

PLANNING COMMITTEE 5 DECEMBER 2024

Schedule of Communication Received after Printing of Agenda

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
<p>5 (24/01261/FULM)</p> <p>Land West of Staythorpe Electricity Substation</p>	<p>Applicant</p>	<p>26.11.2024</p>	<p>Clarification Note in relation to the points of interest raised during the Committee Meeting on 11 November.</p> <p>All technical consultees have confirmed they raise no objection to the application and therefore there are no planning matters which would preclude the approval of the application. The planning conditions proposed have been agreed between Council officers and the Applicant.</p> <p>Access and Construction Management The Highway Authority raise no objection. Condition 3 requires a Construction Environmental Management Plan (CEMP) and confirms construction hours will be limited to 08:00 to 18:00 hours Monday to Friday and 08:00 to 14:00 hours on Saturdays. This condition also controls noise, dust, temporary lighting and all details for temporary construction works such as internal access road and compound. Condition 4 requires full reinstatement of the existing field access and gate (Access 2) and the full restoration of the land will be agreed and completed within a reasonable period, following the completion of the construction. <i>A condition survey of all accesses will be provided prior to construction works commencing. Should repairs be required to the kerb, or any other part of the</i></p>	<p>Noted.</p> <p>No condition survey or repairs of all accesses outside the application site (on adopted highway) is currently required by Condition 4. If Members consider this should be imposed, it</p>

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			<p><i>application site and adopted highway, these will be completed in compliance with this Condition.</i></p> <p>Temporary Bus Stop Suspension Mitigation This was discussed along with the additional walking distance to the next nearby bus stop at Behay Gardens. The Highway Department suggested a temporary bus stop suspension to allow for the use of Access 2 for the duration of the construction works which is only for 6-8 weeks. The Applicant, in an effort to mitigate the effect this would have on local residents, is offering to provide a transport service upon request from their residence in Staythorpe to a location on the bus route. This service would be secured via a S106 legal agreement and paid for by the Applicant for the duration of the temporary bus stop suspension.</p> <p>Trees and Hedgerows The Council's Ecology and Biodiversity Officer raises no objection. The following agreed condition resolves the comment raised in relation to the mistaken suggestion that Access 2 requires removal of hedgerow. It only requires trimming. Condition 7 requires the Applicant to provide an Arboricultural Method Statement and scheme for protection of the retained trees/hedgerows. The</p>	<p>could be included as part of the S106 and not by condition, as any works would be outside the red line of the application site.</p> <p>Noted.</p> <p>Noted.</p>

Schedule of Communication Received after Printing of Agenda

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			<p>Application does not include the removal of a hedgerow at Access 2 and the gate will be reinstated post construction.</p> <p>Cumulative Impact A comment was made suggesting that there was not enough detail within the Planning Design and Access Statement to consider the cumulative impact of the proposed development. The Council's officers have made it clear in the Committee Report (section 7.83) <i>"..... the reality in relation to consideration of this application, comprising largely below ground infrastructure with an additional connection within the substation, the impacts, once in place, would be extremely limited. As such, it is not considered that this proposal could reasonably be refused on cumulative impacts."</i></p> <p>Ecology The Council's Ecology and Biodiversity Officer raises no objection. The following agreed condition resolves the comment raised in relation to ecology. Condition 8 requires the Applicant to provide a Construction Environmental Management Plan (CEMP:Biodiversity) to maintain and enhance biodiversity and ecological assets. The application is supported by an Ecological Impact Assessment and meets the required BNG target.</p>	<p>Noted.</p> <p>Noted.</p>

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			<p>Decarbonisation of the Electricity Supply A comment was made suggesting that the scheme is not necessary for the decarbonisation of the electricity supply. This is untrue. The proposed development will enable the National Grid to balance energy use through-out the day, which is crucial in decarbonising the electricity supply and why the BESS was assessed as renewable energy development by the Council. The National Energy System Operator (NESO) advised the Government in October 2024 that 30GW (Gigawatts) of Battery Energy Storage Systems are required to reach the UK's 2030 energy goals.</p>	<p>Noted.</p>
<p>5 (24/01261/FULM) Land West of Staythorpe Electricity Substation</p>	<p>Local Resident</p>	<p>29.11.2024</p>	<p>There has been no confirmation to date from Highways that all conditions they mentioned in their report of 5 November have been satisfactorily addressed and rectified by the applicant.</p> <p>How can this item be considered on the agenda when there are conditions that have been decreed by the Highways Department and have not been met by the applicant.</p> <p>The area frequently floods, sometimes across Staythorpe Road, and entering residents' homes and winter frosts render the ground completely impenetrable and therefore unworkable. These weather conditions will extend the time required</p>	<p>Noted. However, the Highway Authority does not require any further highway information to be submitted to determine that the proposed accesses are acceptable in highway safety terms prior to the determination of the application. Any further highway details required to be submitted for approval can be done so following the grant of planning permission through a discharge of condition application, in the event that the application is approved by Members.</p> <p>The Highway Authority has stated that "it should be noted that it may not be acceptable for the bus stop suspension to continue for more than 8 weeks, and the applicant should factor in measures to enable the ditches to be</p>

PLANNING COMMITTEE 5 DECEMBER 2024

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			<p>for the construction works and therefore extend the time of disruption and inconvenience to residents and their bus service.</p> <p>In the democratic society we live in, the view of the majority will take precedence ie overwhelming objections to the application. Local people will have to live with the decision made by NSDC Planning Department for the rest of their lives, long after ECAP/Elements Green are no longer around.</p>	<p>crossed from Access 1 should the build programme exceed 8 weeks.”</p>
<p>5 (24/01261/FULM)</p> <p>Land West of Staythorpe Electricity Substation</p>	<p>Local Resident</p>	<p>01.12.2024</p>	<p>At the Planning Committee meeting held on 11 November 2024, Members AGREED (unanimously) that the application be deferred to the 5 December 2024 Planning Committee for the following reasons:</p> <ul style="list-style-type: none"> • For the consultation period to end. • That the application should not be determined without all the relevant highway information. <p>As of the date of writing, there have been no further details submitted on the public portal in relation to highway information for this application. As a result, I fail to see how this application can be considered at 5 December Planning Committee meeting. The application should be deferred until 'all relevant highway information' has been received. These details are</p>	<p>Noted. However, the Highway Authority does not require any further highway information to be submitted to determine that the proposed accesses are acceptable in highway safety terms prior to the determination of the application. Any further highway details required to be submitted for approval can be done so following the grant of planning permission through a</p>

PLANNING COMMITTEE 5 DECEMBER 2024

Schedule of Communication Received after Printing of Agenda

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			<p>significant material planning considerations and should not be left to be excluded from the Planning Committee consideration for later inclusion with pre-commencement documentation as requested by the Applicant.</p> <p>There are no valid reasons or supporting evidence of any kind, contained with the application to date, to demonstrate that ACCESS 2 is necessary. Highways have already suggested that alternative solutions should be considered.</p> <p>Approval has already been given (Staythorpe BESS) for the creation of a new field access (ACCESS 1) and a temporary compound within the adjacent field and so there appears to be no justification to create unnecessary traffic disruption, removal of existing gates, hedgerows and damage to another field to create a second temporary access and compound.</p> <p>The Applicant has stated: 'The overall construction and installation of the BESS (Staythorpe) is anticipated to take approximately 9-12 months and construction activities will be carried out concurrently in order to minimise the overall length of the construction programme therefore the cable installation will run alongside the construction of the BESS and substation compound.' So why the need for the second temporary</p>	<p>discharge of condition application, in the event that the application is approved by Members.</p> <p>Paragraph 3.9 of the officer report states that the Applicant has stated that the cable cannot be constructed using the main BESS access only (ACCESS 1) because there is a watercourse between the BESS access and the field accessed by Access 2. The Applicant has stated that there is a need for 3 separate access points as one is for works on the western side of the watercourse, one is for works on the eastern side of the watercourse and the other is for the GNET (substation) works.</p>

PLANNING COMMITTEE 5 DECEMBER 2024

Schedule of Communication Received after Printing of Agenda

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			<p>construction compound from Access 2? The removal of ACCESS 2 from the scheme would mitigate or eliminate much of the following additional concerns and the temporary suspension of the Bus Stop.</p> <p>However, if it was demonstrated that ACCESS 2 is absolutely necessary (between now and the PC meeting); then surely any planned traffic management (two-way as suggested by Highways), alterations/removal of hedgerow (necessary for two-way vehicle movements) and field gates etc, should be available for the Planning Committee to review and discuss in order to arise at an informed decision?</p> <p>Currently, there is a confusion within the listed documents, between Highways and the Applicant regarding ACCESS 2: Highways previously stated (08/08/2024-Sarah Hancock, NCC) This access is too narrow to accommodate 2-way vehicle movements and was initially demonstrated by the swept paths submitted to be also too narrow for one-way construction vehicles. Improvements to the width of this to enable 2-way traffic would mean removal of lengths of established hedgerow to enable use for only up to 8 weeks. However, the applicant has stated (26/11/24 - Mark Turner, Elements Green) that 'the following</p>	<p>The Highway Authority has confirmed that the use of banksmen and stop/go boards will be acceptable to manage the single direction access. The Highway Authority is also now satisfied that with the temporary removal of the gate, one post and the adjacent length of fence, would provide a suitable width of access for one-way traffic without having to disturb the hedgerow. This is set out in the Highway Authority comments within paragraph 6.1 of the officer report.</p> <p>To clarify, therefore, Access 2 will not require</p>

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			<p>agreed condition resolves the comment raised in relation to the mistaken suggestion that Access 2 requires the removal of hedgerow. It only requires trimming. Condition 7 requires the Applicant to provide an Arboricultural Method Statement and scheme for protection of the retained trees/hedgerows. The Applicant does not include the removal of a hedgerow at Access 2 and the gate will be reinstated post construction.'</p> <p>Who is right here? How can the Planning Committee determine their decision under such ambiguity? Why have you accepted the Applicants position rather than NCC Highways?</p> <p>To date, the only swept path details suggest that vehicles would need to turn left out of Access 2.</p> <ul style="list-style-type: none"> • Where to? • Access through to Rolleston is a weight restricted road? • This is clearly wrong, so again, what is the PC reviewing and considering? <p>In addition, 'Swept Path' and 'traffic management' details have still not been submitted for ACCESS 3. As highlighted by NCC Highways (08/08/2024- Sarah Hancock, NCC), the position of the existing gate and control of its access is currently Not Acceptable to NCC Highways as waiting vehicles may obstruct the highway (a 50mph road)!</p>	<p>the removal of hedgerow to widen the access point but the hedgerow will require trimming back each side of the access to create the required visibility splays.</p> <p>This has been clarified above.</p> <p>As Access 2 serves as the central compound for the cable development, vehicles would need to turn left out to be able to link up with Access 1 to be able to carry out works on the BESS side of the site and would need to turn right out to be able to link up with Access 3 to be able to carry out works on the substation side of the site.</p> <p>The comments of the Highway Authority in paragraph 6.1 of the officer report states that it is acknowledged that sept paths have not been</p>

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			<p>My concern is that once approval has been given, even with strict pre-commencement conditions, (of which there are currently many), these conditions will not be subject to any further consultation and those that will be affected the most will have no recourse or control over how the scheme is implemented.</p> <p>Surely, if these details are a necessary requirement before work can commence, why not ensure that all significant details are confirmed and approved objectively at Planning Committee, by those elected to represent us as residents. This will also ensure, that should the scheme go ahead, that any disruption to the local community and environment is limited and controlled correctly.</p> <p>There are still no details and no consideration to the impact of Noise Pollution during the construction phase and no mention of Lighting (for the compound and works areas). It is merely assumed that these significant details will be address by 'pre-commencement conditions', which surely cannot be acceptable?</p> <p>Any Environmental & Ecological Impacts are largely overlooked as it assumed that this is a temporary development.</p> <p>I trust that the above information is considered</p>	<p>submitted for this access and that there are issues relating to the existing gate (being located too close to the road to allow long vehicles to wait off the road whilst the gate is opened) however, the Highway Authority is satisfied that these details can be approved by details being submitted through the proposed wording of Condition 3 set out within the report.</p> <p>Condition 3 sets out the Construction Environmental Management Plan for the construction of the proposed cable development and such conditions are imposed regularly as standard on most significant development construction sites.</p> <p>Noise and Lighting impacts an also be controlled through the CEMP Condition 3.</p> <p>These impacts have been considered within the officer report.</p>

PLANNING COMMITTEE 5 DECEMBER 2024

Schedule of Communication Received after Printing of Agenda

Item	Correspondent	Date	Points Raised (Summary)	Officer's Response
			thoroughly, and you reconsider the decision to present this application at the next Planning Committee meeting until the outstanding information has been received and assessed as acceptable.	The information presented by the application has been assessed and, subject to appropriate conditions, been found to be acceptable and in compliance with the Development Plan.
6 (23/01283/OUTM) Land At Overfield Park Winthorpe Newark On Trent NG24 2UA	Applicant	29.11.2024	Suggested amendments to conditions 3 and 16 to refer to each phase or sub phase.	<p>Amendments are considered reasonable and it is suggested that conditions 3 and 16 are amended as follows:</p> <p><u>Condition 3</u></p> <p>Each reserved matters application for each phase or sub phase of the development shall be accompanied by an up to date phasing plan and phasing programme. The approved phasing plan <u>for each phase or sub phase</u> shall be adhered to throughout the construction period.</p> <p>Reason: In order to allow for a phased development and ensure that appropriate mitigations are delivered in a timely manner</p> <p><u>Condition 16</u></p> <p>An access strategy shall be submitted with each reserved matters application <u>for each phase or sub phase and</u> shall include details of provision of a 3m shared route linking to the A17 and the widening of Godfrey Drive (if required).</p>

PLANNING COMMITTEE 5 DECEMBER 2024

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				Reason: In the interests of highway safety.