

NEWARK AND SHERWOOD AMENDED CORE STRATEGY DPD EXAMINATION

HEARING SESSION 2 – INSPECTORS MATTERS AND ISSUES

QUESTION 25

**ON BEHALF OF HARWORTH GROUP PLC (REPRESENTOR
REFERENCE: 12)**

Pegasus Group

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CONSERVATION AND THE LEVEL OF DEVELOPMENT ENVISAGED IN POLICY SHAP3
(ROLE OF EDWINSTOWE)?

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25. Is there an insoluble tension between heritage and nature conservation and the level of development envisaged in Policy ShAP3 (Role of Edwinstowe)?

25.1 Policy ShAP3 seeks to promote and strengthen the role of Edwinstowe as a sustainable settlement through promoting new housing and employment opportunities within the existing village and the comprehensive mixed used development of Thoresby Colliery.

25.2 Pegasus Group submitted a planning application on behalf of Harworth Group PLC for the redevelopment of Thoresby Colliery (application reference number: 16/02173/OUTM) in December 2016. The application sought approval for up to 800 dwellings, a strategic employment site, a new Country Park, a Local Centre, Primary School, Open Space and Green Infrastructure, and details of access into the site from Ollerton Road. Outline planning permission was granted subject to the completion of a S106 agreement and conditions at Newark and Sherwood District Council Planning Committee on 19th October 2017, in accordance with the officer recommendation. A final draft of the S106 agreement has been agreed and it is anticipated that the S106 will be completed and planning permission issued in early February 2018.

25.3 The planning application for the redevelopment of Thoresby Colliery was accompanied by a full suite of technical documents including a Heritage Assessment, Landscape and Visual Impact Assessment and an Ecology ES Chapter which appended a Phase 1 Habitat Survey and various species surveys. These documents comprehensively assessed the level of development proposed at Thoresby Colliery and its impact on heritage and nature conservation in the context of the wider area.

25.4 A Heritage Assessment by Prospect Archaeology identified and assessed the likely significant effects of the redevelopment of Thoresby Colliery in respect of archaeology and built heritage in the site's locality. There are no designated assets within Thoresby Colliery, twelve Listed Buildings and parts of a Registered Park and Garden (Thoresby Park) and two Conservation Areas (Edwinstowe and Ollerton) lies within a 1km radius of the site. There is no intervisibility between the site and the Listed Buildings, and the potential impact on their setting is assessed as negligible. The assessment makes clear that improvements to the spoil heap through the restoration and landscape can only enhance the wider setting of the Conservation Areas and Thoresby Park.

- 25.5 Geophysical Survey has been undertaken on land to the south of Thoresby Colliery which revealed a small number of anomalies which may be of archaeological origin. Development on site is subject to the approval of an Archaeological Scheme of Work to investigate, retrieve and record and archaeological remains on site. Nottinghamshire County Council Archaeology had no objection to the planning application subject to conditions.
- 25.6 The planning application proposals were developed with regard to Thoresby Colliery's heritage and historical context, and this results in the retention of several buildings (the main power house and the electricians and welders workshop) and the main colliery entrance as part of the redevelopment of the site. The proposals were developed to maintain and enhance the heritage of the Sherwood Area.
- 25.7 The Heritage Assessment and illustrative masterplan was fully assessed by Historic England, NCC Archaeology and Newark and Sherwood Conservation as part of the planning application process. The Committee Report (OTH/01) provides a summary of each consultee response and agrees with the Council's Conservation Officer that *"although the proposed development will have some moderate adverse impact (which is less than substantial in terms of the NPPF) on the setting of designated heritage assets, notably St Mary's Church and on Edwinstowe CA, landscape mitigation, appropriate restrictions in the scale of the development, public benefits (in terms of retaining some colliery structures) and opportunities to better reveal the significance of the nearby heritage assets noted above would sufficiently reduce the adverse impact to negligible and thus achieve preservation. Such matters would form part of the future reserved matters application."* (page 102).
- 25.8 The planning application was accompanied by an Environmental Impact Assessment, including an Ecological ES Chapter, an extended Phase 1 Habitat Survey and a number of supporting surveys undertaken between June and September 2016, as well as a protected species risk assessment.
- 25.9 There are 9 statutory sites and 7 non-statutory sites of nature conservation interest within 2km, notably the Birklands and Bilhaugh Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) immediately to the west, and the Birklands West and Ollerton Corner SSSI immediately to the east. Thoresby Colliery lies within the 5km buffer zone of the Sherwood Important Bird Area, and parts of the site are within 500m of an Indicative Core

Area identified by Natural England for a potential prospective Special Protection Area (ppSPA) (due to nightjar and woodlark that this area supports).

- 25.10 The restoration scheme for the spoil heap has been agreed with Nottinghamshire County Council and is underway. The proposed Country Park will see heathland, grassland and woodland return to the area following restoration. The habitats created will increase biodiversity and create habitats that complement the Sherwood Forest natural character area.
- 25.11 Woodlark and nightjar were both recorded within the survey area (although outside of the proposed development area). These birds are particularly subject to disturbance from walkers, dog walkers and cat predation because they nest on or near the ground. A robust mitigation strategy will be put in place to ameliorate any potential impact. The proposed development incorporates measures to address potential pet predation on restored heathland to the north of the core development area.
- 25.12 'Suitable Accessible Natural Green Space' (SANGS) is the name given to the green spaces to be provided as part of the development that is of a quality and type suitable to be used as natural green spaces by residents and visitors as an alternative to the Birklands and Bilhaugh Special Area of Conservation (SAC) located to the west of the site. Its role is to provide alternative green space to divert visitors from visiting the SAC. SANGS are intended to provide mitigation for the potential impact of residential development on the SAC by preventing an increase in visitor pressure on the SAC. 107ha of SANGS is provided for the redevelopment of the site, which exceed the guidelines set out by Natural England.
- 25.13 The landscape strategy provides watercourses and tree and shrub planting which provides habitat connectivity from east to west across the site, creating wildlife corridors through the proposed development and linking surrounding ecological sites to the new Country Park. Wildlife corridors benefit bats and other mammals such as hedgehog and badger.
- 25.14 Particular rules apply to development proposals in the vicinity of a SAC/ppSPA designed to ensure that they are not likely to have significant adverse effects on the integrity of the SAC/ppSPA, either alone or in combination with other developments. The illustrative masterplan shows that most of the development is

in excess of the recommended 400m buffer from the ppSPA and any interest feature related to it (such as the nesting nightjar).

25.15 Natural England concur that based on the information submitted as part of the planning application, the proposed development will not harm the Birklands West and Ollerton SSSI or the Birklands and Bilhaugh SSSI and SAC, and therefore have no objection. Following the submission of additional air quality assessment information, the Nottinghamshire Wildlife Trust raised no objections subject to long term monitoring (which is secured by condition) and the RSPB also withdrew their objection.

25.16 The Committee Report (OTH/01) concludes that *"A number of birds, mammals and invertebrates have been considered by the ES. NE, NWT and the County Ecologist overall raise no objection to the scheme subject to the suggested conditions. I therefore consider that subject to these suitably worded conditions to control the mitigation and enhancements identified and to safeguard the ecological value of the site and the nearby designated sites the proposal accords with the requirements of Policies and CP12 and DM7"*.