major factor in inducing modal change. The real-time displays also provide other network information, including details of current and future disruptions, roadworks and special events, including community information which is not otherwise readily obtainable in a concise format. The displays can therefore help users with making informed decisions about their current and future journeys.

A bus shelter is justified in rural areas if patronage exceeds more one boarding passenger per journey. Stop NS0908 is situated fronting the development and is served by Service 28b and by three of the four school bus services. At a modest 3% level of public transport modal share, the development is likely to generate 10 additional two-way bus passenger trips per day (20 two-way trips) and additional school bus trips. This level of usage would justify the requirement for a bus shelter.

Raised boarding kerbs will provide level access boarding for people with buggy's, wheelchairs and those with reduced mobility, together with Solar lighting at the shelter to promote safety.

The improvements would be for one of the two bus stops fronting the site, so are directly related to the development, fair and reasonably related in scale and kind to the development and necessary to make the development acceptable in planning terms (103 dwellings).

Further information can be supplied through developer contact with Transport & Travel Services.

Transport & Travel Services
Nottinghamshire County Council
County Hall
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ptdc@nottscc.gov.uk
Tel. 0115 977 4520

Libraries

Background

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

In Nottinghamshire, public library services are delivered through a network of 60 library buildings and 3 mobiles. These libraries are at the heart of our communities. They provide access to books and DVDs; a wide range of information services; the internet; and opportunities for learning, culture and leisure.

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

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

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

Potential development of Land 7109 Eakring Road, Bilsthorpe

There is currently a proposal for a new development on land off Eakring Road, this would comprise 103 new dwellings. At an average of 2.3 persons per dwelling this would add 237 to the existing libraries' catchment area population. The nearest existing library to the proposed development is Bilsthorpe Library.

We would not seek any costs towards increasing the size of the library to accommodate this population but for this development a contribution will be sought for additional library stock. An increase in population of 237 would put more demand on the stock at this library and a developer contribution would be expected to help address this situation.

The Museums, Libraries and Archives Council (MLA) publication “Public Libraries, Archives and New Development: a standard approach” recommends a standard stock figure of 1,532 items per 1,000 population.

Bilsthorpe Library currently meets the MLA optimum stock level (see table below) and so a developer contribution would be sought to ensure current stock levels are not put under pressure as a result of the new development.

The County Council would request a planning obligation for the additional stock that would be required to meet the needs of the 237 population that would be occupying the new dwellings. This is costed at 237 (population) x 1.532 (items) x £10.00 (cost per item) = £3,631.00

Library Optimum Stock Levels

| LIBRARY | Catchment Popn Est (Census 2011) | Total Lending Stock | Ref Stock | Total Stock | Optimum Stock figure | Difference Optimum vs Actual stock |
|--------------------|----------------------------------|---------------------|-----------|-------------|----------------------|------------------------------------|
| Bilsthorpe Library | 3745 | 5677 | 74 | 5751 | 5737 | +14 |

Education

Primary

In relation to primary, the proposed development of 103 dwellings would generate an additional 22 primary aged pupils. Based on current data, there is projected to be surplus of places within the primary planning area and the impact of this development alone would not lead to a deficit in provision. As a result, the County Council will not be seeking any planning obligations for primary education.

The County council reserves the right to re-assess the response if prior to determination, further planning applications are made, or new pupil forecasts are published which would result in a forecast shortfall of pupil planning places in the relevant planning area.

Secondary

In relation to Secondary, the proposed development is within the Rainworth Secondary Planning Area and would yield an additional 16 secondary school places. As can be seen in the table below, based on current projections there is currently insufficient capacity within the planning area to accommodate the additional pupils generated.

| Planning area | DfE no | School | District | Net Capacity | Pupil projection | Housing commitments, 10 yrs | Surplus or Deficit Places |
|---------------|--------|-------------------------|----------|--------------|------------------|-----------------------------|---------------------------|
| Rainworth | 4408 | Joseph Whitaker Academy | NEWARK | 1269 | 1396 | 28 | -155 |
| Rainworth | 0013 | PLANNING AREA TOTAL | NEWARK | 1269 | 1396 | 28 | -155 |

As a result, the County Council would seek a planning obligation for secondary education of £382,000 (16 places x £23,875 per place). This would be used to provide additional secondary provision within the Rainworth Planning Area.

As developer contributions are being sought in relation to the County Council's responsibilities it is considered essential that the County Council be a signatory to any legal agreement arising as a result of the determination of this application.