



**NEWARK & SHERWOOD ALLOCATIONS &
DEVELOPMENT MANAGEMENT DPD**

MATTER 5 – SITE SPECIFIC ISSUES

Mansfield Fringe Area

(Issues: 27 to 29)

**Statement on behalf of Newark & Sherwood
District Council**

November 2012

MATTER 5 – SITE SPECIFIC ISSUES –MANSFIELD FRINGE AREA

Issue 27: Do the policies include adequate and appropriate safeguards with regard to the potential effects of development on the Green Belt, biodiversity, historic environment and flooding? Has satisfactory provision been made in respect of transport and other infrastructure requirements?

Green belt

- 27.1 The Newark and Sherwood Green Belt Study (EB22) was produced in accordance with the provisions of Core Strategy Spatial Policy 4A Extent of the Green Belt, which sets the context for small scale reviews in Blidworth, Lowdham and Rainworth. Its conclusions have fed into the production of the Plan.
- 27.2 In undertaking these small scale reviews through the Allocations & Development Management DPD process, the District Council considered whether there were any non Green Belt sites in these settlements that were more or equally sustainable; and considered the importance of the sites in meeting the purposes of the Green Belt. Each site was assessed individually against the five purposes of the Green Belt as set out in Planning Policy Guidance Note 2. Whilst this guidance has now been revoked, the principles remain the same and have been carried forward in the National Planning Policy Framework (ND10)
- 27.3 As part of the wider assessment of sites in Rainworth, Blidworth and Lowdham the District Council has considered the suitability of other sites in these settlements first so that comparisons can be made. In the case of Rainworth and Blidworth there were sites outside the Green Belt and within the settlement which were suitable for development. In Lowdham however no sites within the settlement came forward and therefore consideration was only between sites within the Green Belt.
- 27.4 In bringing sites forward for development, the District Council has only considered those sites which were ranked to be of lower importance in meeting the purposes of the Green Belt. Although the allocated sites were subject to change as a result of the consultation on the Options Report (ADM16) stage of the Plan, all those sites which were initially included, and those which have been taken forward in the Submission version of the Plan were considered to be the most appropriate in Green Belt terms.
- 27.5 A number of representations received regarding the Green Belt review (EB22) in Blidworth, question the nature of the study and its outcomes. A number believe that it is contrary to the Core Strategy, that it did not justify Green Belt release and did not involve various national and local bodies, whilst others felt it did not recommend

release of enough land. The Green Belt review (EB22) should be viewed as part of a continuing process of plan development which began with the Core Strategy (LDF) and the Strategic Housing Land Availability Assessment (SHLAA)(EB9) and has concluded with the submission of this DPD.

- 27.6 The SHLAA (EB9) is an objective baseline assessment of the suitability of the land for housing development. It was produced with consultation of a number of stakeholders as set out in the answers to the Initial Questions to the Council. This includes English Heritage, Nottinghamshire County Council and the Wildlife Trust. This exercise provided the context for later work in site selection. This included the assessment of the land with regard to its Green Belt status, not its general suitability. This assessment looked at the land in the terms set out in paragraphs 27.1 and 27.2 above. It is in that context that the study was prepared and developed.
- 27.7 With regard to those who believe further release should be made, the District Council does not believe that further extension into the Green Belt, proposed by Representors 181 and 190, is appropriate. Whilst the proposed allocation Bl/Ho/1 would represent a Green Belt release this would be in the context of existing residential development on Beech Grove and Dale Lane. Further release would result in an extension away from this context into the Green Belt. The former Jolly Friar Public House whilst relatively close to Blidworth is never the less separate from the village and set within its own context and therefore does not in itself represent a natural extension to Blidworth.
- 27.8 With regard to Representor 71, the District Council does not believe that this land should be released from the Green Belt, for the reasons stated in EB22. The proposal made by Representor 71 is that because of the reduction in site size of Bl/Ho/3, then some of OR:X5(Bl) should be included within the allocations. However the promoters of Bl/Ho/3 do not agree with the need to include neighbouring land, indeed Representor 55 makes clear that they feel more than 100 dwellings could be accommodated on the site and question the restriction on dwelling numbers. This restriction is as a result of the advice of the Highways Authority who have advised the authority on the requirements for this site. Therefore as there is a limit to the number of dwellings that can be accommodated in this location and that number can be accommodated on Bl/Ho/3, the District Council does not believe that any changes should be made in this location.

Biodiversity

- 27.9 The main issues relating to biodiversity in the Mansfield Fringe Area concern the Birklands & Bilhaugh Special Area of Conservation and the increased recreational pressure that would be placed on it by the additional population arising from new homes in the vicinity. During the production of the Plan, the Council co-operated with Natural England over the wording of the document to ensure that potential effects

were avoided wherever possible and mitigated against or compensated for if this was not possible. As a result of this, the wording of the Edwinstowe – Sherwood Forest Visitor Centre Policy ED/VC/1, Policy DM5 - Design, Policy DM7 – Biodiversity and Green Infrastructure, Policy DM10 – Pollution and Hazardous and the Glossary in Appendix A were amended to that now presented. In addition to this, a further post submission change to the wording of Policy DM 7 has been agreed with Natural England and this is detailed in Matter 6 – Development Control Policies and the table of Further Proposed Modifications ref. FPM6.

Historic Environment

- 27.10 The impact of site allocations on the historic environment in the Mansfield Fringe Area was considered at the earliest stages of the process. Potential sites were checked against the Historic Environment Register as part of the SHLAA (EB9), English Heritage were consulted at this stage and the County Archaeologist commented on sites considered from the options stage onwards. Where Heritage Assets did not prevent allocation but presented issues that required further consideration, these were identified as site specific criteria that require addressing as part of development proposals.
- 27.11 Of particular significance in the Mansfield Fringe Area is the Grade II listed headstocks and power house of the former Clipstone Colliery which are located within site Cl/MU/1. This policy has been developed in line with the NPPF's requirement to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets at risk. English Heritage did not object to the allocation but had some concerns over its wording. The Council has cooperated with English Heritage on the wording of this policy and arrived at the agreed form reproduced at Appendix A. The Inspector is requested to make this amendment and it is included in the schedule of further Proposed Changes accordingly (FPM9).
- 27.12 In Blidworth the decision to remove one site and amend another was in response to concerns, amongst others, regarding impact on Blidworth Conservation Area. Whilst Representor 56 is right in the sense that just because a site is in the Conservation Area it does not mean that it should not be developed, the combination of factors, green belt, access and mining subsistence which were raised as part of the consultation along with impact on the Conservation Area led to OR:Bl/Ho/4 not being carried forward to the Publication DPD.

Flood Risk

27.13 Assessment of flood risk began with the Strategic flood Risk Assessment Level 1 of 2009 (EB32). All initial SHLAA sites and a range of those identified by officers were considered within this. The Strategic Flood Risk Assessment Level 2 Phase 1 (EB33) considered the Strategic Sites allocated in the CS (LDF10). Whilst the sites include land within Flood Zones 2 and 3, the relevant policies state that housing and employment development will not be allowed within these areas unless exceptional unforeseen circumstances are identified. The Strategic Flood Risk Assessment Level 2, Phase 2 (SFRA L2 Ph2)(EB34) dealt with the remainder of sites to be allocated through the Plan. In selecting sites for inclusion in the Plan, preference was given to locating new development in Flood Zone 1. However, in order to meet the growth requirements of the CS, it was necessary to identify some sites that are at risk of flooding. Utilising the SFRA L2 Ph2, 3 sites with small parts in Flood Zone 2 were sequentially selected in the Mansfield Fringe Area. The flood risk issues associated with each of these were identified as site specific criteria that require addressing as part of development proposals. Full details of the approach taken to flood risk are set out in the Allocations & Development Management Sequential Approach to flood risk (EB36)

Transport & Infrastructure

27.14 Whilst only the open space element of the Lindhurst development for some 1,700 homes on the southern site of Mansfield lies within Newark and Sherwood, it was included within the District Wide Transport Study (EB30). Following on from comments received at the Allocations Options Report stage regarding the emergence of this development the Council engaged WYG to review potential impacts of the development on the settlements in the Mansfield Fringe. Using the information available from Mansfield District Council, WYG carried out further modelling and the results are contained in EB31. Local infrastructure requirements which arise as a result of growth in the Nottingham Fringe Area will be met through Developer Contributions, and where appropriate, through funding assistance as set out in the Funding Statement (EB38).

27.15 Policy Ra/Ho/2 places a limit on the number of dwellings that can be served within it from Warsop Lane and this has been questioned by Representor 20. The Council based this limit on advice obtained during the SHLAA but now understands based on latest advice this is not the case. The Council does however wish to protect the amenity of residents on the existing estates to the north and east and consequently requests the Inspector modify the criterion relating to access to read:

‘Main entrance to the site via Warsop Lane. Any secondary access should not be via existing estate roads to the north and east.’ (FPM5)

Issue 28: Are the housing sites deliverable given the requirements of the Core Strategy policies relating to affordable housing and the development management policies set out in the Plan? Is the amount and type of retail/employment development justified and deliverable?

- 28.1 The Mansfield Fringe was identified in the Newark & Sherwood Viability Assessments (EB11) as the area where viability is a challenge. As set out in the Council’s answers to your initial questions, this is a challenge which the District Council believes can be addressed. The details of this are set out in Matter 2 and the Funding Statement (EB38).
- 28.2 The Council consider that the former Clipstone Colliery site allocated as Cl/MU/1 is of particular importance in the regeneration of the community it once provided the majority of employment for. The Council note Representor 66’s comments on the greater suitability of the former Rufford Colliery site to provide for the employment needs of the Mansfield Fringe Area instead of sites Cl/MU/1 and Ra/E/1 but do not agree. In addition to the former Rufford Colliery site’s remote location and unresolved ecological issues, as identified through the public enquiry into the incinerator proposal, it does not offer the mixed use benefits of Cl/MU/1; the location within the established framework of the settlement makes it ideally suited to provide the mix of development that is most likely to realise the regeneration needs of this settlement and address the future of the Grade II listed structures on site. Recognising the viability issues surrounding the development of sites in the Mansfield Fringe Area, the Council consider that a mixed use allocation within an established settlement is the most likely to stimulate and facilitate development. To allocate the former Rufford Colliery site at the expense of Cl/MU/1 would still leave the issue of a sustainable site containing Grade II listed structures unresolved.
- 28.3 Representors 44 and 66 consider that site Ra/E/1 is more suitable than Ra/Ho/2 for housing and therefore should be allocated as such. During the production of the Plan the Council have been under the understanding that there was an interest in developing Ra/E/1 for employment use evidenced by a planning approval and pre-application enquiries. As noted in the sites assessment against the provisions of CS Spatial Policy 9 detailed at Appendix 2 of the Options Report, site Ra/E/1 was assessed for residential purposes. As the only suitable highway access is via the Rainworth Bypass the site is not considered as more or equally sustainable for residential purposes than other sites elsewhere within and around the settlement including those which are currently within the Green Belt. Residential development here would be

isolated from the settlement in terms of highway connection and on this basis there was a need to identify other land to meet the housing requirements which resulted in the identification of Ra/Ho/2.

- 28.4 The plan proposes increases in retail provision in Rainworth and Clipstone. These proposals are in line with the need to strengthen retail provision in these locations. Rainworth has a limited supply of retail, although Tesco's has recently opened in the District Centre. The proposed Ra/Mu/1 will provide the opportunity for a small scale addition to the Centre. In Clipstone the retail proposal has been included within Cl/MU/1 as discussed in 28.2.
- 28.5 The Council notes that Policy Ra/E/1 erroneously refers to the allocation resulting in the land no longer being in the Nottinghamshire Green Belt. The site has in fact never been in the Green Belt and the Inspector is requested to make the modification to omit this statement (FPM4)

Issue 29: Have the policies for Blidworth and Rainworth been prepared positively in terms of the duty to cooperate with neighbouring planning authorities and is this ongoing. How do the policies relate to plans and strategies of neighbouring local authorities?

- 29.1 The District Council has substantially addressed this issue in our answers to your Initial Questions. We have been criticised by a number of representors suggesting that we have not cooperated with neighbouring authorities, but this is not the case. The issue is complicated by the relative pace of the authorities in resolving the strategic elements of their respective LDF's and the decision of Mansfield District Council to grant planning permission for a large urban extension prior to the completion of their Core Strategy. This has given the appearance that Newark and Sherwood has forged ahead without any reference to our neighbours which our earlier response makes clear is not the case.
- 29.2 In terms of ongoing activity, the authority is in discussion with Gedling Borough Council regarding the Greater Nottingham Aligned Core Strategy and the potential to impact on Blidworth. Whilst we have concerns as to the nature of the arrival at their housing numbers for Ravenshead, we recognise the work they have undertaken in arriving at identified infrastructure requirements. But as they do not have confirmed development targets and have not begun to produce site specific proposals, it is a case of working together on general issues rather than the details of delivery. We have discussed in future preparing a statement of intent with Gedling to assist in this matter. We are also in regular discussions with Mansfield District Council over the

progress of their Core Strategy and the cross border infrastructure implications of plan proposals.

Outstanding issues in the Mansfield Fringe Area

- i) The single biggest area of representation received related to the allocation of the Dale Lane Allotment sites for housing under BI/Ho/4. This proposal was contained as an Alternative Site at the Options stage. In the commentary to the site, the District Council explained that alternative allotment land would need to be provided by the Parish Council if the site were to be considered suitable for development.

Following the Options Report consultation (ADM16) the District Council reviewed the situation. At this stage the Parish Council confirmed that, as landowners and allotment providers, they would be prepared to see the site developed for housing and that an alternative location would be found for the allotments. It was also clear from the consultation that a number of issues needed to be addressed on a number of sites in Blidworth. Some of these issues were addressed following further investigation by way of policy wording, however it also led to the removal of OR:BI/Ho/4. In this context the District Council felt that it was appropriate to allocate the allotment site.

In allocating the Allotment site the District Council was mindful of the requirements of the Allotment Act that in the case where allotments are to be removed the authority providing them must make alternative provision elsewhere. Indeed BI/Ho/4 requires that the site will “not be available for development until the replacement allotment provision is made for Blidworth.”

- ii) Issues relating to Mining Subsistence. A number of representors [Numbers 79, 81 and 122] in Blidworth raise the issue of Mining Subsistence. Following the results of the options report consultation exercise the District Council reviewed various comments regarding this issue and discussed the matter with the Coal Authority. Areas to the north of Main Street have been identified as being at risk from subsistence and this is one of the reasons for removing OR:BI/Ho/4 and for reducing the size of BI/Ho/3. The District Council has taken a precautionary approach in this matter and has included reference to the legacy of coal mining issues into the policy for the smaller BI/Ho/3.
- iii) With regards to the proposed site put forward by Representor 192. This land has been identified by the representor as in the ownership of Nottinghamshire Community Housing (NCH). The site is not considered deliverable. The owners have never put the site forward and NCH just as with a range of other local public / third sector landowners, were contacted and afforded the opportunity to put forward land for development as part of the SHLAA process. It is also difficult to see how the site could be accessed. The entrance off Appleton Road is a private drive which is connected to

the 4 houses built on the former British Coal Depot at the front of the site and would not support further residential development. Therefore the site is not regarded as a reasonable alternative for consideration.

- iv) Representors 44 and 66 consider that site Ra/E/1 is more suitable than Ra/Ho/2 for housing and therefore should be allocated as such. During the production of the Plan the Council have been under the understanding that there was an interest in developing Ra/E/1 for employment use as evidenced by planning approvals and pre-application enquiries. As noted in the sites assessment against the provisions of CS Spatial Policy 9 detailed at Appendix 2 of the Options Report, site Ra/E/1 was assessed for residential purposes. As the only suitable highway access is via the Rainworth Bypass the site is not considered as more or equally sustainable for residential purposes than other sites elsewhere within and around the settlement including those which are currently within the Green Belt. Residential development here would be isolated from the settlement in terms of highway connection and on this basis there was a need to identify other land to meet the housing requirements which resulted in the identification of Ra/Ho/2.

- v) Representor 216 refers to site Ra/MU/1 wishes to see more emphasis on the avoidance of damage to Local Wildlife sites rather than compensation. Whilst the liner SINC is included within the allocation, the site assessment against the provisions of CS Spatial Policy 9 make clear that development should be located away from the SINC in the area closest to Kirklington Road. This is further reinforced in the specific allocation criterion which requires the incorporation of buffer landscaping to minimise the impact on the adjoining SINC.

Appendix A

Tom,

We agree with your proposed changes and consequently can include them in our evidence and proposed further modifications to the Inspector. If you reflect this in your statement this should resolve the matter.

Regards

Richard

Richard Exton

Senior Planning Officer

Planning Policy Business Unit

Newark and Sherwood District Council

From: GILBERT-WOOLDRIDGE,

Sent: 29 November 2012 13:35

To: richard exton

Cc: SCOTT, Ellis

Subject: RE: Newark & Sherwood DPD Examination

Dear Richard

I am now in a position to come back to you on the proposed revisions to Policy CI/MU/1. We welcome the changes, but feel further wording is needed to clarify matters relating to the listed building and the options appraisal. Our suggested wording can be found below in red underlined text. Please let me know what you think.

We are about to submit our statement on Clipstone to the Inspector, which refers to ongoing negotiation between EH and NSDC on revising the policy. Hopefully, if we can reach agreement on the revisions, a short statement can be prepared for the Inspector with the proposed modification.

In terms of your assessment of land requirements for the different types of proposed development (as per your email last week), it is helpful to see that the amount of development proposed by Policy CI/MU/1 would leave 10.5 hectares of "undeveloped" land (including the clearance zone for the headstocks). However, one should not assume that this 10.5 hectares of land would provide an adequate buffer for the listed building or that it defines its setting. The 10.5 hectares could be spread across the site and it depends on how this space is used in terms of whether it benefits or detracts from the listed building. It will also depend on the design of any proposed development in terms of its impact on the

significance and setting of the listed building. It remains for the Council to be content that the amount of development proposed for the site can be accommodated without harming the listed building, and if harm does occur, then it can be justified through the NPPF.

Such issues will have to be left for the development management process, but it will be important that the policy does not prejudice the outcome of any planning application and/or listed building consent, including the current LBC application. Hopefully an appropriately worded policy, and the completion of the options appraisal, will ensure that the future of the listed building, and the impact of any new development on this heritage asset, will be properly considered.

Look forward to hearing from you regarding the revised policy.

Thanks

Tom

Tom Gilbert-Wooldridge | Historic Environment Planning Adviser

Policy CI/MU/1

Clipstone – Mixed Use Site 1

Land at the former Clipstone Colliery has been allocated on the Policies Map for mixed use development. The site currently accommodates the Grade II listed headstocks and powerhouse to which national planning controls continue to apply in terms of their conservation. An options appraisal is currently under preparation to assess the future of this listed building. Assuming the retention of the headstocks and powerhouse, the site will accommodate around 120 dwellings, 12 hectares of employment provision, retail and enhanced Public Open Space. The retail element will be of a size and scale which helps facilitate the wider delivery of the scheme and may include a small supermarket and other complimentary facilities to help to meet the needs of the site and the wider settlement.

In addition to general policy requirements in the Core Strategy and the Development Management Policies in Chapter 7, with particular reference to DM Policy 2 Allocated Sites,

and appropriate contributions to infrastructure provision in the Developer Contributions SPD, development on this site will be subject to the following:

- The preparation of a Master Plan setting out the broad location for development on the site and the phasing of new development;
- Responding to the conclusions of the options appraisal for the future of the listed former colliery headstocks and powerhouse.
- The implementation of suitable measures to address legacy issues such openings within the site which relate to its former use as a colliery;
- No residential development shall take place in areas identified as being within Flood Zones 2 & 3;
- The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding areas; Developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development;
- The incorporation of buffer landscaping as part of the design and layout of any planning application to minimise the impact of development on the adjoining SINC and Vicar Water Country Park; and Green Infrastructure provision through the partial restoration of the site and connections to the Sherwood Forest Pines Park, Vicar Water Country Park and Sustrans Route 6 through the design and layout of any planning application.