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Sent via email to
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14 March 2024

Dear Sir/Madam,

Ref: V/2022/0629 Outline planning application (with all matters reserved except access) for a residential development of up to 300 dwellings with associated infrastructure and landscaping. Land at Newark Road, Coxmoor Road, Sutton in Ashfield, Notts

Thank you for your email requesting strategic planning observations on the above planning 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 a 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. Where necessary, the Council will request developer contributions towards its services in accordance with its adopted [Developer Contributions Strategy](#), which is available to view online.

Highways 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 & Waste

Minerals

In relation to the Minerals Local Plan, the proposed site is not in close proximity to any existing or proposed mineral extraction allocation sites. The County Council therefore raises no concern in terms of mineral safeguarding.

Waste

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

As set out in Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy, the 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.

Education

The proposed development of 300 dwellings on the above site would yield an additional 63 primary, 48 secondary, 9 post 16 aged pupils, including 2 pupils requiring a specialist place.

Primary

Based on current pupil projection data there is a projected surplus of places in the planning area and the impact of the development alone would not lead to a deficit in provision. At this time, it is not anticipated that the County Council would seek a primary education contribution.

Secondary

The pupil projections data below displays a forecast surplus of school places within the Sutton-Kirkby Planning Area and the impact of this proposal alone would not result in a deficit of provision. However, the County Council has been consulted on numerous planning applications within the planning area that remain to be determined and which would cumulatively result in a deficit in school places. It is therefore necessary to ensure that the cost of the additional places required is shared between sites, such that the requested contribution is fairly and reasonably related in scale to the development.

Planning area	DfE no	School	District	Net capacity	Pupil projection	Housing commitments, 7 yrs	Projected places available
Kirkby/Sutton	4009	Ashfield School	ASHFIELD	2053	2015	23	+15
Kirkby/Sutton	4027	Outwood Academy Kirkby	ASHFIELD	678	597	6	+75
Kirkby/Sutton	4068	Quarrydale Academy	ASHFIELD	1411	1175	68	+168
Kirkby/Sutton	4015	Sutton Community Academy	ASHFIELD	735	790	24	-79
Kirkby/Sutton	0012	PLANNING AREA TOTAL	ASHFIELD	4877	4578	121	+179

The County Council has worked with the District Council to produce an Education Technical Paper to support the Ashfield Infrastructure Delivery Plan. The IDP 2023 identifies the need for three additional forms of entry in Sutton-Kirkby Planning Area (450 places), based on the cumulative growth proposed through the draft Ashfield Local Plan. It is proposed that the cost of this infrastructure is divided pro-rata between sites so that each sites makes a proportionate contribution to education provision.

In total, there are 3767 dwellings to be delivered on allocated sites within the planning area (many of which are subject to planning applications) and there is presently a further 695 dwellings subject to planning applications on windfall sites, including this site at Newark Road, Sutton in Ashfield. Taking account of the pupil demand that is already included within the pupil projection data arising from existing housing commitments, the net growth in housing delivery is estimated to be 3932 dwellings, which would generate 630 secondary aged pupils. As shown in the data above, there is currently forecast to be capacity for 179 pupils and thus the residual number of places required would be 451.

	Dwellings	Places
Pupil Demand from Local Plan	+3767	+605
Less Existing Housing Commitments	-530	-86
Net Growth from Local Plan	=3237	=519
Plus Demand from Windfall Sites	+695	+111
Total Additional Demand	=3932	=630
Less Forecast Surplus Places (2023)		-179
Residual Places Required		=451

The cost of delivering the required capacity is estimated to be £12,383,100 (450 x £27,518). This should be divided between the total number of dwellings (3932), which equates to £3,149 per dwelling.

The County Council seeks a proportionate secondary education contribution from this site of **£944,700** (300 dwellings x £3,149) to be used towards improving, remodelling, enhancing, or expanding facilities to provide additional permanent capacity within the Sutton-Kirkby planning area, to accommodate pupil growth from the development. To ensure that the obligation provides for the actual costs of infrastructure, the contribution value should be index-linked from the date of this response.

Secondary Post 16

Based on current pupil projection data there is a projected surplus of places in the planning area and the impact of the development alone would not lead to a deficit in provision. At this time, it is not anticipated that the County Council would seek a post 16 education contribution.

Special Educational Needs and Disabilities (SEND)

In line with the NCC Developer Contribution Strategy, a development of this size would yield two pupils requiring a place in a non-mainstream setting. As shown in the table below, the Council's projections indicate that there is a current shortage of specialist places for pupils with SEND, which is forecast to continue. Therefore, the County Council would seek a SEND education contribution of £190,100 (2 place x £95,050). The contribution will be used towards expanding special school facilities or to fund the provision of specialist provision attached to a mainstream school.

	2023-24	2024-25	2025-26	2026-27	2027-28
No. specialist places available*	1,192	1,192	1,192	1,192	1,192
Projected no. pupils needing specialist provision	1,640	1,766	1,858	1,929	1,982
Additional places required	448	574	666	737	790

*specialist placement refers to LA and non-LA maintained special schools, independent and other LA special schools

The data is correct at the time of enquiry but may be subject to change. 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 greater shortfall of pupil places in the planning area.

Transport & Travel Services

Note: This submission supersedes Transport and Travel Services comments included with the Nottinghamshire County Council Planning Policy response for the above application dated 4th November 2022.

General Observations and Accessibility

The planning application re-consultation covers an area of land to the south-east of Newark Road in Sutton-in-Ashfield and is for a residential development of up to 300 dwellings. Site access appears to be via a single new access on to Newark Road. The closest bus stops are located approximately 840 metres from the centre of the site.

Bus Service Support

In 2021 the government published its document 'Bus Back Better – A National Bus Strategy for England', as part of an initiative to build back better services post pandemic. The strategy requires Local Transport Authorities to implement ambitious bus priority schemes and Bus Service Improvement Plans (BSIPs) delivered through Enhanced Partnerships, which consider how a

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coherent and integrated network should serve schools, health, social care, employment and other services. This includes requiring the provision of economically necessary bus services, including those which improve people's access to employment. The requirements of the National Bus Strategy should be reflected in the public transport facilities for this site.

Nottinghamshire County Council's Highway Design Guidance (Part 3.1) states that walking distances to bus stops in urban areas should be located within a maximum of distance of 400 metres and desirably no more than 250 metres. The closest existing bus stops are located Kirkby Folly Road approximately 840 metres from the centre of the site. A summary of the current services that serve the closest stop(s) are detailed below:

Service No. (Operator)	Route	Service Frequency & Operating Times		
		Weekday	Weekend	
		Mon - Fri	Sat	Sun
3C trentbarton	Ilkeston – Heanor – Eastwood – Kirkby – Sutton-in-Ashfield - Mansfield	05:00 to 00:00 up to every 20 minutes	05:00 to 00:00 up to every 20 minutes	08:00 to 00:00 hourly
33 trentbarton	Origin – route - destination	06:00 – 19:00 hourly	06:00 – 19:00 hourly	No Service
90 trentbarton	Mansfield (Mon-Fri) – Sutton – Kirkby – Selston – Ripley (peak hour x90 operated by Stagecoach)	06:40 – 18:15 hourly	07:45 – 20:00 hourly	No Service

In August 2023 trentbarton withdrew their 3's (C variant) along Searby Road/ Sotheby Avenue with a revised line of route serving the Kirkby Folly Road stops, situated more than 800 metres from the centre of the site. This exceeds the guideline walk distance.

The Transport Assessment Executive Summary 8.10 states: *“to encourage public transport travel, it is proposed to provide funding contributions towards bus service enhancements and bus stop improvements. The bus service would not route through the site, but the development layout would be designed to allow this in the future.”*

and...

“Section 3.16 - a bus service would not be routed through the development, and instead improvements would be made to the existing off-site bus stops and services. However, should the land to the south-west of the development be developed in the future, meaning that the road connection provided, a bus service would then be routed through the site.”

The internal roads within the proposed development would be designed to facilitate bus access (minimum 6.2m width) and provide suitable locations for bus stops within the development, should they be required in the future. The current linear spine road configuration, as submitted, appears to terminate within the site with no through access. Any through access in the future would allow for a service to be extended through the development. The current closest stops exceed the Highway Design Guidance, so any service access into the site would make the site acceptable in terms of access to sustainable transport.

A 6.75 metre highway width is required to support future bus access, and potential two-way operation. Any future bus access will be subject to appropriate funding and agreements with local bus operators in context with the prevailing local network, including the details of any future extension through adjacent sites or loop, and identified travel needs.

The Council request that a Planning Obligation be added to state:

A Bus Service contribution of £220,000 is paid to provide improvements to the local bus services to serve the site.

Justification: For this site to be sustainable for public transport access, additional public transport provision would be required to accommodate the additional demand. It is estimated that this development will generate up to 60 public transport trips per day (120 two-way trips). The requested bus service contribution would enable either an enhancement of any of the existing services to provide capacity to meet the identified trip demands from the site and/or potentially a diversion of a

service(s) into the site should access be provided as part of this or any future development. The local bus service network is subject to review and the level of contribution requested is reflective of the current anticipated cost to support the service enhancements.

Bus Stop Infrastructure

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

AS0324 Kirkby Folly Road – Bus stop pole and flag, polycarbonate bus shelter

AS0551 Kirkby Folly Road – Bus stop pole and flag, polycarbonate bus shelter

The Council request that a Planning Obligation be added to state the below:

A Bus Stop Infrastructure contribution of £45,600 is paid to provide improvements to the two bus stops denoted AS0324 and AS0551 Kirkby Folly Road.

Justification: The current level of facilities at the specified bus stops are not at the standard set out in the Appendix to the Council's Public Transport Planning Obligations Funding Guidance¹. The level of funding requested would provide the following improvements:

<u>AS0324 Kirkby Folly Road</u> -	Real time bus stop pole & display including electrical connections, raised boarding kerbs, lowered access kerbs, enforceable bus stop clearway or other enhancements as required
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<u>AS0551 Kirkby Folly Road</u> -	Real time bus stop pole & display including electrical connections, raised boarding kerbs, extended hardstands/footways enforceable bus stop clearway or other enhancements as required
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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 therefore encourages modal shift to public transport. 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. Raised boarding kerbs will provide level access boarding and alighting for people with pushchair's, wheelchairs, and those with reduced mobility. The bus stop clearway will enable services to pull in, directly against the raised kerb, therefore enabling passengers with limited mobility and wheelchair users to access the bus.

These Improvements are necessary to achieve an acceptable standard to promote sustainable travel and make the development acceptable for public transport access. The specified improvements are consistent with the standard set out in the Council's Public Transport Obligations Funding Guidance² and the Developer Contributions Strategy³ and has included consideration of other sustainable travel options, including cycling and walking facilities serving the site.

On Site Facilities - The walk distance access to the closest bus stops is more than 800 metres from the centre of the site and exceeds the guideline walking distance for developments in urban areas. To support bus service access into the site a temporary bus turning facility should be specified.

Transport & Travel Services also require new bus stop infrastructure to be installed close to / within the development through Section 38 and Section 278 agreements where appropriate.

The Council requests that any planning consent be subject to the following Planning Conditions:

- No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of new bus stops within the site have been made to the satisfaction of the Local Planning Authority and shall include any of the following: real time bus stop flags, poles & displays including low voltage power source to the real time information pole location; polycarbonate bus shelter; solar or electrical lighting in bus shelter; raised kerbs; enforceable

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bus stop clearway; lowered access kerbs; additional hard stand (3.5metres x 7metres if required), black top dressing (tarmacadam) and the above to be installed to an agreed timescale.

- No part of the development hereby permitted shall be brought into use unless or until plans denoting a temporary bus turning facility within the site have been made to the satisfaction of the Local Planning Authority including a sept path analysis and the above to be installed to an agreed timescale.

School Transport

The closest schools to the site include Croft Primary School and Sutton Community Academy. At this time, it is not envisaged that contributions towards school transport provision will be sought.

Sustainable Travel

Transport & Travel Services will request that any significant development includes a scheme of free introductory bus passes. These should be made available to residents upon occupation of the development, to encourage usage of public transport, which should also be set out in the Travel Plan. Ticketing incentives are a proven intervention which ensures that developers can meet their modal shift targets from the outset. The optimal time to encourage modal shift is upon occupation of the development before alternative travel patterns become embedded. 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.

Any planning permission should be subject to the following Planning Condition:

No part of the development hereby permitted shall be brought into use unless or until the details of a scheme for provision of free bus passes to residents of the development upon occupation, are submitted and approved by the Local Planning Authority. The scheme should include details of the bus pass(es) including period of validity or equivalent, the area of coverage, arrangements for promoting the passes, application and monitoring arrangements.

Payment Triggers – In the event that the funding requests are supported the preferred triggers for payment are as follows:

Bus Service Improvements - 50% of the total upon completion of 25% of the dwellings; 50% of the total upon completion 75% of the dwellings

Bus Stop Infrastructure improvements – Prior to Occupation

The improvements would include an enhanced public transport provision, improvements to bus stops and new bus stops within 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. The provision of bus stops within the site are relevant to the development and enforceable, precisely specified, and fairly and reasonably related in scale and kind to the development (300 dwellings).

The Council reserves the right to re-assess its contribution requirements if, after six months, a decision on any application is still awaited or the s106 agreement has not been completed.

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

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- 1 - <https://www.nottinghamshire.gov.uk/media/2902368/31-general-geometry-of-residential-streets.pdf>
- 2 - <https://www.nottinghamshire.gov.uk/media/2904603/publictransportplanningobligationsfundingguidanceforprospectivedevelopers.pdf>
- 3 - <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy>

Libraries

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”. The County Council has a clear vision that its libraries should be: modern and attractive, of suitable size and standard for intended users, and contain a comprehensive range of stock to meet the needs of the local community.

The proposed development on Land at Newark Road and Coxmoor Road would comprise 300 new dwellings. At an average of 2.3 persons per dwelling, this proposal would add 690 people to the library catchment area population for Sutton in Ashfield Library, which is the nearest existing library to the proposal site.

The Council is not seeking any costs towards increasing the size of the library to accommodate this population, but a contribution is sought towards the provision of additional library stock to ensure that the additional demand generated by this development does not place further pressure on resources.

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.

Sutton in Ashfield Library is currently below the MLA optimum stock level (see table below) and therefore the County Council seeks a developer contribution to provide the additional stock that would be required to meet the needs of the 690 residents that would be occupying the new dwellings. This is costed as follows: 690 (population) x 1.532 (items) x £10.00 (cost per item) = **£10,571.00**

Library Optimum Stock Levels

LIBRARY	District	Catchment Popn Est (Census 2021)	Total Lending Stock	Ref/Local Studies Stock	Total Stock	Optimum Stock figure	Difference Optimum vs Actual stock
Sutton in Ashfield Library	Ashfield	38,322	26,894	5358	32,252	58,710	-26,458

Rights of Way

The County Council requests that a planning obligation or condition is secured to provide an upgrade to the surface of the existing footpath from where the new stone surface ends off Searby Road to the end of the first field boundary. The proposed upgrade would ensure that the footpath network is of an appropriate design to encourage effective and safe use by the additional population arising from the development and promotes active travel, as envisaged by the travel plan.

Waste Management

The Recycling Centres in the vicinity of the proposed site of Land at Newark Road, Coxmoor Road, Sutton-in-Ashfield (Kirkby and Mansfield) are operating at or close to full capacity, particularly at peak times. The sites are old and have seen significant housing built in their vicinity since their construction. Due to significant ongoing and proposed housing development in the vicinity it is anticipated that further recycling centre capacity will be required going forward, potentially including a new site.

The Strategic Housing Market Assessment estimates the need for approximately 9,020 new homes by 2033. Currently, on average, each household within the County takes 0.25 tonnes of waste each year to the County's Recycling Centres. The 9,020 new homes would therefore be expected to generate an additional 2,255 tonnes of waste that would be taken to either the Kirkby or Mansfield sites. The proposed development is situated around 1.2 miles from the Mansfield Recycling Centre and around 1.5 miles to the Kirkby Recycling Centre, both less than 4 minutes away by car. It would therefore be expected that any new residents of the proposed site would utilise these sites as their preferred sites. The proposed development alone is expected to generate an additional 75 tonnes of waste per annum, which is deemed to be a significant increase in light of the local housing growth.

The Council is seeking contributions towards the delivery of a new or expanded facility that would cater for both the additional waste generated and the additional site users, which is subject to a feasibility review. Contributions are being calculated proportionally to the size of the development against housing levels in the local plan and existing housing in the district. In order to meet this growing demand on the Kirkby and Mansfield Recycling Centres a financial contribution proportionate to the proposed development of 300 homes is sought towards the development of a fit-for-purpose facility. In order to reach an appropriate figure, the following model has been created.

$G = A - B + (C \times D) / (E + F)$ where the following:

A = Construction costs of the new site - £5,000,000

B = Saleable assets of the current site - £0

C = Land lease costs per annum £40,000

D = Length of lease in years – 25

E = Current households in the borough – 48,273

F = Expected additional housing – 9,020

G = Contribution per household - £104.72

Therefore, the requested contribution for this proposed 300 dwelling development is **£28,860.03**

Archaeology

The Archaeology team have read the archaeological trenching report and have the following comments to offer:

Three archaeological features were recorded in the trenching; a pit and two ditches. The lack of subsoil across the site suggests that these may be deeper features that have survived truncation by ploughing. Where a discrete feature such as a pit is encountered in trenching it is likely there are others nearby. No dating material was recovered to further elucidate the origin or interpretation of these features.

It is recommended that if the application is granted this should be conditional upon the applicants securing a scheme for archaeological mitigation that will include stripping around the three areas where features were identified.

A condition such as the following may be appropriate:

'No development shall take place within the application site until a written scheme for a programme of archaeological mitigation has been submitted and approved in writing by the LPA.'

'Thereafter the scheme shall be implemented in full accordance with the approved details.'

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The Archaeology team can provide further advice or comment as required.

Public Health

The Public Health response is outlined at Appendix One 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

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 the County Council's request for developer contributions be agreed, the Council expects to be included as a signatory to the relevant legal agreement arising from the determination of the application.

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

Yours faithfully

Tania Krasteva
Planning Officer
Nottinghamshire County Council

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Appendix 1 - Public Health

The Public Health response is outlined below however any further information is required; the Public Health team will be keen to provide any further advice via email planning.publichealth@nottsc.gov.uk
[Nottinghamshire Joint Health and Wellbeing Strategy 2022- 2026](#)

Four Ambitions:



[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 the pre-application (neighbourhood plan) 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.

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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.

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 Nottingham and Nottinghamshire Integrated Care Board (ICB) should be consulted for impact on primary care which may lead to a request for infrastructure support through S106/CIL.

Email: nnicb-nn.estates@nhs.net