

Report to Planning Committee – 12 March 2026
 Business Manager Lead: Oliver Scott – Planning Development
 Lead Officer: Ellie Sillah – Planning Development Officer

Report Summary			
Application Number	23/01846/FULM		
Proposal	Proposed Leisure and Recreation Facilities at Clipstone Colliery		
Location	Land Off Mansfield Road Clipstone		
Applicant	Mr Richard Clarey	Agent	LK2 Architects Ltd
Registered	18.10.2023	Target Date	17.01.2024 EOT until 18.03.2024
Recommendation	Grant Planning Permission subject to conditions set out at Section 16.0 of this report.		

Procedural Matters

This application is being determined at committee due to the following:

- There is conflict with the NPPF (paragraph 193a)
- The Council is involved with the application indirectly in relation to LUF funding (however the Council is not the applicant).

For these reasons the application has been called in by the Business Manager, in accordance with the Council's Scheme of Delegation.

1.0 The Site

1.1 The application site covers approximately 10.8 hectares and is located within the urban boundary of Clipstone, as defined on the Policies Map. The site is part of the historic Clipstone Colliery. Most of the buildings associated with the colliery have been demolished however the Headstocks and Powerhouse were listed as Grade II in 2000 and still remain (albeit outside of the site outline).

- 1.2 The wider site is allocated within the Allocations and Development Management DPD for mixed use development (CI/MU/1), including around 120 dwellings, 12 hectares of employment provision, retail, and enhanced open public space. The allocation site includes the Grade II listed Headstocks and Powerhouse, however the application site and masterplan for the wider site excludes the structure and surrounding land. This is because the Headstocks has been sold and is no longer within the same ownership as the remaining land within the allocation. The submitted masterplan is shown below:



- 1.3 The application site outlined includes the area to the southeast of the Headstocks and to the east of 'Phase 1' of the wider development, on which a development of 124 dwellings has been determined and approved by the planning committee (ref 23/00832/FULM). A section 73 application is currently pending to amend the layout of the residential development which is now proposed to be 100% affordable. A site photo taken from the south east of the site is shown below:



Site Constraints

- 1.4 To the west of the allocation is a local nature reserve and to the west and south are sites of interest in nature conservation.
- 1.5 The site is in Flood Zone 1 and at very low risk of flooding from surface water. The following map extract shows the extent of surface water flood risk around the site.



- 1.6 The site is not within a conservation area. The setting of the Grade II listed Headstocks (immediately adjacent to the site) must be taken into consideration in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Clipstone Colliery Village, a non-designated heritage asset is also located to the north west of the site.

2.0 Relevant Planning History

- 2.1 23/00832/FULM (adjacent site and part of the wider allocation) 124 dwellings with open space, landscaping, highways and drainage infrastructure and associated works – Approved at Committee subject to S106 agreement. Decision issued.
- 2.2 25/01971/S73M Variation of condition 28 attached to planning permission 23/00832/FULM to substitute the approved plans to amend the housing mix and redesign of the development parcels – Pending consideration.

3.0 The Proposal

- 3.1 The application seeks planning permission for new leisure and recreation facilities, including a cricket pitch, football pitches, a multi sports area, a play park, car park, pavilion building and various storage buildings.
- 3.2 The access for the leisure and recreation facilities proposal would be from Mansfield Road which bounds the wider site to the north west. The access road would wrap around the boundary of the Headstocks. To the west of the application site is land for 'Phase 3' which would be for employment use. There are currently no applications for this part of the allocation therefore no detail is currently available as to the type of

employment use that would be proposed.

3.3 Revisions have taken place throughout the lifetime of the application. The most up to date proposed site plan is shown below and has undergone a full re-consultation:



3.4 The proposed elevations for the Club house building are shown below. The maximum height would be 6.4m.



APP 14/1024	Planning	1/16
Site Name	CLIPSTONE COLLIERY	1/16
Scale	1:100	1/16

PLANNING

LK2

Site: Clipstone Miners Welfare Community Trust
 Plan: Proposed Leisure & Recreation Facilities
 Clipstone Colliery

Scale: 1:100
 Proposed Elevations

Elevations and Plans of the Stadia are shown below:



Submitted Documents:

- 1353-A-(08)100_A02 Site Location Plan received 5th February 2026
- 1353-A-(08)302_Rev A02 Proposed 3G Stadia Pitch received 3rd March 2026
- 1353-A-(08)102_REV A011 Revised Proposed Site Plan received 5th February 2026
- 1353-A-(08)303_REV A03 Proposed Fences and Gates received 5th February 2026
- CRMR-BSP-XX-XX-D-H-0001_P02 Site Access Arrangements received 5th February 2026
- CRMR-BSP-XX-XX-D-H-0003_P02 Swept Path Analysis of Site Access received 5th February 2026
- 1297 LPS Landscape Phasing Strategy received 10th February 2026
- 1353-A-(08)304_REVA00.PDF Ecology Areas Plan received 5th December 2025
- Response to Ecology Comments received 5th December 2025
- Biodiversity Mitigation Assessment received 15th July 2025
- Transport Addendum received 4th June 2025
- CST-DCE-XX-XX-DR-C-5000 P03 Drainage Strategy received 4th April 2025
- FRA Addendum and Drainage Statement received 4th April 2025
- Transport Addendum received 27th March 2025
- Updated Ball Strike Report receive 26th November 2024
- Travel Plan received 29th October 2024
- 1297 002 C Landscape Strategy received 18th October 2024
- CST DCE XX XX DR C 5000 REV P02 Drainage Strategy received 18th October 2024

- CST DCE XX XX DR C 5001 REV P01 Flood Route Sections received 18th October 2024
- CST DCE XX XX DR C 9000 REV P04 Earth Works and Levels Strategy received 18th October 2024
- Agronomy Report (and Appendix 1-8) received 18th October 2024
- Design and Access Statement Rev 1 received 18th October 2024
- Mitigation Report received 18th October 2024
- Noise Assessment Report received 18th October 2024
- Transport Assessment received 18th October 2024
- Travel Plan received 18th October 2024
- 01 REV 00 Floodlighting Scheme received 17th October 2023
- 1 REV D Site Appraisal Sports Pitch Levels Sheet 1 received 17th October 2023
- 1353 A 08 101 REV A00 Existing Site Plan received 17th October 2023
- 1353 A 08 103 REV A00 Full Allocation Masterplan received 17th October 2023
- 1353 A 08 200 REV A00 Proposed Floorplan received 17th October 2023
- 1353 A 08 201 REV A00 Storage Container Plans and Elevations (Existing) received 17th October 2023
- 1353 A 08 202 REV A00 Proposed Kiosk Plans and Elevations received 17th October 2023
- 1353 A 08 203 REV A00 Proposed Bin Store Plan and Elevations received 17th October 2023
- 1353 A 08 205 REV A00 Proposed Cricket Store and Elevations received 17th October 2023
- 1353 A 08 206 REV A00 Proposed WC Plan and Elevations received 17th October 2023
- 1353 A 08 207 REV A00 Typical Proposed Tiered Standing Plan and Elevations received 17th October 2023
- 1353 A 08 208 REV A00 Proposed Typical Seated Stand Plan and Elevation received 17th October 2023
- 1353 A 08 209 REV A00 Proposed Bicycle Store received 17th October 2023
- 1353 A 08 300 REV A00 Proposed Elevations received 17th October 2023
- 1353 A 08 301 REV A00 Proposed Full Size AGP Plan and Elevations received 17th October 2023
- 1353 A 08 303 REV A00 Proposed Fences and Gates received 17th October 2023
- 1353 A 08 400 REV A00 Proposed Sections received 17th October 2023
- 1353 A 08 500 REV A00 Proposed Roof Plan received 17th October 2023
- 1353 A08 302 REV A00 Full Size Grass Stadia Pitch Plans and Elevations received 17th October 2023
- 2 REV B Site Appraisal Sports Pitch Levels Sheet 2 received 17th October 2023
- Arboricultural Impact Assessment dated October 2023
- Ecological Appraisal carried out by Rachel Hacking Ecology dated 2.10.2023

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 60 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

4.2 Site visits undertaken on 06.10.2023 and 02.09.2025.

5.0 **Planning Policy Framework**

5.1 **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

Spatial Policy 7 - Sustainable Transport

Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities

Core Policy 6 – Shaping our Employment Profile

Core Policy 9 -Sustainable Design

Core Policy 12 - Biodiversity and Green Infrastructure

Core Policy 13 – Landscape Character

Core Policy 14 – Historic Environment

5.2 **Allocations & Development Management DPD**

Policy CI/MU/1 - Clipstone – Mixed Use Site 1

Policy DM2 Development on Allocated Sites

Policy DM5 – Design

Policy DM7 - Biodiversity and Green Infrastructure

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

5.3 *The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The next stage in the Examination process will be the Inspector issuing their draft report.*

Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- *Not subject to a proposed main modification;*
- *The modifications/clarifications identified are very minor in nature; or*

- *No objection has been raised against a proposed main modification. Then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.*

[Submission Amended Allocations & Development Management DPD
Schedule of Main Modifications and Minor Modifications / Clarifications](#)

The policies which now carry substantial weight and therefore applicable to the consideration of this application are:

Policy CI/MU/1 - Clipstone – Mixed Use Site 1
Policy DM2 Development on Allocated Sites

Policy DM5(b) – Design
Policy DM7 - Biodiversity and Green Infrastructure
Policy DM9 – Protecting and Enhancing the Historic Environment

5.4 **Other Material Planning Considerations**

National Planning Policy Framework 2024 (amended February 2025)
Planning Practice Guidance (online resource)
National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
NSDC Playing Pitch Strategy

6.0 **Consultations and Representations**

NB: Comments below are provided in summary - for comments in full please see the online planning file.

Statutory Consultations

- 6.1 **Environment Agency:** Site is in Flood Zone 1 therefore no fluvial flood risk concerns with site. No concerns regarding pollution.
- 6.2 **NCC Highways:** Comments that were received on 19.6.2025 from NCC Highways conclude no objection to the scheme subject to conditions. The comments are included in detail in the Impact on Highways section of the report.
- 6.3 **Natural England:** NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites Sherwood Forest Golf Course Site of Special Scientific Interest (SSSI) and has no objection.
- 6.4 **Coal Authority:** No specific comments to make.
- 6.5 **Lead Local Flood Authority:** Comments dated 11.11.2024 confirm no objection subject to a condition.

6.6 **NCC Rights of Way:** No public rights of way are recorded over the site. The site sits alongside Clipstone Bridleway 3. Any connecting path should be constructed with all users in mind.

6.7 **Clipstone Parish Council:**

Clipstone Parish Council OBJECTS to phase 1 as issued due to inadequate provision for parking and inadequate space for grass roots football. Concern was expressed regarding vehicular access onto, and pedestrian access across Mansfield Road. Concern was expressed that phase 2 would not commence.

Regarding phase 2, Clipstone Parish Council SUPPORTS the full scheme with concern expressed regarding vehicular access onto, and pedestrian access across Mansfield Road.

Additionally, the Parish Council raises concerns that the plans assume people will walk to the proposed facility. However, the existing pedestrian footpath between Clipstone and Kings Clipstone is narrow, in poor condition and unsuitable for pushchairs or wheelchairs. Given the limited parking provision and the plans' aspiration to encourage walking to the new facilities, improvements to the footpath should be secured as a condition of planning.

6.8 **Mansfield District Council:** From a strategic point of view the proposal would provide a wider range of opportunities and facilities than are currently available and would allow for the future expansion of various clubs that currently use the Lido site. The Lido site and this application are linked - it is important to clarify the arrangements to ensure the current facilities do not cease before the new provision is available. The proposal would see the loss of facilities in Mansfield District and replaced within Newark and Sherwood District (although within the same settlement). Sport England should be consulted and possibly Mansfield Ward members/residents. Further comments made in regard to design, ecology, Sherwood Forest ppSPA and BNG all of which are matters considered within the report.

Representations

6.9 **Sport England (Summary of comments dated 22.11.24):** Supportive of the provision of replacement facilities including the additional grass pitch provision and enhanced ancillary facilities which would meet an identified need. Concerns raised about the need for the additional 3G pitch and whether this is a suitable location to meet the wider need across Newark and Sherwood. A condition has been recommended to require an initial pitch programme prior to construction to address concerns – Sport England would not object on this basis.

In summary Sport England does not object to the proposal as it is considered to accord with the objective to 'provide' subject to the following issues being addressed prior to determination

- Clarification on the requirement for ball strike mitigation for cricket and

measures to be incorporated into the proposal

- The noise mitigation used to model the noise impact is secured through the proposal.

These comments do not consider whether the proposed relocation would meet the requirements of Exception 4 of Sport England's Playing Fields Policy (in relation to the Lido site).

Conditions have been recommended.

6.10 Comments dated 29.4.25 following receipt of additional information:

The additional information includes a plan titled 'Proposed Phase 2 Site Plan' which appears to show a phased approach to the development. The initial phase is shown to include temporary buildings to accommodate 4 x changing rooms, 2 x officials' rooms, 1 x accessible changing room, bar and café, office, first aid/ physio, spectator toilets and function/ club room. The plan also shows a 9-wicket cricket pitch, full size grass stadia football pitch, full size artificial pitch and multi-sport area with two full size pitches and two mini soccer pitches. Part of the car park is also shown within this phase.

As part of the assessment of this additional information Sport England has sought the views of the Football Foundation and the ECB. The FF and Nottinghamshire FA have no concerns over the phase 2 plan provided. The ECB has queried why there is a temporary building.

Sport England has no objection to the principle of a phased approach to delivering the site. However, no detail has been provided on the timescales for phasing or on the detailed design of the temporary buildings and the length of time these buildings would be in use. We are therefore unable to provide any detailed comments on this approach.

However, we would wish to highlight that a phased approach to the delivery of this scheme has implications for the assessment of the planning applications for the loss of the Lido ground being considered by both Mansfield and Newark and Sherwood Councils (Application references 2024/0007/OUT and 23/02268/OUTM). These planning applications are required to meet exception 4 of Sport England's Playing Field Policy and paragraph 104 of the NFFP. The applications have currently been assessed taking into account the full scheme proposed at the Clipstone Colliery site. If the intention is that the development would be delivered in a phased approach, then further clarification is required on the approach proposed and the timescales for delivering the phases in relation to the loss of the Lido ground. If it is proposed that the Lido ground would be lost prior to the completion of the full scheme, then further information would be needed on the temporary buildings proposed to enable an assessment to be undertaken of whether a phased approach to the delivery of the proposal would meet exception 4 and paragraph 104 of the NPPF.

Conclusion

In light of the above, Sport England's position on this application remains as set out in

our response dated 22nd November 2024. However, we would recommend that consideration is given to the implications of a phased approach to development on the proposals for the loss of the Lido ground and the need for the planning applications for the Lido ground site to demonstrate that the proposals would meet exception 4 of Sport England's Playing Fields Policy and paragraph 104 of the NPPF. If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice. Please note that this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

- 6.11 **NSDC Ecology:** Detailed comments provided dated 23/10/2025, including calculation of baseline (bespoke calculation) rather than BNG, as the application was submitted prior to mandatory BNG coming into effect. In summary, the proposal would result in a loss of biodiversity value amounting to significant harm to biodiversity, which should require off site compensation to mitigate the loss of biodiversity value. The exact deficit has not been agreed between the NSDC Ecology Officer and the applicant's Ecologist. This is discussed in more detail in the relevant section of this report.

Full comments are available to view online, however the conclusion and recommendations are set out below:

Conclusions and Recommendations

Impacts on Designated Sites and Protected and Notable Species

- 6.1. *With the appropriate mitigation measures outlined in the Ecological Appraisal secured by appropriate planning conditions there would be no adverse impacts on any site afforded a statutory or non-statutory designation, or on any protected or notable species. However, NSDC will need to prepare a Habitats Regulation Assessment to confirm no adverse effects on any sites on the National Site Network, and the possible potential Special Protection Area (Sherwood Forest Area).*

Biodiversity Enhancements

- 6.2. *Appropriate species-specific enhancements for bats and hedgehog have been proposed and can be secured via appropriate planning conditions.*

Compliance with national and local planning policy

- 6.3. *The proposal will have a significant adverse effect in terms of habitat loss. Allowing for my own assessment of the application site baseline value, currently the estimated loss of biodiversity value allowing for the proposed use of adjacent offsite land for enhancements is – 27.5%. However, there is a need for more detail and clarification for this offsite land, and when inevitable amendments have been made, this loss is likely to be greater. Consequently, I would advise*

that the proposals do not comply with the following policies, and significantly so:

- *NPPF: Paragraphs 187d, 193a and 193d;*
- *Policy DM 5; and*
- *Core Policy 12.*

To address this, there is a need for additional offsite compensation, which is also the view of the supporting ecological information.

(Additional information was requested.)

- 6.12 **NSDC Conservation:** The proposed development has the potential to cause harm to the setting of the Listed Building (the Headstocks). This would be contrary to Section 66 of the Planning (Listed Buildings and Conservation Area) act 1990. With reference to planning policies, this would be 'less than substantial harm'. The proposal also has potential to have a harmful impact on the setting of the adjacent non-designated heritage assets (Clipstone Colliery Village).

It is acknowledged that the proposal forms part of the requirements of the allocation of policy CI/MU/1 but there is no scheme for conversion and adaptive re-use of the headstocks and as a result there are no heritage related benefits arising from the scheme. It would be for the decision maker to determine whether the non-heritage related benefits would outweigh the heritage harm. It is recommended that further information is provided in terms of potential impact of lighting, landscaping, and boundary treatments.

- 6.13 **NDSC Environmental Health:** I have reviewed the acoustic assessment and lighting strategy for the proposal. The lighting scheme has been stated to comply with the requirements of Zone 3 and the ILP Guidance, and should be installed and maintained in accordance with the lighting plan. Noise impacts have been assessed for the use of sports pitches as well as entertainment noise from the clubhouse building. Sports facilities area considerably more distant than the minimum recommended by Sports England and predicted noise levels are acceptable. I therefore have no objection to the development as proposed.

- 6.14 **NDSC Environmental Health Contamination:**

The planning statement submitted with this application relies on the Phase 1 Geotechnical and Geo-Environmental Site Investigation (May 2020) & Phase 2 Geotechnical and Geo-Environmental Site Investigation (Jul 2021) reports completed by Eastwood & Partners previously for this application site.

Environmental health has reviewed these for earlier applications at this site and commented as follows:

Environmental Health was notified by the Environment Agency in 2008 and 2009 that significant quantities of waste material (some of it considered hazardous at the time) was imported onto this site from various sources including from the M1 widening scheme and material believed to be contaminated with PFA from West Burton Power Station. This evidence remains on file.

Given this information, Environmental health do not consider that the material present

on site is representative of a single population and therefore appropriate for the statistical analysis that has been used to risk out the elevated contamination identified in this latest site investigation.

As such we would expect that more detailed site investigation is needed and cannot accept statistical analysis of the results of this investigation. We would therefore request the use of the full contamination condition on any planning application at this location.

In addition to the above, I would expect that these investigations would need to be reviewed to take into account the use proposed in this application which was not known at the time of the investigation. Due to this and the above, I would recommend the use of the full phased contamination condition.

6.15 1 Representation from a local resident has been received and is summarised in the points below:

- A cricket ground cannot be justified in Clipstone, especially across from a nature reserve.
- Concerns about wildlife
- Already losing green space to housing – not every green space needs to be built on
- Sports not the only thing beneficial to community – what about arts centres, wildlife centres and untouched green spaces?

7.0 Comments of the Business Manager – Planning Development

7.1 The key issues are:

- Principle of Development
- Impact on Visual Amenity, the Character of the Area and the setting of Heritage Assets
- Residential Amenity including Noise and Lighting
- Impact on Highways
- Impact on Ecology, Biodiversity, and Trees
- Drainage and Flood Risk

7.2 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

7.3 Principle of Development

- 7.4 The site is allocated within the Allocations and Development Management Plan DPD for mixed use. The policy for the allocation is Policy CI/MU/1 Clipstone – Mixed Use Site 1 which states the following:
- 7.5 ‘Land at the former Clipstone Colliery has been allocated on the Policies Map for mixed use development. The site currently accommodates the Grade II listed headstocks and powerhouse to which national planning controls continue to apply in terms of their conservation. An options appraisal is currently under preparation to assess the future of this listed building. Assuming the retention of the headstocks and powerhouse, the site will accommodate around 120 dwellings, 12 hectares of employment provision, retail and enhanced Public Open Space. The retail element will be of a size and scale which helps facilitate the wider delivery of the scheme and may include a small supermarket and other complementary facilities to help to meet the needs of the site and the wider settlement.’
- 7.6 In addition to the general policy requirements in the Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, and Policy DM3 Developer Contributions and Planning Obligations, development on this site will be subject to the following:
- A Master Plan, forming part of any planning application(s) setting out the broad locations for the different types of development and their phasing, taking account of infrastructure provision, constraints and the need to ensure that the delivery of the range of uses is not prejudiced;
 - Responding to the conclusions of the options appraisal for the future of the listed former colliery headstocks and powerhouse;
 - The implementation of suitable measures to address legacy issues such as openings within the site which relate to its former use as a colliery;
 - No residential development shall take place in areas identified as being within Flood Zones 2 & 3;
 - The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing drainage regime;
 - Developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development;
 - The incorporation of buffer landscaping as part of the design and layout of any planning application to minimise the impact of development on the adjoining SINC and Vicar Water Country Park; and

- Green Infrastructure provision through the partial restoration of the site and connections to the Sherwood Forest Pines Park, Vicar Water Country Park and Sustrans Route 6 through the design and layout of any planning application.
- 7.7 Policy DM2, 'Development on Allocated Sites' states in the emerging DPD that within sites allocated in the Allocations & Development Management Development Plan Document (A&DM DPD), proposals will be supported for the intended use that comply with the relevant Core and Development Management Policies, the site specific issues set out in the A&DM DPD and make appropriate contributions to infrastructure provision in accordance with the Developer Contributions SPD.
- 7.8 Spatial Policy 8 (Protecting and Promoting Leisure and Community Facilities) encourages the provision of new and enhanced community and leisure facilities particularly where they address a deficiency in current provision, and where they meet the identified needs of communities, both within the District and beyond.
- 7.9 Paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 7.10 Paragraph 103 of the NPPF reflects this and emphasises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.
- 7.11 The proposal would provide new and improved sports facilities that are intended to replace the existing sports facilities at the Lido Ground in Mansfield District. The proposal involves a land swap whereby the existing sport facility site would be developed as a residential scheme (subject to planning permission under application ref 23/02268/OUTM). Subject to acceptance from Sport England that the proposed facilities would provide an equivalent or enhanced level of provision for the area, this

aspect of the proposal is acceptable in principle as the proposal would not only replace the existing facilities on a like for like basis but would enhance the facilities on offer upon completion of the scheme in its entirety. A legal agreement will be required to ensure the closure of facilities on the Lido site does not occur until the new replacement facilities, equivalent to the Lido site (as a minimum), are complete and open to the public. Notwithstanding this, the principle of the proposal on this site does not rely on the closure of the Lido site and is acceptable. The legal agreement would therefore be required in association with the application at the Lido site application (23/02268/OUTM) only and is not necessary for this application.

- 7.12 In terms of the overall principle, the proposal would align with the mixed use allocation for the wider site. It is noted that the emerging local plan is at an advanced stage and weight can be given to certain policies. The changes proposed to the allocations policy (CI/MU/1 Clipstone – Mixed Use Site 1) are shown below:

Policy CI/MU/1 Clipstone – Mixed Use Site 1

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

In addition to the general policy requirements in the Amended Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, and Policy DM3 Developer Contributions and Planning Obligations, development on this site will be subject to the following:

- A Master Plan, forming part of any planning application(s) setting out the broad locations for the different types of development and their phasing, taking account of infrastructure provision, constraints and the need to ensure that the delivery of the range of uses is not prejudiced;
- Responding to the conclusions of the options appraisal for the future of the listed former colliery headstocks and powerhouse;
- The implementation of suitable measures to address legacy issues such as openings within the site which relate to its former use as a colliery;
- No ~~residential~~ flood sensitive development shall take place in areas identified as being within Flood Zones 2 & 3;

- The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing drainage regime and ensure that flood risk is not increased on-site or elsewhere;
- Developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development;
- The incorporation of buffer landscaping as part of the design and layout of any planning application to minimise the impact of development on the ~~adjoining SINC~~ Local Wildlife Sites (which are both within and adjacent to the site) and Vicar Water Country Park;
- That as this allocation is within 400m of Sherwood Forest ppSPA, it has the potential to provide functionally linked habitat for woodlark and nightjar and therefore should be subject to the risk based approach set out in Policy DM7 Biodiversity and Green Infrastructure should be followed; and
- Green Infrastructure provision through the partial restoration of the site and connections to the Sherwood Forest Pines Park, Vicar Water Country Park and Sustrans Route 6 through the design and layout of any planning application. Green Infrastructure and public open space shall be designed to reflect the need to provide SANGS to relieve recreational pressure on the Birklands & Billhaugh SAC in line with Policy DM7.

7.13 There is one minor modification to the above in the first paragraph of the policy to include 'up to' 12 hectares of employment provision, retail and enhanced Public Open

Space. Given the minor nature of the proposed modification, the emerging policy can be given significant weight.

- 7.14 The proposal is considered to accord with the amended version of the allocation policy. The sports facilities would broadly fall within the employment use (as jobs would be created), and public open space (E.G the grass sports pitches). The proposal has been shown within the context of the whole allocation which shows the 'Phase 1' residential element (approved under a separate planning application, albeit a Section 73 application is currently pending decision), and 'Phase 3' to the western side of the wider site which it is anticipated will come forward as a planning application in the near future. This therefore accords with the requirement of a masterplan. The site itself does not include the Headstocks, which is now under separate ownership. Nonetheless, there is no intention to remove the Headstocks therefore there is no direct conflict with the allocation policy in this respect. None of the proposed development would be within areas at risk of flooding (discussed further in Flood Risk section of report). Buffer landscaping is shown on the proposed site plan, and provision has been secured for a connection to Vicar Water via the approved planning permission (as such this is not required as part of this specific application). The new paragraph regarding the ppSPA is discussed in the ecology section of this report.
- 7.15 Considering the above, subject to site specific impacts which are discussed in detail below, the proposal is acceptable in principle.

8.0 Impact on Visual Amenity and the Character of the Area, including the Setting of Heritage Assets and the Landscape

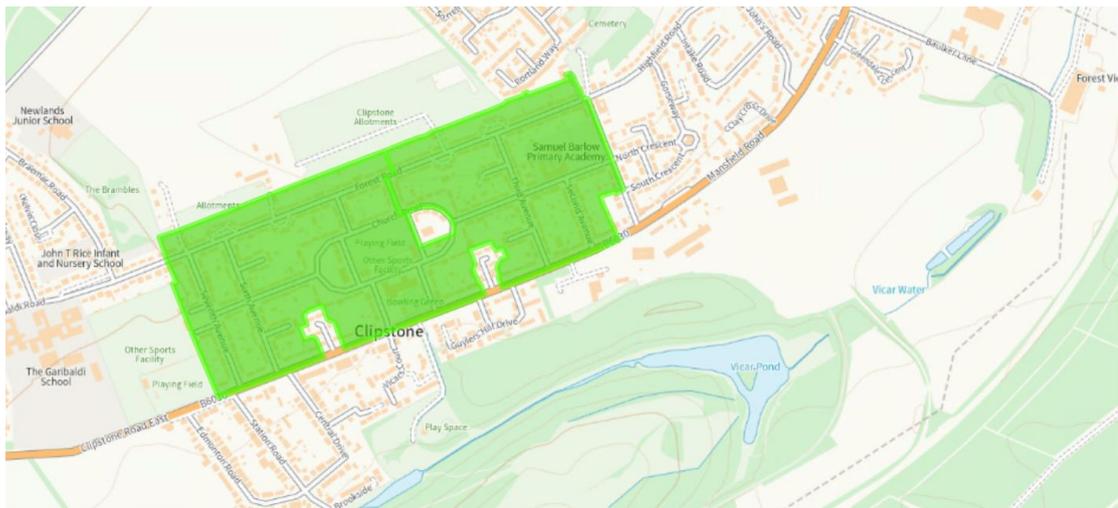
- 8.1 Policy DM5(b) states that the rich local distinctiveness of the District's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. In accordance with Core Policy 13 of the Amended Core Strategy, all development proposals will be considered against the assessments contained in the Landscape Character Assessment Supplementary Planning Document.
- 8.2 Core Policy 14 and DM9 seek to protect and enhance the district's heritage assets. Part 16 of the NPPF emphasises the importance of heritage assets, stating when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.3 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 mandates that when considering whether to grant planning permission for

development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 8.5 The majority of the site falls within landscape character area SPZ 12, with a small area located within SPZ 51 which continues to the south of the site and includes Vicar Water. The Sherwood Policy Zone SPZ 12: Cavendish Woodland Estate lands and Wooded Farmlands character area is an undulating area that extends from a small water course, Vicar Water, at 70 metres in the east up to the built edge of Mansfield Woodhouse in the west. The land drops down to the River Maun in the north and borders the built edges of Forest Town and Clipstone to the south. The area is dominated by coniferous plantations (Intake Wood, Newlands, and Garibaldi Plantation) and intensive arable farming with a medium sized geometric field pattern. Around the coniferous plantations there are generally broadleaf margins which are made up of oak, elder, birch, sweet chestnut, beech and a little rowan. Along the railway line embankment to the eastern edge of Vicar Water is a tree and scrub belt of oak, birch, gorse and hawthorn. This area has a heathier character. The area around Baulker Farm is degraded by large industrial sheds, electrical sub stations and pylons and power lines run east to west across this area. The landscape condition is described in the SPD as 'poor' and the policy seeks to 'restore and create'.
- 8.6 Character area S PZ 51 Sherwood Forest Golf Course Wooded Farmlands lies to the south of the site. The Policy Zone area is largely shown as unenclosed heathland on Sandersons Plan of 1835. The area to the north east has been disturbed by mineral activity but heathland has successfully been restored in some areas. The Policy Zone has two designated SSSIs and four SINCS including Vicar Pond and Mansfield Colliery Railway (designated SINCS). The landscape condition is described in the SPD as 'very good.' The policy action is to 'conserve', including conserving the ecology diversity around Vicar Pond.
- 8.7 The proposed development is significant in scale, covering approximately 10.8 hectares. The site at present is undeveloped grassland, which surrounds the Grade II listed Headstocks. To the north eastern part of the wider site, permission has been granted for the construction of 126 dwellings with open space, landscaping, highways and drainage infrastructure and associated works, and construction is well underway. The construction of a large residential scheme, along with the proposed sports and leisure facilities would inevitably alter the character of the site, creating built form where there is currently none. Nonetheless it is noted that the site is allocated for this purpose, therefore this would have been taken into consideration at the time of the allocation and in principle considered acceptable.
- 8.8 The wider Mansfield Road area (which lies to the north west of site) has a varied character, with a mix of modern residential development and circa 1950s dwellings to the northern side of the road, a row of hot food takeaways and an off licence, and large commercial sites further west. Mansfield Road has a strong urban character. The Headstocks is a dominating feature within the area. The site outline excludes the immediate area around the Headstocks (which is now under different ownership to the rest of the site), with the access road proposed to circle around it from Mansfield Road, and the sports facilities to be positioned to the south and south west of the Headstocks. Due to the proposed positioning, it is not considered that the proposed

facilities would compete with the Headstocks in a way that would impede the listed structure's significance. As mentioned earlier, it is inevitable that the surroundings would be altered as a result of the development, however a large proportion of the proposal would be low height development (car parking areas and playing pitches), so when considering the overall scale and massing, and the setback position from both the public highway and the Headstocks, the impact on the setting is considered to amount to less than substantial harm. This less than substantial harm should be weighed against the public benefits of the scheme in accordance with paragraph 215 of the NPPF. This is discussed in the Planning Balance and Conclusion Section of the report.

- 8.9 In terms of the character of the area generally, it is considered that the proposal would not result in an any unacceptable visual impacts, but would appear in keeping with the context of the surrounding development along Mansfield Road, as well as the adjacent residential development currently under construction.
- 8.10 In relation to the non-designated heritage asset, Clipstone Colliery Village, which lies to the west of the site and to the north side of Mansfield Road (see map extract below), it is considered that the site has sufficient physical separation from the NDHA, that the proposal would not result in an unacceptable impact on its setting.



- 8.11 The proposal would be mostly within the landscape character area SPZ 12 which is described as 'poor condition', whereas the character area to the south which is described as 'very good' would be undisturbed by the proposal. There is an opportunity to restore and create through the planting of trees as part of the landscaping scheme – this is discussed in more detail further on in the report.
- 8.12 In summary, it is not considered that the proposal would result in any significant adverse visual impacts to the character of the wider area or the surrounding landscape. The impact on the setting of the Headstocks would amount to less than substantial harm, however this should be weighed against the public benefits of the scheme in accordance with paragraph 215 of the NPPF. There would be clear public benefits for the community due to the nature of the development (new sports provision and community facilities), which are likely to outweigh the harm identified.

9.0 Impact upon Residential Amenity

- 9.1 Policy DM5(b) states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.
- 9.2 Part 12 of the NPPF also seeks to ensure a high standard of amenity for future users of new development and neighbouring occupiers.
- 9.3 The closest residential properties would be those on the adjacent site (within the wider allocation site). The car park would be positioned next to the boundary and there would be planting along the boundary creating a buffer. The minimum separation distance would be approximately 12.9m and the adjacent dwellings would face towards the site. As such, the amenity of residential gardens would be protected further by the dwellings creating a separation between the rear gardens and the sports facilities site. There are no concerns in relation to overbearing impact or loss of light due to the proposed layout and separation distances. The proposed plan currently shows the approved layout for the adjacent residential development, whereby the dwellings in the eastern portion of the site would be quite close to the grass pitches. However, it is noted on the currently proposed plans for the residential site that this area has been left as open space, which, if approved, would reduce the number of properties in close proximity and therefore reduce potential noise issues. The site is also adjacent to 8 existing properties on Greendale Crescent, where the rear gardens back onto the site. There would be a minimum distance of 17m to the site boundary from the rear elevations of the properties, with the multi sports area positioned in closest proximity, shown a minimum of 30m from the rear elevations (albeit the pitches in this area would be flexible). The separation distances are considered sufficient in this instance that there would not be an unacceptable impact on amenity for existing occupiers.

Noise

- 9.4 The proposed development has the potential for high noise levels. A noise report has been submitted as part of the application and this has been reviewed by the Council's Environmental Health Officer. Their comments are as follows:

Noise impacts have been assessed for the use of sports pitches as well as entertainment noise from the clubhouse building. Sports facilities area considerably more distant than the minimum recommended by Sports England and predicted noise levels are acceptable. I therefore have no objection to the development as proposed.

- 9.5 It is noted that the layout has been amended since the above comment, however the amendment was to swap the grass pitch and the 3G pitch – the pitch inside the Stadia is now proposed to be 3G instead of grass, and where the 3G AGP pitch was previously proposed, a full sized grass pitch is proposed. This should reduce noise as the AGP would be inside the stadia so the timber perimeter fence would hold noise inside the stadium. There will be no ball rattle on AGP fencing.

Lighting

- 9.6 In relation to lighting, the amended plans would also see a reduction in floodlight quantity requirements as the full sized grass pitch would only require evening training lights and would be lit from 1 side.
- 9.7 Considering the comments from the Environmental Health Officer and the amendments to the scheme which should improve amenity for neighbouring occupiers, there are no concerns in relation to impact on amenity. The proposal would accord with Policy DM5(b), and Part 12 of the NPPF.

10.0 Impact upon Highway Safety

- 10.1 DM5(b), Spatial Policy 7, and Part 9 of the NPPF seek to ensure there is safe and suitable access for all users for new development. Sustainable modes of transport should be encouraged, and adequate parking provision incorporated.
- 10.2 The proposal includes a new access road off Mansfield Road and car parking. Initial comments from NCC Highways raised an objection to the scheme, noting issues with the trip rates, parking provision, the access width, and drainage for the access road.
- 10.3 Additional information and revised drawings have been submitted throughout the lifetime of the application to address the objection and comments that were received on 19.6.2025 from NCC Highways conclude no objection to the scheme subject to conditions. Although further technical details of the proposed access have been submitted, NCC has requested that the recommended conditions are attached to any permission, to ensure that there is sufficient time to properly assess the detailed drawings. This is considered reasonable.
- 10.4 The comments from the Parish are noted, however the proposed parking provision includes 225 spaces within the car park (inc. 15 disabled spaces; 8 EV charging; and 15 large/mini bus spaces); and a further 40 spaces within an overflow parking area on the grass, north of the multi sports area. This is considered sufficient parking provision. A pedestrian connection is proposed to the adjacent residential development, as well as gated emergency access.
- 10.5 The latest comments from NCC Highways are detailed below:

TRAFFIC COUNTS / ASSESSMENTS

- 10.6 *Further traffic counts have been carried out. Please note that we advised that January counts may not be acceptable and that we recommended that count dates were agreed with the Highway Authority, but the dates are not agreed.*
- 10.7 *We do agree that the assessment work carried out using the Tuesday data from 2024 is the most robust of that presented and suitable for the site access. Considering the wider network, there appears to be a significant disparity between the total traffic movements in March 2024 compared to the counts in January 2025 for the additional junctions. However, whilst this unacceptable data has been used for the assessments*

of the additional junctions further afield, it has been agreed with the applicant that assessment of these junctions using acceptable count data is likely to show that this development by itself will not have a severe impact. However, the Highway Authority wish to make it clear that this count data is not considered acceptable, and it will not be accepted for use in assessments for any further phases within the overall allocation.

- 10.8 *It should also be noted that the trip rates used for the other phases within the overall allocation for the purposes of considering allocated development are not agreed.*

CAR PARKING PROVISION

- 10.9 *It is stated that what is proposed is based on the info in the 2024 Transport Assessment (TA) and can therefore be considered robust. Whilst this is based on the information said to be a Saturday in previous iterations of the TA, the count was actually undertaken on Easter Bank Holiday Monday. However, it is on public record that 248 people attended this match which is robustly representative of other matches and therefore is acceptable to base car parking provision on.*

- 10.10 *Some of the agreed parking is shown as overflow parking and the site plan (1353 - A (08)102_Rev A08) shows access to this being over a grass track. As the main football season falls across winter months, a grass track may become unusable, and a condition to provide suitable surfacing will be requested, to include the both the access and parking area.*

- 10.11 *It is understood that delivery of the development will be phased, with the first phase replicating the existing provision on the LIDO ground. The 108 spaces proposed will be adequate for this, but there is nothing formally submitted to planning indicating the proposed layout and parking provision so it is recommended that the LPA capture this by condition.*

OTHER MATTERS

- 10.12 *The previously highlighted exaggerated geometry at the proposed site access in the assessments has still not been addressed. However, rather than showing a capacity issue, amending this is likely to show that some queuing will occur. With such facilities, vehicles tend to arrive at very similar times which would cause an unacceptable obstruction to the B6030. To address this, the applicant would need to provide a right turn bay between the two refuges, which will consist simply of amendments to the white lining.*

- 10.13 *To address previous comments about cycle access to the internal shared route, the applicant has submitted drawing number CSCC-BSP-ZZ-XX-D-S-1001 rev P06 'Proposed Site Access'. This indicates a cycle crossing point to the south of the access which has the narrower refuge and indicates a severe 'jug handle' style arrangement for cyclists to access and appears to show a narrowing of the existing footway to the north where a cycle crossing point could be provided for northbound cyclists to return to carriageway. However, it is thought possible to provide suitable facilities, and we will request a condition for a scheme to be first submitted and approved.*

- 10.14 *There is no crossing point for cyclists from the shared route along the access road to*

the grounds, and this will be requested by condition. This will need to be sited near to the gated access, where it will also serve the eventual route running north-south to Vicar Waters.

HIGHWAY DRAINAGE

10.15 *It is understood that the proposed road follows the approximate line of an old easement for highway drainage, which was disturbed when the site was levelled and has led to flooding on Mansfield Road in recent years. It is understood that during the progress of this application the landowner has been in discussions with the Highway Authority and is agreeable to a drainage system being reinstated within the proposed footway/cycleway and linking to outfalls downstream. The Highway Authority would wish to highlight to the LPA the positive impact of this to the highway.*

10.16 ***Considering the above, the Highway Authority offer no objections subject to the following conditions:***

1. *No development shall be commenced until a phasing plan for carrying out the approved works has been submitted to, and approved in writing by the local planning authority. The approved phasing plan shall be adhered to throughout the construction period unless otherwise agreed in writing by the local planning authority.*

Reason: To ensure that there is sufficient parking provided for the development, to reduce the chances of any overspill parking.

2. *Notwithstanding submitted drawing CSCC-BSP-ZZ-XX-D-S-1001 rev P06 'Proposed Site Access', the development shall not be brought into use until an access has been provided in accordance with a drawing to be first submitted to and approved in writing by the local planning authority.*

Reason: In the interests of highway capacity and safety.

3. *The development shall not be brought into use until a cycle/pedestrian crossing point has been provided on the access road, in accordance with a drawing to be first submitted and approved in writing by the local planning authority.*

Reason: In the interests of highway safety

4. *The emergency access gate shown on the approved plans shall be kept locked and closed at all times, except in the event of an emergency. The gate shall not be used for routine access or egress to the site. A notice shall be displayed on or adjacent to the gate stating that it is for emergency use only.*

Reason: The residential roads and access junction are not adequate to serve a recreational development.

5. *The overflow parking area and access track shall be surfaced in accordance with details to be first submitted to and approved in writing by the local planning authority.*

Reason: To ensure that the overflow parking area is accessible, to ensure that there is sufficient parking provided for the development to reduce the chances of any overspill parking

10.17 Taking into consideration all of the above, subject to the above conditions, the proposal would not result in any unacceptable impacts to the highway network or to highway safety, in line with Spatial Policy 7, DM5(b) and Part 9 of the NPPF.

11.0 Impact on Ecology, Biodiversity, and Trees

11.1 Policies DM5(b), DM7, and Core Policy 12 seek to protect and enhance biodiversity within the District. Part 15 of the NPPF reflects this, setting out principles to conserve and enhance the natural environment.

11.2 Paragraph 193 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [70](#) and a suitable compensation strategy exists; and

11.3 The application site forms part of a wider allocated site for mixed development. The site is not identified as a locally designated site, although it is adjacent to Vicar Water which is designated as a Local Nature Reserve. No loss of irreplaceable habitats is proposed.

11.4 An ecological survey was carried out on the wider site in association with the adjacent development for housing. The same reports have been used for this application, supplemented by an addendum to explain that a walkover of the site was carried out in 2022 to establish if there have been any notable changes to the site. The walkover confirmed that the previous assessments were still valid and the Council's Ecology Officer is in agreement with this.

- 11.5 Having reviewed the submitted information, the Council's Ecology Officer has stated that the development will result in a net loss of 27.5% biodiversity value, representing significant harm to biodiversity. This is using a bespoke calculation that was created for assessment of the adjacent housing development (agreed with the applicant) and for consistency purposes has been used for this site. For the avoidance of doubt, this is not a statutory metric, and is different to mandatory biodiversity net gain (BNG) calculations, as BNG does not apply to the proposal. This is because the application was submitted prior to mandatory BNG coming into force, therefore is exempt.
- 11.6 There are large areas of neutral grassland (TN1, TN2 and TN9) that would be lost due to the development, and it is this element in particular that cannot be mitigated for on-site (like for like) due to the large areas of land that would be required. As such, the submitted ecology report recommends that offsite compensation is secured to ensure the impact is not significant. This is reflected in the comments from the Council's Ecology Officer. The pre-development baseline and the post-development baseline values are detailed in the tables below (produced by the Council's Ecology Officer).

Table A: Pre-development baseline value			
Habitat (Target Note Reference)	Geographical Value (Score)	Area (Ha)	Value (Units)
Neutral Grassland (TN1)	District (3)	8.8092	26.428
Neutral Grassland (TN2)	Local (2)	0.948	1.896
Bramble Scrub (TN3)	Site (1)	0.173	0.173
TN4 and part of TN12 Plantation Conifer Woodland	Site (1)	0.157	0.157
Tall Ruderal (TN6)	Site (1)	0.103	0.103
Bare ground (TN6)	Site (1)	0.044	0.044
Dense Scrub (TN6)	Site (1)	0.1265	0.1265
Neutral Grassland (TN6)	Local (2)	0.1265	0.1265
Gorse Scrub (TN7)	Site (1)	0.014	0.014
Dense Scrub (TN8)	Local (2)	0.291	0.582
Marshy Grassland (TN9)	Site (1)	0.016	0.016
Plantation Broadleaved Woodland (TN12)	Local (2)	0.0498	0.0996
Neutral Grassland (TN1)	District (3)	1.0087	3.0261
	TOTALS	11.8667	32.7917

Table B: Post-development baseline value			
Habitat Type	Geographical Value (Score)	Area (Ha)	Value (Units)
Amenity Non-native Shrubs	Site (1)	0.0202	0.0202
Artificial surface pitch	None (0)	0.7422	0
Developed land; sealed surface	None (0)	1.6079	0
Modified Grassland (Amenity Grassland)	Site (1)	8.112	8.112
Native shrubs	Local (2)	0.2637	0.5274
Native Species Hedge with Trees	Local (2)	0.07	0.14
Native Species Hedgerow	Local (2)	0.1643	0.3286
Plantation Broadleaved Woodland	Local (2)	0.4217	0.8434
SUDS Balancing Pond	Local (2)	0.4647	0.9294
	TOTALS	11.8667	10.901

- 11.7 In accordance with Paragraph 193(a), where there is significant harm to biodiversity that is not compensated for (as a last resort), then development should be refused. Unlike the following sections (193b and c) which relate to SSSIs and irreplaceable habitats, there is no exception provided by the policy.
- 11.8 At present, according to the calculation carried out by the Council's Ecology Officer, the proposal would result in a loss of approximately 21 'units'. To adequately mitigate this, the same number of units would need to be provided offsite and secured via a legal agreement. Alternatively, a financial contribution could be agreed that would reflect the value of the units, to provide compensation elsewhere in the District (for example to go towards the creation of a habitat bank). As the method is not statutory, there is no set value per unit, however if a value comparable to BNG was used, this would equate to a minimum of £25,000 per unit (resulting in a contribution requirement of approximately £525,000).
- 11.9 Unlike the adjacent housing development which was assessed using the same bespoke method, due to the nature of the development (a community use) there is insufficient funding for the offsite contribution to be provided. The funding for the development is coming from the Levelling Up Fund. The NSDC Major Projects Officer who is overseeing the delivery of this project has provided the following comment:

'Due to external funding availability, the development of the Clipstone Miners Welfare Community Trust new colliery site development, has budget constraints to being able to deliver the new sports site to required standards and funding outputs. Pressures on this budget to complete the scheme to the required standards means that there is no additional funding available for provision of asks beyond this.'

- 11.10 The NPPF is clear that where there is significant harm development should be refused – there is no scope provided within the paragraph to balance this with public benefits. As such, approving the development without mitigation or compensation would be contrary to paragraph 193(a) of the NPPF. It should be noted that the paragraph is proposed to be retained within the draft version of the NPPF (December 2025) which is currently at consultation stage.
- 11.11 Notwithstanding the above, a recent appeal decision (ref APP/X0360/V/24/3339712) confirms that, *'the words 'should not' do not mandate the refusal of permission, as a matter of national policy, or even establish a presumption against the grant of permission.'* The appeal is in relation to flood risk matters however is relevant to this assessment as the wording of paragraph 193(a) is structured in the same way - it states, *'should not be refused'* (emphasis added). The appeal decision goes on to evidence that this wording does not mandate refusal of a proposal using a Court of Appeal judgement, stating (emphasis added):

122. This is clear from the Court of Appeal's judgment in the case of R (on the application of Asda Stores Limited) v Leeds City Council and others. That case centred on the interpretation of what is now NPPF paragraph 95, which provides, in summary, that where a proposal fails the sequential or retail

impact test it 'should be refused'. The Court of Appeal categorically confirmed that these words did not mandate refusal of the scheme, and that the words 'should be refused' do not mean 'must be refused'. The judgement further commented that the policy is not imperative and does not dictate a refusal of planning permission. Nor, the Court confirmed, did the words create a 'presumption' against the grant of permission. Whilst the effect of the policy is that there is a negative factor in Government policy counting against the proposal as a material consideration, also implicit in the policy is a requirement for planning judgment to be exercised in its application.

123. Thus, whilst it is accepted that the effect of Table 2 in the PPG is to create a negative factor in Government policy counting against the application proposal, and that this is a material consideration, there is still an implicit requirement for planning judgment to be exercised in its application.

- 11.12 Considering the above, significant harm to biodiversity should be treated as a negative factor in Government policy counting against the proposal as a material consideration, however planning judgment should be exercised in its application, taking all material considerations into account, and the wording does not automatically mean where there is significant harm a proposal must be refused.
- 11.13 When looking at the allocation site as a whole, off-site mitigation has been secured for the housing development (Phase 1), and Phase 3 will be caught by mandatory BNG and will not only have to ensure no net loss of biodiversity value, but will require a 10% gain. In addition, works have been carried out to the water course immediately south of the application site (as part of the Three Rivers Project) which will improve the biodiversity value of the wider area. This work was carried out by Severn Trent Water as permitted development and was not done as a direct result of the proposed development. However, the intention of the applicant was to utilise these works as part of the mitigation for the loss of biodiversity value on site. This cannot be quantified in terms of a value and therefore has not been included in the mitigation for the scheme. It is acknowledged that these works were carried out under permitted development rights, by Severn Trent, however the works did not have to be on this particular site, and it is the landowner who facilitated this to happen. As such, although not quantifiable, it is considered reasonable to see the Three Rivers Project as increasing the biodiversity of the wider site, as a whole.
- 11.14 Overall, although there are discrepancies between the Council's Ecology and the Ecologist working on behalf of the applicant in terms of how much the loss on site would be, there is no dispute that the development will result in an overall loss of biodiversity value on site and therefore significant harm. There is no statutory definition of what constitutes 'significant' in this context, however given this is the professional opinion of both the Council's Ecologist and the applicant's Ecologist, the level of impact is accepted. Although there would be a net loss overall, some mitigation would be provided as far as possible on the site (as detailed in the Landscape Phasing Strategy document received 10th February 2026) and this can be secured by condition, along with a requirement for further detail and a management plan. The strategy includes planting of woodland between the site and the adjacent residential development; additional planting along the southern boundary (existing

woodland); landscaping within the car parking area; trees and hedgerow lining the access road; and a drainage basin – trees would be cleared around this area to enable development of aquatic vegetation by natural colonisation. This process is to be accelerated by using wetland seed and marginal planting.

- 11.15 In addition, the Landscape Strategy document sets out aspirations for community involvement with the planting. This does not in itself contribute to any quantitative value, but can be seen as a positive aspect of the development and landscaping strategy.
- 11.16 It is accepted that off-site compensation is not feasible for the project to go ahead as there is already a shortfall in funding for the scheme as proposed. At present there is no additional funding available to account for off-site mitigation or financial compensation as noted in the comments from the Council's Major Projects Delivery Manager. Considering the significant community benefits of the scheme, and the allocation of the site, it is not considered reasonable to increase the burden of cost and potentially preclude the development from happening, if the benefits of the proposal (economic, social, and environmental) outweigh the harm.
- 11.17 The significant harm to biodiversity must be considered as part of the overall planning balance of the application and therefore this is weighed up in the Planning Balance and Conclusion section of the report.

Designated Sites

- 11.18 In relation to Designated Sites, the Council's Ecology Officer has provided the following comments:

Statutory Designated Sites – Habitats Regulation Assessment

- 11.19 *The desk study identified that the application site is 4km from Birklands and Bilhaugh Special Area of Conservation (SAC). Paragraph 4.2.2 of the Ecological Appraisal concludes that there would be no direct or indirect impacts on the SAC given the nature of the proposal. I would agree with this conclusion.*
- 11.20 *Paragraphs 4.2.3 to 4.2.10 consider the nationally unique Sherwood Forest possible potential Special Protection Area (ppSPA) and 'risk-based approach' recommended by Natural England with the conclusion that "...the proposed conservation objectives for the Sherwood Forest Area ppSPA will not be compromised as a result of the development proposals...". I would concur with that view, but as correctly set out in paragraph 5.1 of the Ecological Appraisal, as the 'Competent Authority' NSDC is required to undertake an Appropriate Assessment of potential impacts on these sites via a Habitats Regulations Assessment (HRA). The need for an HRA has also been highlighted in Natural England's consultation response. This can be undertaken by adopting a shadow HRA provided by the applicant or by NSDC undertaking the HRA. As no shadow HRA has been provided this will have to be prepared by NSDC, and in that respect I can advise that sufficient information has been provided by the applicant to enable NSDC to prepare the HRA and I am able to prepare this.*

Non-statutory Designated Sites – Local Wildlife Sites (LWS)

- 11.21 *I would concur with the conclusion that during the construction phase any potential adverse impacts on the immediately adjacent LWS can be mitigated by the adoption of appropriate working methods. These can be secured by an appropriate planning condition.*
- 11.22 Considering the above, subject to conditions, the proposal would not impact on any designated sites.

Trees

- 11.23 Regarding trees specifically, the submitted Arboricultural Impact Assessment summarises that there would be no impact to any tree with statutory protection. There would be a permanent loss of some trees from the site (TG06 and part of TG07), however it is noted that given the age, condition and scattered nature of TG06 this will have a negligible impact on the site's amenity value, and the partial loss of TG07 would have a minor impact. However, the loss would be more than mitigated by the proposed landscaping which is in excess of 800m proposed planting. Subject to conditions to ensure the trees to be retained are adequately protected, and conditions to secure the proposed planting, it is considered the overall impact on trees is acceptable.

Summary

- 11.24 In summary, subject to conditions there would be no unacceptable impacts on trees, protected species, or nearby designated and non-designated sites. The biodiversity loss on site due to the loss of grass is discussed as part of the planning balance exercise at the end of this report.

12.0 Flood Risk and Drainage

- 12.1 Core Policy 10 relates to climate change and amongst other things seeks to steer new development away from those areas at highest risk of flooding, and ensure that new development positively manages its surface water run-off through the design and layout of development to ensure that there is no unacceptable impact in run-off into surrounding areas or the existing drainage regime.
- 12.2 Paragraph 181 of the NPPF states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁶³.
- 12.3 An extract of the updated EA Flood map is shown below. All of the proposed development would be within Flood Zone 1 (low risk) therefore there are no concerns in relation to fluvial flood risk.



12.4 In relation to surface water, a drainage scheme has been submitted as part of the application. The LLFA has commented that they have no objection to the scheme subject to a condition which has been included at the end of this report. As such, subject to the condition, it is not considered the proposal would increase flood risk for future users of the development, nor for the surrounding area, in line with Core Policy 10 and Part 14 of the NPPF.

13.0 Other Matters

13.1 **CIL** – The proposal is not CIL liable as the development type proposed is zero rated in this location.

13.2 **BNG** – This application is exempt from mandatory biodiversity net gain as it was submitted prior to 12th February 2024 when the legislation came into effect.

14.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

14.1 Legal Implications - LEG2526/854

14.2 Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

15.0 Planning Balance and Conclusion

15.1 The NPPF sets out that at the heart of the Framework is a presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 15.2 In summary, the principle of development on this site is acceptable – the site forms part of a wider allocation for mixed use development and the proposal would contribute to the aims of the allocation policy. The site specific impacts have been assessed and in relation to residential amenity, highways impact, and flood risk, there are no concerns (subject to conditions as requested by the relevant consultees). The 2 key issues further to the assessment relate to the visual impact of the proposal, in relation to the setting of the Grade II Headstocks, and the significant harm to biodiversity value mainly due to the loss of grassland.
- 15.3 The NPPF sets out that where there is less than substantial harm to a heritage assets, this should be weighed against the public benefits of the proposal. The Conservation Officer comments set out there would be no heritage benefit to the scheme, which Officers agree with. There are however a wide range of public benefits that the scheme would bring about. These are set out below.

Economic, Social and Environmental Benefits of the Proposal

- 15.4 The proposal would provide new and enhanced facilities to replace the facilities at the Lido Ground. The facilities would support not only sports use (football and cricket), but includes a new clubhouse that could accommodate community events. The new facilities include a full size 3G pitch within the stadia that would allow all year round use. The wider site includes a new bridleway connection to link the site with Vicar Water Country Park to the south, enabling better connection and access to nature. A pedestrian connection through to the residential development would also be provided, encouraging sustainable travel modes. The proposed landscaping and planting phases would encourage community involvement which could be community groups or schools. As a whole, the proposal would encourage healthier communities as strongly supported by the NPPF.
- 15.5 The scheme would create jobs during the construction phase, as well as jobs directly linked to the facilities, which would contribute to the local economy. It is noted there

has only been one local resident objection to the application (the points raised are covered by the relevant sections within this report).

- 15.6 With the above in mind, it is considered that the less than substantial harm would be clearly outweighed by the public benefits of the proposal.
- 15.7 In relation to the significant harm to biodiversity, the applicant's Ecologist submitted further comments (dated 25.11.2025) in response to the Council's Ecologist's (NL) comments. An extract is below:
- 15.8 *NL's decision that the loss of grassland is 'significant' is not unexpected, but as to whether the mitigation being proposed is sufficient to reduce the significance to acceptable levels such that a planning balance can be applied is not considered. NL's metric is helpful because it quantifies the magnitude of the deficit but given that it is not a statutory mechanism it should be recognised that other mitigation measures for species and the watercourse de-culverting contribute to an overall package. As such, impacts have been minimised on site and there are proposals for species mitigation, in compliance with. policy NPPF 187d.*
- 15.9 The comments imply that there is some element of judgement to be had here as to whether the overall impact is 'significant', when considering the proposed planting within the scheme, including woodland planting.
- 15.10 The harm to biodiversity is the only negative factor in the balance, that could potentially warrant refusal.
- 15.11 Although the wider site is allocated as a whole, the site has come forward in phases. The residential development represents Phase 1, this application for sports facilities represents Phase 2, and Phase 3 is yet to come in as an application (although it is expected this will be submitted shortly). In many ways, it would have been simpler if the site had been put forward as one outline application, however if this had been the case, none of the site would have been subject to biodiversity net gain. Because the site has come forward in phases, Phase 3 will require a 10% net gain in biodiversity value. Although this will be a separate application, because BNG is mandatory, this could be seen as offsetting some of the loss on the 'Phase 2' site when considering the allocation site as a whole. In addition, the proposed landscape strategy would offset some of the loss and it could be considered to reduce the level of harm from significant to adverse.
- 15.12 Ultimately, there would be a loss of biodiversity value on the site, and due to funding constraints, off-site compensation is not considered feasible. However, it is also considered that the scheme that would bring about significant public benefits, across all three overarching objectives within the NPPF to achieve sustainable development. There is a need to work cooperatively on allocated sites of this nature, and considering the enhanced sports provision that would be provided for the community, combined with the wider ecological benefits brought about through the development of the wider allocation, officers are fully in support of the proposal. The benefits of the scheme overall are considered to outweigh the harm to biodiversity (whether

considered significant or adverse). It is therefore recommended that planning permission is granted, subject to conditions. There are no material considerations to indicate otherwise.

16.0 Conditions

1. The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in accordance with the following approved plans, reference:

- 1353-A-(08)100_A02 Site Location Plan received 5th February 2026
- 1353-A-(08)102_REV A011 Revised Proposed Site Plan received 5th February 2026
- 1353-A-(08)302_Rev A02 Proposed 3G Stadia Pitch received 3rd March 2026
- 1353-A-(08)303_REV A03 Proposed Fences and Gates received 5th February 2026
- 1297 LPS Landscape Phasing Strategy received 10th February 2026
- Transport Addendum received 4th June 2025
- CST-DCE-XX-XX-DR-C-5000 P03 Drainage Strategy received 4th April 2025
- FRA Addendum and Drainage Statement received 4th April 2025
- Transport Addendum received 27th March 2025
- Updated Ball Strike Report receive 26th November 2024
- Travel Plan received 29th October 2024
- CST DCE XX XX DR C 9000 REV P04 Earth Works and Levels Strategy received 18th October 2024
- Agronomy Report (and Appendix 1-8) received 18th October 2024
- Design and Access Statement Rev 1 received 18th October 2024
- Mitigation Report received 18th October 2024
- Noise Assessment Report received 18th October 2024
- Transport Assessment received 18th October 2024
- Travel Plan received 18th October 2024
- 01 REV 00 Floodlighting Scheme received 17th October 2023
- 1 REV D Site Appraisal Sports Pitch Levels Sheet 1 received 17th October 2023
- 1353 A 08 103 REV A00 Full Allocation Masterplan received 17th October 2023
- 1353 A 08 200 REV A00 Proposed Floorplan received 17th October 2023
- 1353 A 08 201 REV A00 Storage Container Plans and Elevations (Existing) received 17th October 2023
- 1353 A 08 202 REV A00 Proposed Kiosk Plans and Elevations received 17th October 2023
- 1353 A 08 203 REV A00 Proposed Bin Store Plan and Elevations received 17th October 2023
- 1353 A 08 205 REV A00 Proposed Cricket Store and Elevations received 17th October 2023

- 1353 A 08 206 REV A00 Proposed WC Plan and Elevations received 17th October 2023
- 1353 A 08 207 REV A00 Typical Proposed Tiered Standing Plan and Elevations received 17th October 2023
- 1353 A 08 208 REV A00 Proposed Typical Seated Stand Plan and Elevation received 17th October 2023
- 1353 A 08 209 REV A00 Proposed Bicycle Store received 17th October 2023
- 1353 A 08 300 REV A00 Proposed Elevations received 17th October 2023
- 1353 A 08 400 REV A00 Proposed Sections received 17th October 2023
- 1353 A 08 500 REV A00 Proposed Roof Plan received 17th October 2023
- Arboricultural Impact Assessment dated October 2023

Reason: So as to define this permission.

3. The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: In the interests of visual amenity.

4. Prior to first use of the development hereby approved a Biodiversity/Landscape Environmental Management Plan (LEMP) based on the submitted Ecological Appraisal carried out by Rachel Hacking Ecology dated 2.10.2023 shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - a) purpose, aims and objectives of the scheme;
 - b) a review of the site's ecological potential and any constraints;
 - c) description of target habitats and range of species appropriate for the site;
 - d) selection of appropriate strategies for creating/restoring target habitats or introducing target species. This shall include but not be limited to the provision of bat boxes;
 - e) selection of specific techniques and practices for establishing vegetation;
 - f) sources of habitat materials (e.g. plant stock) or species individuals;
 - g) method statement for site preparation and establishment of target features;
 - h) extent and location of proposed works;
 - i) aftercare and long term management;
 - j) the personnel responsible for the work;
 - k) timing of the works;
 - l) monitoring;
 - m) disposal of wastes arising from the works.

All habitat creation and/or restoration works shall be carried out in accordance with the approved details and timescales embodied within the scheme.

Reason: In the interests of maintaining and enhancing biodiversity.

5. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Plan should include details on the following:

- a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; areas for managing waste, and wheel washing facilities; the erection and maintenance of security;
- b) the hours of construction work and deliveries;
- c) Construction phasing
- d) An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, and construction delivery times (to avoid peak hours)
- e) Clear and detailed measures to prevent debris, mud and detritus being distributed onto the Local highway and SRN.
- f) mitigation measures in respect of noise and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
- g) a scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
- h) waste management;
- i) protection measures for hedgerows and grasslands.
- j) Details of the responsible person (e.g. site manager/office) who could be contacted in the event of complaint;

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details.

Reason: In the interests of highway safety and residential amenity.

6. Prior to commencement of development on site, the trees to be retained shall be adequately protected in accordance with Sections 5.4 and 5.5 of the Arboricultural Impact Assessment, and the Tree Protection Plan.

Reason: In the interest of trees and biodiversity.

7. Prior to first use of the development hereby approved, a detailed soft landscaping and mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should broadly align with the submitted Landscaping Strategy (received 10th February 2026).

Reason: In the interests of visual amenity and biodiversity.

8. The approved soft landscaping shall be completed in accordance with a landscape phasing plan to be first submitted to and approved in writing with the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next

planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

9. Prior to first use of the development hereby approved, a detailed mitigation plan based on the 'On-site Mitigation' measures set out in Section 3.1 of the Biodiversity Mitigation Assessment received 15th July 2025 shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in full within the first planting season following completion of the development unless otherwise agreed in writing with the Local Planning Authority as part of the Landscape Phasing Plan.

Reason: In the interests of biodiversity.

10. Prior to installation, details of any external lighting to be used in the development shall be submitted to and approved in writing by the local planning authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development.

Reason: In the interests of visual and residential amenity.

11. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - F sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's ['Land contamination risk management \(LCRM\)'](#)

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Dice Flood Risk Assessment (FRA) Addendum and Drainage Strategy REPORT REF: CST-DCE-XX-XX-RP-C-0001 dated October 2024, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to 2 litres per second per hectare for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.

Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.

- o No surcharge shown in a 1 in 1 year.
- o No flooding shown in a 1 in 30 year.
- o For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.

- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.

- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

13. Notwithstanding submitted drawing CSCC-BSP-ZZ-XX-D-S-1001 rev P06 'Proposed Site Access', the development shall not be brought into use until an access has been provided in accordance with a drawing to be first submitted to and approved in writing by the local planning authority. The access shall then be constructed in accordance with the approved details prior to first use of the development.

Reason: In the interests of highway capacity and safety.

14. Prior to first use of the development hereby approved, the hard landscaping shall have been completed in accordance with details to be first submitted to and approved in writing with the local planning authority unless otherwise agreed in writing with the Local Planning Authority through the submission and approval of a hard landscaping phasing plan.

Reason: To ensure there is sufficient parking provision and access to the development.

15. The development shall not be brought into use until a cycle/pedestrian crossing point has been provided on the access road, in accordance with a drawing to be first submitted and approved in writing by the local planning authority.

Reason: In the interests of highway safety

16. The emergency access gate shown on the approved plans shall be kept locked and closed at all times, except in the event of an emergency. The gate shall not be used for routine access or egress to the site. A notice shall be displayed on or adjacent to the gate stating that it is for emergency use only.

Reason: The residential roads and access junction are not adequate to serve a recreational development.

17. Prior to first use of the overflow parking area and access track, these shall be surfaced in accordance with details to be first submitted to and approved in writing by the local planning authority.

Reason: To ensure that the overflow parking area is accessible, to ensure that there is sufficient parking provided for the development to reduce the chances of any overspill parking.

18. 3G pitch details

No development shall commence until details of the design and layout of the 3G artificial grass pitch, including, carpet specification, shock pad inclusion, sub-base construction, infill mitigation measures, drainage strategy, maintenance strategy and associated equipment and compliance with the requirements to be on the FA 3G pitch register have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The 3G artificial grass pitch shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

19. 3G Pitch Testing for Match Play

Use of the development shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits.

20. Cricket Net Details

No development shall commence until details of the design and layout of the Cricket Nets have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The Cricket Nets shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

21. Site Formation Preparation Strategy

Prior to the site remodelling required to achieve suitable conditions for sports ground development a site formation preparation strategy shall be submitted to and approved in writing by the local planning authority. The site formation preparation strategy should be based on the findings and recommendations of the Agronomy Report (May 2024). The scheme shall be fully implemented in accordance with the approved details.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

22. Playing Field Details

(a) Following the completion of the site remodelling work and prior to the commencement of works to construct the playing field the following documents shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

The submitted documents should take into account the findings and recommendations of the Agronomy Report (May 2024).

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

23. Playing Field Maintenance

Prior to first use of the development hereby approved, a schedule of playing field maintenance including a programme for implementation for a minimum period of 5 years starting from the commencement of use of the development shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the development the approved schedule shall be complied with in full.

Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose.

24. The Stadia pitch and full size grass pitch and associated sports lighting shall not be used outside the hours of:

- a) 8 a.m. and 10 p.m. Monday to Friday;
- b) 8 a.m. and 10 p.m. on Saturday; and
- c) 8 a.m. and 8 p.m. on Sunday [and public holidays].

Reason: To balance illuminating the playing field/sports facility for maximum use and benefit to sport with the interest of amenity and sustainability.

25. Community Use Agreement

Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G pitch and the multi-sport hub and include details of pricing policy, hours of use, access by non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

26. Management and Maintenance Scheme

Before the multi-sport hub is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitch this should include a plan to ensure that the surface is replaced at the end of its usual life span. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the multi-sport hub.

Reason: To ensure that new facilities are capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

Informatives

01

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

Biodiversity Net Gain

From the information provided as part of the application, the development granted by this notice is considered exempt from the biodiversity gain condition.

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the condition "the biodiversity gain condition" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan;

OR

c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Newark and Sherwood District Council (NSDC).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain (Biodiversity net gain - GOV.UK (www.gov.uk))

Based on the information available, this permission is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply:

o The application was submitted to the Council prior to 12th February 2024.

04

The applicant is advised that the design and layout of the 3G artificial grass pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

Particular attention is drawn to: Sport England's Artificial Surfaces for Sport Guidance.

05

Informative (artificial grass pitches – football only). The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

06

Informative (artificial grass pitches football only) – The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

07

Informative (artificial grass pitches for Steps 1 to 6 of the FA's National League System) – The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules.

08

The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011).

09

It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.

10

Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

Committee Plan - 23/01846/FULM

