

**Appendix C1**

**Planning Policies**

**INTENTIONALLY BLANK**

## **Planning Policies**

### **National Planning Policies**

#### Planning Policy Statement 1 – Delivering Sustainable Development

PPS1 sets out the Government's objectives for the Planning System, focusing on the key theme of sustainable development. PPS1 replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997. For the purpose of Government policy and guidance, sustainable development is consistently defined as: 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs' (Our Common Future: 1987, United Nations).

Through sustainable development, the Government seeks to deliver, both now and in the future:

- economic development to secure higher living standards;
- social benefits and strong communities; and
- protection and enhancement of the environment.

These are the key principles, which any development should adhere to and be supported by a range of mitigation strategies where relevant.

PPS1 also identifies the key principles for compliance in terms of development plans and decisions taken on planning applications to ensure the delivery of sustainable development. The guidance makes reference to how the planning system should help to enhance and protect the environment. Para 17 states that the Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources. Those with national and international designations should receive the highest level of protection.

#### Planning Policy Guidance 2 – Green Belts

The study area is located within the Nottingham/Derby Green Belt. PPG2 provides guidance on the general intentions of Green Belt policy, the purpose of including land within the Green Belt and the protection that Green Belts are required to provide.

According to PPG2 Green Belts have five specific purposes. These include the need to: check the unrestricted sprawl of large built-up areas; assist in safeguarding the countryside from encroachment; and preserve the setting and special character of historic towns. The use of land within the Green Belt can provide opportunities for outdoor sport and recreation near to urban areas and the green infrastructure proposals would help to deliver this.

Strict guidance is provided in PPG2 on the types of buildings that are allowed within the Green Belt. These include buildings for the following purposes: agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings; and limited infilling in existing villages. PPG2 also emphasises the importance of avoiding proposals for development that would be detrimental to the visual amenity of the Green Belt. This could have implications for the

development proposed by the stakeholders interviewed in the previous month unless the Green Belt boundaries are re-designated.

PPG2 mentions that during the process of revising and updating existing local plans, Green Belt boundaries should not be changed unless alterations to the structure plan have been approved. The current status of the Nottingham/Derby Green Belt is as follows. The Nottingham/Derby Green Belt review (2006) has taken place and has recommended that the area between Nottingham and Derby is the most important part to retain and areas towards the south and east of Nottingham are of lesser importance. This has implications for the study area as it is located towards the south east of Nottingham and could lead to the re-drawing of the Green Belt boundary in the area. This is dealt with in more depth when looking at the Regional Spatial Strategy review.

#### Paragraph 1.4

“Green Belts have five specific purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.

#### Paragraph 1.6

“The use of the land within the green belt has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses”.

#### Paragraph 2.7

With regards to alterations to Green Belt boundaries:

“Where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision”.

#### Paragraph 3.4

Provides guidance on which new buildings are appropriate development within the Green Belt. Buildings used for the following purposes are allowed:

- “agriculture and forestry;

- essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- limited extension, alteration or replacement of existing dwellings;
- limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3; and
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans.”

#### Paragraph 3.15

With regards to the visual amenity of the Green Belt:

“The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous of the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of siting, materials or design.”

#### Planning Policy Statement 7: Sustainable Development in Rural Areas

PPS7 refers to a number of Government objectives that are relevant to the Green Infrastructure study. These include:

- To raise the quality of life and the environment in rural areas through promotion of....
  - continued protection of the open countryside for the benefit of all...
- To promote more sustainable patterns of development....:(including)
  - providing appropriate leisure opportunities to enable urban and rural dwellers to enjoy the wider countryside.

#### Paragraph 15

With regards to countryside protection and development in the countryside:

“Planning policies should provide a positive framework for facilitating sustainable development that..... makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced.”

#### Paragraph 26

With regards to the countryside around urban areas:

“... Local planning authorities should ensure that planning policies in Local Development Documents (LDDs) address the particular land use issues and opportunities to be found in the countryside around all urban areas, recognising its importance to those who live or work there, and also providing the nearest and most accessible countryside to urban residents. Planning authorities should aim to secure environmental improvements and maximise a range of beneficial uses of this land, whilst

reducing potential conflicts between neighbouring land uses. This should include improvement of public access (e.g. through support for country parks and community forests) and facilitating the provision of appropriate sport and recreation facilities. “

#### Paragraph 34

With regard to tourism and leisure, PPS 7 states that RSS and LDDs should:

“support, through planning policies, sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, but do not harm, the character of the countryside, its towns, villages, buildings and other features;

Recognise that in areas statutorily designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved...”

#### Planning Policy Statement 9: Biodiversity and Geological Conservation

PPS9 is relevant to the proposals as there are large water bodies located towards the north of the A52 which are developing into an area as a valuable wildlife resource and have currently been designated as Sites of Importance for Nature Conservation (SINC).

The Government’s objectives

The PPS includes a number of Government objectives for planning in relation to biodiversity and geological conservation. These include:

- To promote sustainable development
- To conserve, enhance and restore the diversity of England’s wildlife and geology.
- To contribute to rural renewal and urban renaissance.

PPS 9 states that development proposals where the principal objective is to conserve or enhance biodiversity and geological conservation interests should be permitted. Paragraph 12 of PPS 9 emphasises the need to protect the networks of habitats that are present on sites.

“Networks of natural habitats provide a valuable resource. They can link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment. Local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans. Such networks should be protected from development, and, where possible, strengthened by or integrated within it. This may be done as part of a wider strategy for the protection and extension of open space and access routes such as canals and rivers, including those within urban areas.”

Paragraph 12 of PPS9 would support the proposed routes as the existing network of natural habitats present on the site would be extended through the extension of the canal this would help enhance biodiversity and geological conservation interests of the study area.

### PPG13: Transport

#### Annex B : Planning for Transport – Inland Waterways

##### Paragraph 12

This states that "... Local authorities should work with all those concerned in the inland waterways industry ..... to develop the potential of inland waterways. In drawing up development plans and determining planning applications, they should seek to re-use disused wharves and basins, to retain boatyards and other services used in connection with water-based recreation, and to protect and enhance the waterway environment, where these are viable options. ...."

##### Paragraph 13

This states that "... Development proposals. Local plan policies, or new and improved infrastructure, such as road proposals, should not adversely affect inland waterways. Where this may happen, local authorities should consult BW, or other navigation authorities, the Environment Agency in its regulatory capacity, the Inland waterways Association and local waterway organisations. In liaison with these bodies, local authorities should identify and where appropriate protect discussed waterways (by allocating the land in development plans and ensuring sites and routes are not severed by new development or transport infrastructure) where there is a reasonable degree of certainty of a restoration project proceeding, in whole or in part, within the development period.

### PPG17: Planning for Open Space, Sport and Recreation

Well designed and implemented planning policies for open space, sport and recreation are fundamental to delivering broader Government objectives. "These include:

- supporting an urban renaissance;
- supporting an rural renewal;
- promotion of social inclusion and community cohesion;
- health and well-being; and
- promoting more sustainable development."

#### Foreword

Well designed and implemented planning policies for open space, sport and recreation are fundamental to delivering broader Government objectives. "These include:

- supporting an urban renaissance;
- supporting an rural renewal;
- promotion of social inclusion and community cohesion;
- health and well-being; and
- promoting more sustainable development."

## Paragraph 20

“In identifying where to locate new areas of open space, sports and recreational facilities, local authorities should:

- i. Promote accessibility by walking, cycling and public transport, and ensure that facilities are accessible for people with disabilities;
- ii. Locate more intensive recreational uses in sites where they can contribute to town centre vitality and viability;
- iii. Avoid any significant loss of amenity to residents, neighbouring uses or biodiversity;
- iv. Improve the quality of the public realm through good design;
- v. Look to provide areas of open space in commercial and industrial areas;
- vi. Add to and enhance the range and quality of existing facilities;
- vii. Carefully consider security, especially for children;
- viii. Meet regeneration needs of areas, using brownfield in preference to greenfield sites;
- ix. Consider the scope for using any surplus land for open space, sport or recreational use, weighing this against alternative uses;
- x. Assess the impact of new facilities on social inclusion; and
- xi. Consider the recreational needs of visitors and tourists.”

#### Paragraph 25

With regards to the development of open spaces and land for sport and recreational use:

“The countryside around towns provides a valuable resource for the provision of sport and recreation; particularly in situations where there is an absence of land in urban areas...local authorities should encourage the creation of sports and recreational facilities in such areas and the development of areas of managed countryside, such as country parks, community forest, and agricultural showgrounds. Where planning permission is to be granted for such land uses, local planning authorities should ensure that facilities are accessible by walking, cycling and public transport as alternatives to the use of the car.”

#### Paragraph 30

As the study area is located in the Nottingham/Derby Green Belt, paragraph 30 is relevant:

“Planning permission should be granted in Green Belts for proposals to establish or to modernize essential facilities for outdoor sport and recreation where the openness of the Green Belt is maintained. Development should be the minimum necessary and nonessential facilities (e.g. additional function rooms or indoor leisure) should be treated as inappropriate development. Very special circumstances which outweigh the harm to the Green Belt will need to be demonstrated if such inappropriate development is to be permitted.”

#### Paragraph 31

PPG17 also provides a section on sport and recreation requiring natural features and water:

“Some activities (eg climbing, potholing) rely on particular natural features. Where these features exist, local authorities should recognise their actual and potential recreational value, possibly to more than the local population. Planning permission should be granted but only where the impact of sports and recreational activities on natural features can be minimised. Facilities should be planned carefully to ensure that conflicts between sport and recreational activities and other interests do not arise. In considering planning applications for development near water, local authorities should ensure that access for sport and recreation purposes is not restricted and should, where possible, be enhanced. The visual amenity, heritage and nature conservation value of water resources should also be protected.”

#### Planning Policy Statement 25: Development and Flood Risk

The northern area of the study area (north of the A52) poses a flood risk as well as some areas surrounding Tollerton and Cotgrave. However, some areas of Gamston benefit from the flood defences surrounding the River Trent. Policy related to flood risk has been reviewed.

One of the key planning objectives in PPS25 includes:

“The aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk everywhere and where possible, reducing flood risk overall.”

In managing flood risk, RPBs and LPAs are required to only permit development in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.

## **Regional Planning Policies**

### Regional Spatial Strategy for the East Midlands RSS8 (2005)

#### *Policy 4 - Promoting Better Design*

Local Authorities, regional bodies, utility providers and developers should work together to ensure standards of design and construction are constantly improved. This should be achieved by promoting:

- the use of design led approaches which take account of local natural and historic character, for example landscape character assessments, urban design frameworks, town and village design statements, local concept statements, countryside design summaries, and masterplanning exercises;
- design and construction that minimises energy use, improves water efficiency, reduces waste and pollution, incorporates renewable energy technologies and sustainably sourced materials wherever possible. and considers building orientation at the start of the design process;
- architectural design which is functional, yet which respects local natural and built character;
- increased densities for new housing in line with national guidance;
- access from new development to local facilities on foot, by cycle or by public transport;
- highway and parking design that improves both safety and the quality of public space;
- design which helps to reduce crime, supports community safety and vitality, and benefits the quality of life of local people; and
- approaches to design, layout and construction which takes account of, and where appropriate provide for increases in biodiversity

#### *Policy 14 - The Nottingham-Derby Green Belt*

The principle of the Nottingham Derby Green Belt is well established and should be maintained. A strategic review of the Nottingham-Derby Green Belt will be undertaken in relation to development requirements arising in this part of the Three Cities Sub- Area up to 2026. The review will take into account:

- the sequential approach to development outlined in Policies 2 and 3;
- the wider principles and purpose of existing Green Belt designations as set out in PPG2; and
- the case for adding land to or removing land from the Green Belt.

#### *Policy 15 - Development in the Three Cities Sub-Area*

Development Plans, Local Development Frameworks, Local Transport Plans and economic development strategies should support the continued regeneration of Derby,

Leicester and Nottingham, and maintain and strengthen the economic, commercial and cultural roles of all three cities. This will be achieved by ensuring that provision is made:

- for a mix of housing types;
- for employment land to meet the expansion needs of indigenous manufacturing and distribution uses and to encourage new investment;
- to regenerate deprived inner urban areas and outer estates;
- to enhance the transport links and accessibility both within and between the cities; and
- for retailing, office, residential, entertainment and service uses within central areas, to provide for a mix of uses to support the vitality and viability of the city centres.

Outside Nottingham, Leicester and Derby, employment and housing development should be located within and adjoining settlements. Such development should be in scale with the size of those settlements, in locations that respect environmental constraints and the surrounding countryside, and where there are good public transport linkages.

Development associated with Nottingham East Midlands Airport should be focussed where possible, in surrounding urban areas, in particular the Principal Urban Areas of Derby, Leicester and Nottingham and the Sub-Regional Centre of Loughborough.

*Policy 16 - A Sub-Regional Spatial Strategy for the Three Cities Sub-area*

The Regional Planning Body, working with the relevant local authorities, emda and other interested bodies should develop a Sub Regional Spatial Strategy for the Three Cities Sub-area as part of the next RSS Review. The Strategy should contain long term policies and proposals that will promote:

- sustainable patterns of development and movement within and between the three Principal Urban Areas and other settlements within the Sub-area and beyond;
- the use of public transport for both local and interurban movements;
- an improvement to the quality of the environment, including the provision of semi-natural green space in urban areas;
- an improvement to the collective economic performance of the sub-area and a reduction in deprivation;
- an approach to optimising the economic benefits of Nottingham East Midlands Airport consistent with sustainable patterns of development and movement; and
- a consideration of the extent of Green Belt designations consistent with PPG2 and Policies 2 and 3.

*Policy 30 - Priorities for the Management and Enhancement of the Region's Landscape*

Development Plans, future Local Development Frameworks, and other strategies of local authorities and agencies should:

- continue to promote the highest level of landscape character protection for the region's nationally
- designated landscapes of the Peak District National Park and the Lincolnshire Wolds Area of Outstanding Natural Beauty;
- promote initiatives to protect and enhance the natural and heritage landscape assets, in particular the
- Sherwood, Charnwood and Rockingham Forests; and
- be informed by landscape character assessments to underpin and act as key components of criteria-based policies for the consideration of development proposals in rural or urban fringe areas. Where not already in place, local authorities should work towards preparing comprehensive assessments of the character of their landscapes to coincide with the review of their local development documents. This should assess whether there are exceptional local circumstances that would require the retention of any local landscape designations and associated policies in local development frameworks.

*Policy 31 - Regional Priorities for the Historic Environment*

Development Plans, future Local Development Frameworks, and other strategies should seek to understand, conserve and enhance the historic environment of the East Midlands, in recognition of its own intrinsic value, and its contribution to the region's quality of life.

Across the region and particularly in areas where growth or regeneration is a priority, Development Plans, Local Development Frameworks and economic development strategies should pay particular attention to promoting the sensitive change of the historic environment, retaining local distinctiveness, by:

- identifying and assessing the significance of specific historic and cultural assets (including their settings);
- using characterisation to understand their contribution to the landscape or townscape in areas of change;
- encouraging the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit and incorporating them sensitively into the regeneration scheme;
- promoting the use of local building materials; and
- recognising the opportunities for enhancing existing tourism attractions and for developing the potential of other areas and sites of historic interest.

*Policy 32 - Regional Priorities for Sports and Recreational facilities*

Local Authorities should work with County based Sport Partnerships, the East Midlands Regional Sports Board, Sport England and other relevant bodies to ensure that there is adequate provision of sports and recreational facilities consistent with the priorities for urban and rural areas outlined in Policies 5 and 6, and the relevant subarea policies under section 3.5.

Where appropriate, local authorities should also work across administrative borders to ensure that identified need is met in the most effective manner.

*Policy 33 - A Regional Approach to the Water Environment*

Development Plans, future Local Development Frameworks, and policies of the Environment Agency and other agencies should be co-ordinated to:

- take water related issues into account at an early stage in the process of identifying land for development;
- protect and improve water quality and reduce the risk of pollution especially to vulnerable groundwater;
- manage supply and demand, require sustainable drainage where practicable and promote the efficient use of water;
- reduce unsustainable abstraction from watercourses and aquifers to sustainable levels;
- locate and phase development to take account of constraints on water resources; and
- plan rural areas to include winter storage reservoirs and lessen the impact of abstraction from rivers.

*Policy 34 - Regional Priorities for Strategic River Corridors*

Development Plans, future Local Development Frameworks, and other strategies of local authorities and other agencies should seek to protect and enhance the natural and cultural environment of the region's strategic river corridors of the Nene, Trent, Soar, Welland, Witham, Derwent and Dove, along with their tributaries, and rivers which contribute to river corridors of a strategic nature in adjoining regions.

Actions of agencies and other bodies including those of adjoining regions should be co-ordinated to maintain and enhance the multi-functional importance of strategic river corridors for wildlife, landscape and townscape, regeneration and economic diversification, education, recreation, the historic environment, including archaeology, and managing flood risk.

*Policy 36 - A Regional Approach to Managing Flood Risk*

Development Plans, future Local Development Frameworks, and strategies of relevant agencies should:

- be informed by the use of appropriate Strategic Flood Risk Assessments in order to evaluate actual flood risk and should include policies which prevent inappropriate development either in, or where there would be an adverse impact on, the coastal and fluvial floodplain areas;
- deliver a programme of flood management schemes that also maximise biodiversity and other regeneration benefits; and
- require sustainable drainage in all new developments where practicable.

Development should not be permitted if, alone or in conjunction with other new development, it would:

- be at unacceptable risk from flooding or create such an unacceptable risk elsewhere;
- inhibit the capacity of the floodplain to store water;
- impede the flow of floodwater;
- have a detrimental impact upon ground water storage capacity;
- otherwise unacceptably increase flood risk; and
- interfere with coastal processes.

However, such development may be acceptable on the basis of conditions or agreements for adequate measures to mitigate the effects on the overall flooding regime, including provision for the maintenance and enhancement (where appropriate) of biodiversity. Any such measures must accord with the flood management regime for that location.

Strategic flood risk assessments should be carried out where appropriate to inform the implementation of this policy.

### **Draft Regional Plan for the East Midlands (2006)**

#### *Policy 27 - Regional Priorities for Environmental and Green Infrastructure*

Local Authorities, statutory environmental bodies and developers should work with the voluntary sector, landowners and local communities to ensure the delivery, protection and enhancement of Environmental Infrastructure across the Region. Such infrastructure should contribute to a high quality natural and built environment and to the delivery of sustainable communities.

Local Authorities and those responsible for the planning and delivery of growth and environmental management across the Region should work together to: assess the capacity of existing Environment Infrastructure to accommodate change in order to inform decisions on the scale, location and phasing of new development.

Account should be taken of current deficits and likely future demands, including those likely to result from climate change, to identify any further needs or constraints; select appropriate indicators and targets to monitor the condition of Environmental Infrastructure and to ensure that its capacity to accommodate change is not breached;

- ensure that the provision and design of new Environmental Infrastructure is considered and its delivery planned through environmental capacity analysis at the same time as other infrastructure requirements;
- develop 'green infrastructure plans' based on character assessments of existing natural, cultural and landscape assets and the identification of new assets required to meet the needs of existing and expanding communities;
- increase access to green space that can be used for formal and informal recreation, educational purposes and to promote healthy lifestyles; and
- identify delivery and funding mechanisms for the creation and future management of Green Infrastructure, including from the planning system and other funding sources such as EU funded Environmental Stewardship Schemes.

## **Regional Economic Strategy (2006)**

### *Sections of the Regional Economic Strategy*

The fundamental purpose of the RES is to improve economic performance and enhance the region's competitiveness. It will do this by addressing the market failures that prevent or limit sustainable economic development, and supporting regeneration and business growth.

### *Development Principles – Annex B*

1. Through regional and local action and policy, the East Midlands will maintain a sustainable supply of quality land and premises for new business, residential development and mixed uses.
  - A range of opportunities will be promoted to secure the renaissance of urban areas; the development of sustainable communities in rural areas and the regeneration of priority sites, with the development of previously developed land a strong policy objective.
2. The region will ensure that development contributes to wider economic objectives and regeneration to improve the overall economic performance.
  - Development policies and plans should work to reduce intra-regional economic disparities, and address those physical and spatial issues which support 'Productivity' and 'Equality' objectives, as well as 'Sustainability' objectives.

## **The Nottinghamshire and Nottingham Joint Structure Plan (2006)**

### *Policy 1/1 Sustainable Development*

All new development must work towards the principles of sustainability. The County and City Councils will promote sustainable development through adopting the sequential approach to the location of development set out in RSS8 and by encouraging:

- i. a range of quality employment land to promote economic growth and appropriate employment opportunities (Policy 4/1); residential development of a type and in locations which meet the needs of the community (Policy 3/1);
- ii. an integrated transport network to support new development whilst reducing the need to travel, especially by private car (Policy 5/1);
- iii. a range of services and facilities to support business and to meet the needs of communities;
- iv. as a priority, development to improve the economy, services and environment in disadvantaged areas and those with high levels of social need;
- v. the protection and enhancement of the distinctive landscape character, built environment and cultural heritage of the Plan Area (Policies 2/7, 2/10, 2/11 and 2/12);
- vi. the protection and enhancement of the Plan Area's biodiversity to ensure no net loss of Biodiversity Action Plan habitats, and opportunities sought to achieve a net gain (Policy 2/1); and

- vii. all development to be of a high standard of design and energy efficient.

#### *Policy 1/2 The Nottingham Derby Green Belt*

Planning permission will only be granted for appropriate development which is located and designed so as not to adversely affect the Green Belt, in particular its open character. Appropriate development will include:

- a) uses appropriate to rural areas including agriculture, forestry and mineral extraction;
- b) essential facilities for outdoor sport and recreation;
- c) cemeteries;
- d) limited extension, alteration or replacement of existing dwellings, limited infilling in existing villages, limited infilling or redevelopment of major existing sites as identified in local plans;
- e) change of use of agricultural and other buildings, with priority being given to employment and tourism uses, which help to diversify the rural economy.

Local plans/development plan documents for areas covered by the Green Belt will review its boundaries to meet the development land requirements of the Joint Structure Plan to 2021. In this review of Green Belt boundaries local planning authorities will have regard to:

- i. sustainable development principles and the sequential approach to development;
- ii. the principles and purposes of existing Green Belt land, in particular the need to maintain openness and prevent coalescence;
- iii. the retention of existing, or definition of new, defensible boundaries.

#### *Policy 2/1 Sustaining Biodiversity*

Planning permission will not be granted for development which will adversely affect the integrity or continuity of landscape features which are of major importance for wild flora and fauna and habitats and species identified in the UK and Nottinghamshire Local Biodiversity Action Plans, unless an overriding need for the development is demonstrated which clearly outweighs the nature conservation value of the habitat or species. Appropriate management of these features will be encouraged through the use of conditions, planning obligations and management agreements.

An assessment of sites with the potential for nature conservation interest will be required prior to the determination of applications. Where planning permission is granted and harm cannot be avoided or mitigated, conditions will be used and/or planning obligations will be sought for the creation of an equivalent (or greater) feature that would make a positive contribution towards the targets of the Biodiversity Action Plan.

#### *Policy 2/13 River Corridors*

Local planning authorities will seek to maintain and enhance the multi-functional importance of the River Trent and its tributaries (including the Idle, Leen, Maun and Meden). The consideration of development proposals will have regard to the contribution that they would make to the improvement of biodiversity, landscape character, recreational opportunities and regeneration.

### *Policy 2/16 Flood Protection and Flood Risk Reduction*

Local planning authorities will apply the risk based approach of Planning Policy Guidance Note 25 'Development and Flood Risk' (PPG25) in allocating sites for development and in the consideration of planning applications.

Adequate measures will be put in place to mitigate the effects of any development activity in areas at direct risk from flooding, or which would be likely, individually or cumulatively, to increase the number or extent, of people, land or properties at risk of flooding elsewhere. In addition local planning authorities will seek to negotiate with developers, wherever possible, in order to achieve developments which provide for an overall reduction in existing levels of flood risk.

In all areas proposals will, where appropriate, incorporate sustainable drainage systems and provision for their maintenance.

### *Policy 5/10 Local Authority Road Schemes*

Land will be safeguarded for the following local authority major road-based schemes;

- a) A6096 Ilkeston/Awsworth Link;
- b) A617 Pleasley Bypass Extension;
- c) A6211 Gedling Relief Road;
- d) New Crossing over River Trent to west of Radcliffe-on-Trent;
- e) A1133 Collingham Bypass;
- f) A617 Kelham Bypass;
- g) Nottingham City Centre Major Scheme (under construction);
- h) A612 Gedling major Integrated Transport Scheme;
- i) A6514 Nottingham Ring Road Major Scheme.

### *Policy 6/1 Location of Recreation and Tourism Facilities*

Facilities for recreation and tourism will be located within, or on the edge of, town centres (as defined in Policy 7/1), or at other accessible locations within or on the edge of urban areas. Such facilities will only be permitted in other locations where they cannot be sited either within, or on the edge of, urban areas or are to meet purely local needs. Facilities will only be permitted in the countryside where they require a rural location or are required under the provisions of Policy 4/5.

All such development will;

- a) be acceptable in terms of its impact upon the environment or local amenity; and
- b) incorporate a high standard of design.

Major Development, meeting more than local needs, should be accessible by a choice of means of transport.

### *Policy 6/3 Recreational Routes*

Public rights of way and other recreational routes will be provided, maintained and wherever possible improved. Where such facilities are provided as a result of development the developers will be required to make provision for their ongoing

maintenance. Where development results in the loss of a public right of way, an alternative route of an appropriate character will be required. Priority will be given to developing routes linking urban areas to the countryside and the reuse of former railway lines and other transport features such as canals.

*Sections of the Nottinghamshire and Nottingham Joint Structure Plan that address regeneration - Paragraph 1.6*

The policies of the JSP have been framed with this vision in mind. In order to realise this vision the following objectives have been set:

- to further social inclusion through the regeneration of disadvantaged areas by ensuring that all members of the community have improved access to a wide range of employment, housing, services, education, training, cultural and leisure opportunities

## **Local Planning Policies**

### The Rushcliffe Borough Non-Statutory Replacement Local Plan (2006)

#### *GP1 Delivering Sustainable Development*

All development proposals must take account of the principles of sustainable development. In particular the borough council will encourage developments that:

- a) promote a positive framework for sustainable economic growth to support efficient, competitive and innovative business, commercial and industrial sectors.
- b) Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities.
- c) promote communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community.
- d) provide improved access to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car.
- e) focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development.
- f) reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development.
- g) promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings.
- h) enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character.
- i) address the causes and impacts of climate change, the management of pollution and natural hazards, the safeguarding of natural resources, and the minimisation of impacts from the management and use of resources.

#### *GP2 Design and Amenity Criteria*

Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- a) there is no significant adverse effect upon the amenity, particularly residential amenity, of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated;

- b) a suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety, the provision of parking is in accordance with the guidance in the county council's parking provisions for new developments and the design of the proposal accords with guidance produced by the highway authority.
- c) sufficient space is provided within the site to accommodate the proposal together with ancillary amenity and circulation space;
- d) the scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy.
- e) noise attenuation is achieved and light pollution is minimised;
- f) wherever possible there is no significant adverse effect on wildlife habitats;
- g) the amenity of occupiers or users of the proposed development would not be detrimentally affected by existing nearby uses
- h) there is no significant adverse effect on any historic sites and their settings including listed buildings, conservation areas, scheduled ancient monuments, historic parks and gardens and historic battlefields,
- i) it can be demonstrated that, wherever possible , the development is designed to minimise the opportunities for criminal activities, and
- j) the use of appropriate renewable energy technologies will be encouraged within new development and the design, layout and materials of a proposal should promote a high degree of energy efficiency.

#### *EMP3 Tollerton Airfield*

At Tollerton airfield planning permission for new buildings will be granted for airport related uses only. Proposals must not significantly change the character or increase the size and impact of the existing complex and should not lead to an increase in the duration of operations or frequency of flights. Proposals for change of use of buildings to employment uses or their redevelopment for employment purposes, subject to the following criteria, will be granted:

- a) there will be no materially greater impact than the present use on the openness of the green belt;
- b) the proposals involve buildings of permanent construction, the form, bulk and general design of which are appropriate to the location and in keeping with the surroundings;
- c) no open storage of materials will be involved.

#### *EN4 Listed Buildings*

Planning permission for extensions and alterations to, and conversions of listed buildings, will only be granted where:

- a) it can be shown that the features of architectural or historic interest will be preserved;
- b) the proposals respect the character of the building by virtue of their design, scale, siting and materials and that additions do not detract from its architectural or historic character.

Proposals for development affecting the setting of a listed building, will only be permitted where they are acceptable in terms of scale, massing, form, siting, design and materials

Proposals for changes of use of a listed building will be treated sympathetically where this would result in the preservation of the architectural or historic interest of the building and its setting.

#### *EN5 Demolition and Listed Buildings*

Planning permission for development which includes the total or substantial demolition of a listed building will not be granted unless:

- a) there is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use or find a viable new use; or
- b) the building is beyond reasonable repair in relation to its importance; or
- c) it can be shown that there would be substantial benefits for the community

#### *EN7 Sites of Archaeological Importance*

Development affecting sites of known or suspected archaeological importance will only be permitted where:

- a) there is a need for development which outweighs the importance of the archaeological site or its setting;
- b) the proposal is supported by an archaeological field evaluation of the site; and
- c) the proposed development would not damage the archaeological remains where these can be preserved in situ.

Where preservation in situ is not feasible or justified, a programme of preservation by surveying, excavation and recording of the archaeological remains will be required (through the use of planning conditions).

#### *EN11 Features of Nature Conservation Interest*

Development proposals likely to have an adverse impact on sites of importance for nature conservation (SINCs), local nature reserves (LNRS), and regionally important geological and geomorphological sites will not be permitted unless the reasons for the proposal clearly outweigh the need to safeguard the nature conservation value of the site. Where development is permitted, planning conditions may be used, or a legal agreement sought to ensure that, if unavoidable loss or damage to the site or feature or its setting is likely, measures of mitigation will be required to ensure features are retained or incorporated into an agreed landscape scheme.

#### *EN14 Protecting the Green Belt*

Within the green belt as defined on the proposals map planning permission will only be granted for appropriate development for the following purposes:

- a) agriculture, and forestry;
- b) for other uses which preserve the openness of the green belt, including essential facilities for outdoor sport and recreation and for cemeteries;
- c) alteration and limited extension or replacement of existing dwellings; and
- d) limited residential infilling in existing settlements within the green belt.

Planning permission will not be granted for inappropriate development, including the construction of new buildings other than those set out in the criteria, unless very special circumstances can be shown to outweigh the resulting harm to the green belt.

#### *EN19 Impact on the Green Belt and Open Countryside*

In the green belt and open countryside where a proposal is in accordance with other policies of the plan, it must be demonstrated,

- a) there will be no significant adverse impact upon the open nature of the green belt or open countryside, or upon important buildings, landscape features or views;
- b) an appropriate landscape scheme is proposed as an integral part of the development; and
- c) as far as possible existing buildings on the site have been used to accommodate indoor facilities and where new buildings or extensions are proposed they respect the general character of the area through siting, design and materials.
- d) any ancillary lighting, including street lighting, is designed and located to minimise its impact beyond the necessary area.

#### *COM11 Protection of Recreational Facilities*

The following areas will be safeguarded from development which would prejudice their recreational, tourist and commercial potential with particular protection given to environmental and wildlife features which contribute to the character of the areas:

- a) River Trent
- b) River Soar
- c) Grantham Canal
- d) Great Central Railway

#### *WET 2 Flooding*

Development will not be permitted in areas where a risk of flooding or problems of surface water disposal exist unless:

- a) the location is essential for a particular development and there are no alternative locations in a lower risk area; or

- b) the proposal is in an existing developed area and can be adequately protected against potential flood risk and includes compensatory measures; and
- c) it can be demonstrated that the proposal would have no adverse effects on the management of flood risk; and
- d) adequate provision is made for access to watercourses for maintenance purposes; and
- e) suitable on or off-site measures are included to deal with any increase in surface water run-off.

Proposals for some recreational, sport or open space use, amenity and conservation uses may be acceptable in areas of high flood risk.

#### The Rushcliffe Borough Replacement Local Plan (1996) – saved policies

Six policies were saved from the 1996 Rushcliffe Borough Replacement Local Plan, pending adoption of Local Development Framework documents. Five of these are of relevance to the Green Infrastructure Study.

##### *EN15 Green Belt*

This states that the Borough Council would undertake a comprehensive review of the Green belt boundaries once that the Nottinghamshire Replacement Structure Plan had been completed. This would provide the context in which the Green Belt boundaries could be assessed, particularly in terms of ensuring adequate provision for the Borough's long-term development requirements.

##### *H1 Housing Allocation*

This policy identifies sites for which planning permission for residential development would be granted or renewed.

##### *E1 Employment Land Provision*

This policy identifies sites for which planning permission would be granted for industrial development. Sites identified include a total of 4.75 hectares of land at Hollygate Lane, Cotgrave, for Class B1 (light industrial office and high technology) and B8 (warehousing) purposes. .

##### *E4 Tollerton Airfield*

This policy was the same as the Policy EMP3 of the Non-Statutory Replacement Plan (2006).

##### *E7 Redevelopment of Employment Sites*

This policy states that planning permission will be granted for the redevelopment of Cotgrave Colliery, for employment purposes, provided that the proposals comply with policies relating to amenity and access.