

Julia Lockwood BA (Hons) Dip TP MRTPI

Senior Planning Officer

Planning Development

Newark and Sherwood District Council

14th June 2024

By Email

Dear Julia,

Planning Committee, 19th June 2024

Land off Staythorpe Road, Averham - 23/00317/FULM and Land Adjacent Staythorpe Substation, Staythorpe Road, Staythorpe - 23/00810/FULM

I write with regards to the above-mentioned planning applications, both of which are to be considered at the Planning Committee on 19th June 2024.

Foremost, I welcome the recommendations of approval and the below is intended to support those recommendations, assisting Officers and Members to consider the schemes.

No new supporting information is submitted, just clarifications where felt necessary.

Land off Staythorpe Road, Averham - 23/00317/FULM

| Page/Paragraph Number | Observation | | | | | | | | | | |
|-----------------------|--|-----------------------|-------|---------|---------------------|-----------------------|-------|-----------|-------|----|--|
| General observation | <p>Reference is made to the sizes of particular elements of the scheme. Please see the table provided below, which provides details upon the accurate sizing of the component parts of the scheme.</p> <p>In summary, 70% of the site is comprised of retained agricultural land, woodland/hedgerow planting and wildflower meadow.</p> <p>The remaining 30% would have built development upon it in the form of roads (sealed/unsealed), basins, bunds and buildings (including BESS containers and the remaining electrical works).</p> <table border="1" data-bbox="456 1917 1385 2036"> <thead> <tr> <th data-bbox="456 1917 746 1998">Feature</th> <th data-bbox="751 1917 970 1998">Pegasus Amount (Ha)</th> <th data-bbox="975 1917 1177 1998">Committee Report (Ha)</th> <th data-bbox="1182 1917 1385 1998">Notes</th> </tr> </thead> <tbody> <tr> <td data-bbox="456 1998 746 2036">Site area</td> <td data-bbox="751 1998 970 2036">25.86</td> <td data-bbox="975 1998 1177 2036">25</td> <td data-bbox="1182 1998 1385 2036"></td> </tr> </tbody> </table> | | | Feature | Pegasus Amount (Ha) | Committee Report (Ha) | Notes | Site area | 25.86 | 25 | |
| Feature | Pegasus Amount (Ha) | Committee Report (Ha) | Notes | | | | | | | | |
| Site area | 25.86 | 25 | | | | | | | | | |

| Agricultural Land Quantums | | | |
|--|---|------------|--|
| Grade 3a land | 23.71 | 23 | As per ALC Report |
| Grade 3b land | 2.06 | 2 | |
| Total agricultural land | 25.77 | | |
| Associated Works and Landscaping Quantums | | | |
| Other land within RLB (such as visibility splay) | 0.953 (9,530sqm) | | |
| Planted bunds | 0.3167 (3,167sqm) | | |
| Woodland belt | 2.7494 (27,494sqm) | | |
| Seasonally wet basins | 0.9359 (9,359sqm) | | |
| Wildflower grassland | 1.8758 (18,758sqm) | | |
| Total associated works | 6.8308 (0.953 + 0.3167 + 2.7494 + 0.9359 + 1.8758) | 7.4 | |
| Western and Eastern Field Quantums | | | |
| Western field road | 0.4189 (4,189sqm) | | |
| Eastern field built development (sealed roads, unsealed roads and 'buildings') | 6.0803 (60,803sqm) | 6 | |
| Western field retained agricultural land | 6.53 (65,300sqm) | 7.6 | Total field size, with road is 6.9489Ha. |
| Eastern field retained (shown to be fenced) agricultural land | 4.0742 (40,742sqm) | 4 | |
| Eastern field retained (non-fenced, less bunds) agricultural land | 1.9294 (19,294sqm) | | Fence line can be realigned to encompass this element (as per responses to PO) |

| | | | |
|---|--|---|--|
| | | | questions dated 20 th November 2023). |
| | Total Retained Agricultural Land | 12.5336 (6.53 + 4.0742 + 1.9294) 48% of the total site area | 11.6 |
| | | | The quoted 11.6Ha assumes that all of the vis-splay land is in agricultural use and the non-fenced land is not agricultural. The 11.6Ha is comprised of the visibility splay land (0.953) + western field retained agricultural land (6.53) + eastern field fenced agricultural land (4.0742). |
| Loss of Agricultural Land Quantums | | | |
| | Total Grade 3a (occupied by development – roads (sealed/unsealed), buildings, bunds, woodland planting, wildflower meadow and basins (where applicable)) | 11.764 (117,640sqm) | 12.6 |
| | | | Applicants total = 12.3751Ha (25.86 – 11.764 – 0.611 – 0.953 – 12.5336 = 0) 48% of the total site area (final 4% = other land within |

| | | | | RLB, including visibility splay) |
|-------------------------|---|----------------------|--|---|
| | Grade 3b (occupied by development – roads (sealed/unsealed, buildings, bunds, woodland planting, wildflower meadow and basins (where applicable) | 0.6111 (6,111sqm) | | |
| Paragraph 1.7 | The land area amounts (expressed as percentages) are correct but are taken from the ALC report, which did not for example assess land within the visibility splays and accounted for 25.77Ha of land (as per the plan at paragraph 1.7). | | | |
| Paragraphs 1.11 to 1.13 | The distances quotes are assumed to be from the site boundary and not from the built development itself. Paragraph is helpful in setting out the distances of the development from the site boundaries. | | | |
| Paragraph 3.7 | Reference should be updated to reflect the revised BNG figures, as a result of the translocation of the hedgerow along Main Road and the parallel hedge beyond (this will update the list of documents set out within para. 3.17 and also paragraph 7.135). | | | |
| Paragraph 5.2 | <p>This is the first reference (and repeated elsewhere) within the Committee report to Policy DM8. With reference to the recent appeal decision (as referenced within the Committee report), the Applicant's view is that Policy DM8 does not apply to the proposed development.</p> <p>Policy DM4 and Core Policy 10 are considered to be the most relevant planning policies.</p> | | | |
| Paragraph 5.5 | <p>Reference is made to the recent WMS of 15th May 2024, which was issued on the basis of solar development (and not BESS, or other forms of development).</p> <p>The focus of WMS is upon the following matters:</p> | | | |

| | |
|---------------------------------|---|
| | <p>Solar developments Food security as an essential part of national security; Energy security is being threatened by world events; Protecting the best agricultural land; Addressing cumulative impacts; Improving soil surveys; and Supporting solar on rooftops and brownfield sites.</p> <p>Increased weight is to be given to higher grades of land within the category of BMV land; in other words, greater weight would be attached to loss of Grade 1 land than it would to Grade 3(a). The highest quality land is least appropriate for solar development and the WMS observes that:</p> <p><i>“there is a greater onus on developers to show that the use of higher quality land is necessary.”</i></p> <p>The WMS does not comprise new policy; it seeks to align policy in the NPS with existing policy in the NPPF.</p> |
| <p>Paragraph 7.142</p> | <p>It will be important to ensure that Members of the committee have the opportunity to view the updated hedgerow translocation plan, as this will sit alongside paragraph 7.143.</p> |
| <p>Paragraph 7.144</p> | <p>Regarding the table and the term ‘large trees’ these are indicated to be 4.3m in height at the time they are planted.</p> |
| <p>Paragraph 7.146 to 7.175</p> | <p>As set out within the Heritage Impact Assessment (HIA), step 1 of the methodology recommended by the Historic England guidance GPA:3 (see ‘Methodology’) is to identify which heritage assets might be affected by a proposed development.</p> <p>Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset’s setting that contributes to its significance, such as interrupting a key relationship or a designed view.</p> <p>Consideration was made as to whether any of the heritage assets present within or beyond the 1km study area include the site as part of their setting, and therefore may potentially be affected by the proposed development.</p> <p>The HIA advises that <i>‘on the basis of proximity and intervisibility, Averham Conservation Area was the only designated heritage asset identified for a detailed settings assessment within or beyond the 1km radial study area [my emphasis]. Due to the limited historic relationship (which will not change as a result of the propos</i></p> |

| | |
|-------------------------------|--|
| | <p><i>scheme), the physical and visual separation between the Averham Conservation Area and Site as well as proposed screening measures, it is not anticipated that the proposed development would result in any harm to the special heritage interests of the Averham Conservation Area through changes to setting.'</i></p> <p>The HIA sets out that limited amounts of intervisibility were identified towards Kelham Conservation Area due to treeline boundaries around the exterior of the asset per the ZTV submitted as part of this application. Views towards the entire development are noted within a portion of the undeveloped southwestern extent of the Conservation Area and of the proposed substation from a northwestern branch of the asset. These views are relatively limited in scope and are not considered to be integral to the asset's special interests. As such, a full settings assessment for Kelham Conservation Area was not required.</p> <p>The proposed development is well located and well screened and there would be no unacceptable impacts upon heritage interests. Any impacts are more than outweighed by the very substantial benefits that flow from the proposed scheme.</p> |
| <p>Paragraphs 9.1 to 9.12</p> | <p>'Very significant benefits in supporting the transition to net zero and in helping to secure stability and security in energy supply', are then taken to a 'very substantial' level when considering the fuller range of benefits (listed as energy efficiency, reducing carbon emissions and biodiversity and trees and hedgerows).</p> <p>This approach is consistent with that taken by the Planning Inspector for the ECAP appeal.</p> <p>In considering the weight that should be afforded in the overall planning balance, the following scale ranging from high to low is fairly typical:</p> <p style="text-align: center;">Substantial Significant Moderate Limited No weight</p> <p>Such weight may be regarded as 'positive' as a benefit, 'adverse' as a harm, or where applicable of 'no weight' effect.</p> <p>In the instance of the ECAP decision by the Planning Inspector, the use of 'very' suggests a heightened benefit arising from the 'transition to net zero and in helping to secure stability and security in energy supply' with it becoming 'very substantial' when</p> |

| | |
|--|--|
| | <p>considering other matters, namely biodiversity, trees and hedgerows. The report notes that the scheme need not to have provided BNG, but does so and provides a very substantial benefit. The report notes that the benefits arising from the landscaping proposals, over and above the existing planting.</p> <p>As the Committee report highlights, there is accordance with the Development Plan, but there are some harms (which are limited in nature) that need to be weighed in the planning balance, which are significantly outweighed by these very substantial benefits.</p> |
|--|--|

- Land Adjacent Staythorpe Substation, Staythorpe Road, Staythorpe - 23/00810/FULM

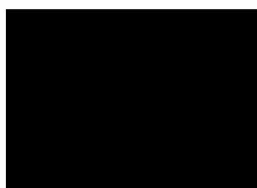
I have no comments to make upon this report.

- Conclusion

Thank you again for the time taken to work collaboratively with ourselves and the applicants during the application process to date, this is well reflected in the report. The above is intended to provide further assistance to Officers and Members to ensure clarity on the matters that I have set out. We shall be attending/presenting to the Planning Committee and we shall be endorsing the two recommendations of approval, with the aspiration of avoiding an unnecessary appeal(s).

Please do not hesitate to contact me if you have any queries in relation to the above or any other matter.

Kind regards,



Chris Calvert



Pavilion Court, Green Lane, Garforth, Leeds, LS25 2AF
T 0113 2878200 E Leeds@pegasusgroup.co.uk
Offices throughout the UK.

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.
Registered Office: 33 Sheep Street, Cirencester, Gloucestershire, GL7 1RQ

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE