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INTRODUCTION

2.1 The Government has set down its objectives for the planning system in PPS1, identifying sustainable development as the core principle underpinning planning. It states that planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole, with a high level of protection given to the most valued townscapes and landscapes, wildlife habitats and natural resources. Policy GP1 provides general criteria aimed at delivering sustainable development and this section of the Local Plan presents policies which aim to meet those requirements so far as the environment is concerned. This is achieved by setting down the criteria that the Borough Council will use when considering proposals which affect conservation areas, listed buildings, design of buildings, sites of archaeological importance, the natural environment including sites of ecological and geological significance the Green Belt and open countryside, pollution and sustainable energy initiatives. The Structure Plan contains a comprehensive range of strategic policies relating to environmental matters affecting both urban and rural areas and account must be taken of these policies in considering development proposals within the Borough. There are a range of other documents which should be taken into account when considering development proposals and these are referred to within the relevant sections of the plan.

2.2 The Borough Council will attach great weight to the need to protect and improve the environment of Rushcliffe. All the proposals will be considered in the light of their impact upon the environment, both locally and in general, and the Borough Council will seek to ensure that the environmental protection policies contained within this Plan are adhered to. The Borough Council has produced an Environment Charter and where appropriate the aims and objectives of the document have been incorporated in the Plan. The Environment Charter outlines the authority’s environmental policies and gives details of current and proposed future actions concerning environmental matters.

DISABLED ACCESS

2.3 Section 76 of the Town and Country Planning Act 1990 requires local planning authorities when granting permission to draw the attention of the applicants to section 4 and 7 of the Chronically Sick and Disabled Persons Act 1970. The Act requires developers of specified types of building to provide suitable means of access, parking and toilet facilities to meet the needs of people with disabilities where practicable and reasonable. The Disability Discrimination Act 1995 also requires that access to goods, facilities and services should not be restricted for those with a disability. Accommodation of the needs of the disabled will be a material consideration in many planning applications.

2.4 The Borough Council in 1985, along with other councils in Nottinghamshire, adopted a design guide to ensure that developers included access for people with disabilities at an early design stage. This does not only mean providing access for wheelchairs but also accommodating the needs of ambulant disabled people, the blind or partially sighted and the deaf or hard of hearing. Most of the necessary guidance is contained in the design guide but reference will also be made to the recently revised Part M Building Regulations where appropriate. The Borough Council intends to continue this policy which will be implemented during the normal processing of applications. The Borough Council will encourage the consideration of access issues early in the design of a scheme. Schemes that do not make every effort to accommodate the needs of people with disabilities may be refused planning permission.

2.5 These polices will not only be beneficial to people with disabilities but also the elderly, parents pushing prams etc. Sensitive access design can enhance a development will improve its adaptability and potential uses and will allow owners to remain in their own homes should they become less mobile or as they grow older.

EN1 – DISABLED ACCESS

PROPOSALS FOR NEW DEVELOPMENT, OR THE ALTERATION OR CHANGE OF USE
OF AN EXISTING BUILDING, SHOULD TAKE ACCOUNT OF THE NEEDS OF DISABLED PEOPLE AND THOSE WITH RESTRICTED MOBILITY. THE COUNCIL MAY IMPOSE CONDITIONS REQUIRING ACCESS PROVISION FOR PEOPLE WITH DISABILITIES.

♦ CONSERVATION AREAS

General

2.6 The Borough Council currently has 28 designated conservation areas where special consideration is given to the preservation or enhancement of their character or appearance. When dealing with planning applications in these conservation areas it is necessary to consider properly the effect of such development and it is therefore useful to include existing plans and elevations. When the Borough Council considers that such details are necessary for proper consideration to be given to the application they will be required under the provisions of the General Development Procedure Order 1995.

2.7 The additional details mentioned above will include:

i) Plans showing existing buildings, elevations of existing buildings, trees, hedges and other site features

ii) Proposed elevations and materials including surface and boundary treatments

iii) Plans, elevations and drawings showing the relationship of the proposal with adjoining buildings

iv) Where appropriate, a landscape scheme as described in Policy EN13 and subsequent paragraph.

2.8 In considering planning applications the Borough Council will pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as required by the Planning (Listed Building and Conservation Area) Act 1990. The character of different areas and sites may need different consideration. PPG 15 states “Special regard should be had for such matters as scale, height, form, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis, and detailed design.” In addition, particular sites and locations within conservation areas, especially open spaces, need special protection. For this reason policy EN2 defines the considerations given to proposals in conservation areas. In certain instances the need to preserve or enhance the character of the conservation area may lead to small relaxation’s of other Borough Council standards. In almost all instances, however, such a conflict will lead to a refusal of permission, as only occasionally will the need for development overcome such objections.

EN2 – CONSERVATION AREAS

PLANNING PERMISSION FOR DEVELOPMENT INCLUDING CHANGES OF USE AND ALTERATIONS OR EXTENSIONS TO EXISTING BUILDINGS WITHIN A DESIGNATED CONSERVATION AREA, OR OUTSIDE BUT AFFECTING ITS SETTING, OR VIEWS INTO OR OUT OF THE CONSERVATION AREA WILL ONLY BE GRANTED WHERE:

a) THE PROPOSAL WOULD PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA BY VIRTUE OF ITS USE, DESIGN, SCALE, SITING AND MATERIALS;

b) THERE WILL BE NO ADVERSE IMPACT UPON THE FORM OF THE CONSERVATION AREA, INCLUDING ITS OPEN SPACES (INCLUDING GARDENS), THE POSITION OF EXISTING BUILDINGS AND NOTABLE FEATURES SUCH AS GROUPS OF TREES, WALLS AND OTHER STRUCTURES; AND

THERE WILL BE NO LOSS OF PART OR ALL OF AN OPEN SPACE WHICH CONTRIBUTES TO THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.
Demolition In Conservation Areas

2.9 Within conservation areas proposals for works of demolition which, while not in themselves constituting development, will be taken into account when considering related applications for planning permission. In certain circumstances demolition of buildings and structures in conservation areas requires conservation area consent. Where this is the case the Borough Council will expect to see the aims of conservation areas achieved, particularly the enhancement of the character of a conservation area. This will include preventing the removal of derelict buildings where, if they were suitably renovated, they would retain the character of the area. Similarly, if the demolition was part of a development proposal, consent would not be granted without assurance that a satisfactory outcome could be ensured through a planning permission.

EN3 – DEMOLITION IN CONSERVATION AREAS

WHERE PLANNING PERMISSION IS REQUIRED FOR DEVELOPMENT WHICH INCLUDES THE DEMOLITION OF BUILDINGS IN CONSERVATION AREAS IT WILL ONLY BE GRANTED WHERE THE PROPOSAL DOES NOT DETRIMENTALLY AFFECT THE CHARACTER OR APPEARANCE OF THE AREA, AND ANY PERMISSION MAY BE CONDITIONAL ON REDEVELOPMENT PROPOSALS FOR THE SITE BEING APPROVED, AND CONTRACTS FOR THEM ACCEPTED, BEFORE DEMOLITION IS BEGUN.

2.10 Where a building to be demolished within a conservation area is a listed building, the Borough Council will ensure that the Emergency Recording Section at English Heritage is given the opportunity to record the building prior to commencement of works as provided for in the Planning (Listed Buildings and Conservation Areas) Act 1990. Although there is no statutory requirement to allow for the recording of non-listed buildings in conservation areas which are to be demolished the Borough Council will nevertheless notify English Heritage where it considers that a building is of sufficient historical interest to warrant its possible recording.

Enhancement of Conservation Areas

2.11 The Borough Council intends to encourage the enhancement of conservation areas through grant aid schemes. A town scheme funded jointly with English Heritage was successfully completed in Bingham and the Borough Council has successfully attracted funding for a Heritage Economic Regeneration Scheme (HERS) in Ruddington which commenced in 1999/2000.

2.12 The Borough Council will make bids to sources such as the Heritage Lottery Fund to secure funds for enhancement works within conservation areas as appropriate and will seek to make maximum use of the resources which are available in this area.

2.13 The Borough Council intends to keep conservation areas under review and will, from time to time assess areas and carry out local consultations with a view to declaring new conservation areas, or revising the boundaries of existing conservation areas.

♦ LISTED BUILDINGS

2.14 The number of buildings of special architectural and historic interest in the Borough is limited. The Borough Council has special regard to preserving not only listed buildings but also their settings or any features of interest which they may possess. The Borough Council will consult appropriate bodies to ensure alterations are carried out sensitively. Applications for the demolition of Grade I, II* and most Grade II Listed Buildings also need the approval of the Secretary of State. The Borough Council, like the Secretary of State, will need to be satisfied that every possible means of retaining the building, including alternative uses, has been considered before consent is granted. In certain instances enabling development may be proposed to provide additional funding to secure the future of a listed building. Such proposals may be acceptable provided they do not adversely affect the listed building or its
setting or conflict with other policies in the plan.

**EN4 – LISTED BUILDINGS**

PLANNING PERMISSION FOR EXTENSIONS AND ALTERATIONS TO, AND CONVERSIONS OF LISTED BUILDINGS, WILL ONLY BE GRANTED WHERE:

a) IT CAN BE SHOWN THAT THE FEATURES OF ARCHITECTURAL OR HISTORIC INTEREST WILL BE PRESERVED;

b) THE PROPOSALS RESPECT THE CHARACTER OF THE BUILDING BY VIRTUE OF THEIR DESIGN, SCALE, SITING AND MATERIALS AND THAT ADDITIONS DO NOT DETRACT FROM ITS ARCHITECTURAL OR HISTORIC CHARACTER.

PROPOSALS FOR DEVELOPMENT AFFECTING THE SETTING OF A LISTED BUILDING, WILL ONLY BE PERMITTED WHERE THEY ARE ACCEPTABLE IN TERMS OF SCALE, MASSING, FORM, SITING, DESIGN AND MATERIALS.

PROPOSALS FOR CHANGES OF USE OF A LISTED BUILDING WILL BE TREATED SYMPATHETICALLY WHERE THIS WOULD RESULT IN THE PRESERVATION OF THE ARCHITECTURAL OR HISTORIC INTEREST OF THE BUILDING AND ITS SETTING.

**EN5 – DEMOLITION AND LISTED BUILDINGS**

PLANNING PERMISSION FOR DEVELOPMENT WHICH INCLUDES THE TOTAL OR SUBSTANTIAL DEMOLITION OF A LISTED BUILDING WILL NOT BE GRANTED UNLESS:

a) THERE IS CLEAR AND CONVINCING EVIDENCE THAT ALL REASONABLE EFFORTS HAVE BEEN MADE TO SUSTAIN THE EXISTING USE OR FIND A VIALBE NEW USE; OR

b) THE BUILDING IS BEYOND REASONABLE REPAIR IN RELATION TO ITS IMPORTANCE; OR

c) IT CAN BE SHOWN THAT THERE WOULD BE SUBSTANTIAL BENEFITS FOR THE COMMUNITY TO OUTWEIGH THE LOSS RESULTING FROM DEMOLITION.

2.15 Historic buildings are regularly brought to the attention of the Borough Council for protection. These buildings will be considered for listing and the Borough Council will approach The Department of Culture, Media and Sport if listing is thought appropriate. Encouragement will also be given to work which will enhance or rehabilitate listed buildings, as with buildings in conservation areas. This will normally take the form of advice. Grant aid is available through various bodies and the Borough Council will support grant aid where it considers the work worthwhile.

♦ **ARCHAEOLOGICAL SITES**

2.16 PPG 16 makes clear that the desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications, whether the monument is scheduled or unscheduled. Government guidance in PPG16 indicates that development that would affect an Scheduled Ancient Monument or other significant archaeological remains should be considered very carefully in order to protect the nation's cultural heritage. Such sites are part of the heritage of Rushcliffe and are important not only for their own sake, but also for education, tourism and leisure purposes. The Borough Council is therefore keen to protect such sites from development.

2.17 Development affecting scheduled Ancient Monuments and their settings will be subject not only to planning approval, but also to Scheduled Ancient Monument Consent, which is administered directly by the Secretary of State. The Borough Council will not grant planning permission for any proposal which would detrimentally affect scheduled Ancient Monuments and their settings.
EN6 – ANCIENT MONUMENTS

PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD DESTROY OR DETRIMENTALLY AFFECT SCHEDULED ANCIENT MONUMENTS OR THEIR SETTINGS.

2.18 Scheduled Ancient Monuments only constitute a small proportion of known archaeological sites. Other sites should also be protected but if this cannot be achieved proposals should allow adequate provision for the site to be surveyed, excavated or recorded as appropriate. Where appropriate, the Borough Council may require an archaeological assessment, or an archaeological field evaluation, or both to be carried out before any decision on the planning application is taken. This is in accordance with the advice set out in PPG16. Early consultation between developers and the County Council's Archaeologist is therefore advised. The Borough Council will seek close liaison with both English Heritage and the County Council in considering applications which affect archaeological sites.

EN7 - SITES OF ARCHAEOLOGICAL IMPORTANCE

DEVELOPMENT AFFECTING SITES OF KNOWN OR SUSPECTED ARCHAEOLOGICAL IMPORTANCE WILL ONLY BE PERMITTED WHERE:

a) THERE IS A NEED FOR DEVELOPMENT WHICH OUTWEIGHS THE IMPORTANCE OF THE ARCHAEOLOGICAL SITE OR ITS SETTING;

b) THE PROPOSAL IS SUPPORTED BY AN ARCHAEOLOGICAL FIELD EVALUATION OF THE SITE; AND

c) THE PROPOSED DEVELOPMENT WOULD NOT DAMAGE THE ARCHAEOLOGICAL REMAINS WHERE THESE CAN BE PRESERVED IN SITU.

WHERE PRESERVATION IN SITU IS NOT FEASIBLE OR JUSTIFIED, A PROGRAMME OF PRESERVATION BY SURVEYING, EXCAVATION AND RECORDING OF THE ARCHAEOLOGICAL REMAINS WILL BE REQUIRED (THROUGH THE USE OF PLANNING CONDITIONS).

♦ ADVERTISEMENTS

2.19 Advertisements are designed to attract the attention of the eye and can therefore have a strong effect on the visual character of an area. A proliferation of advertisements, especially on shop fronts can be intrusive and destroy the character of a building or area. Advertisement applications are considered in relation to the Town and Country Planning (Control of Advertisements) Regulation 1992 and much of Rushcliffe, mainly the rural area, is an Area of Special Control of Advertisements. The additional provisions of that area will be enhanced by the policies below. The Areas of Special Control will be reviewed when necessary.

2.20 Advertisement control must also deal with aspects of public safety, usually road safety. Advertisements must not distract drivers or obstruct roads, cycle routes or pavements, whilst advertisement signs will not generally be permitted by the County Council in public highways the highway authority can provide advice about what constitutes appropriate signage. Public safety will also be considered when determining advertisement consent applications.

EN8 - ADVERTISEMENTS

THE BOROUGH COUNCIL WILL CONTROL THE SCALE, DESIGN, MATERIALS AND SITING OF ADVERTISEMENTS IN ORDER TO PROTECT THE VISUAL AMENITY OF THE AREA. ADVERTISEMENT CONSENT WILL NOT NORMALLY BE GRANTED UNLESS:

a) THE NUMBER OF ADVERTISEMENTS AND SIGNS ARE NO MORE THAN NECESSARY TO INFORM THE PUBLIC OF THE BUSINESS CARRIED ON, THE GOODS SOLD OR THE SERVICE PROVIDED;
b) ADVERTISEMENTS RESPECT THE TRADITIONAL VISUAL ELEMENTS OF THE AREA;

c) ADVERTISEMENTS DO NOT OBSCURE ARCHITECTURAL DETAILS OR CLASH WITH THE SYMMETRY OR SENSE OF DESIGN OF A BUILDING.

IN CONSERVATION AREAS AND ON LISTED BUILDINGS THE BOROUGH COUNCIL WILL NOT NORMALLY PERMIT INTERNALLY ILLUMINATED BOX SIGNS, EITHER FASCIA OR PROJECTING, AND WILL HAVE PARTICULAR REGARD TO THE FOLLOWING ADDITIONAL CRITERIA:

d) ADVERTISEMENTS DO NOT PREJUDICE OR DETRACT FROM AN EXISTING OR PROPOSED REGENERATION OR ENHANCEMENT SCHEME, TOWN SCHEME OR STREETSCAPE PROJECT IN A CONSERVATION AREA.

e) CONSENT TO DISPLAY ADVERTISEMENTS WILL NOT BE GRANTED WHERE THE BOROUGH COUNCIL CONSIDERS THAT PUBLIC SAFETY WOULD BE ENDANGERED.

EN9 – ADVERTISEMENTS IN THE COUNTRYSIDE

ADVERTISEMENT CONSENT WILL NOT NORMALLY BE GRANTED IN THE COUNTRYSIDE EXCEPT FOR ADVERTISEMENTS DESIGNED FOR THE SIGNPOSTING OF BUSINESSES, TOURIST ATTRACTIONS AND OTHER LOCAL FACILITIES WHICH WILL BE SUBJECT TO THE FOLLOWING CRITERIA:

a) THE SIGNS SHOULD BE DIRECTIONAL ONLY, OF A TYPE APPROVED BY THE HIGHWAY AUTHORITY; AND

b) THE LOCATION OF THE BUSINESS OR ATTRACTION CANNOT BE IDENTIFIED BY EXISTING SIGNING.

◆ NATURAL ENVIRONMENT

General

2.21 The Nottinghamshire Landscape Guidelines (1998), prepared by Nottinghamshire County Council provides comprehensive and detailed information on the countryside character of Nottinghamshire. Much of Rushcliffe is rural and agricultural. The southern half of the Borough is characterised by the Wolds, with higher undulating land. The remainder of the Borough is flatter and lower with the rivers Trent and Smite forming shallow valleys running south-west/north-east. Parts of the Borough are wooded, with areas of mixed woodland, except for the north-eastern part and the area west of Ruddington which are characterised by an open, flat landscape where many trees and hedgerows have been removed.

2.22 Because of the nature of the landscape most of the settlements are well screened by surrounding hills and woodland. This makes an important contribution to the character of the rural area, and will receive particular attention when determining planning applications. The Borough Council will endeavour to prevent development having an adverse affect upon the character of areas as outlined in the Nottinghamshire Landscape Guidelines through policy EN20, which appears later in this chapter.

2.23 The Borough Council considers that "the Countryside should be safeguarded for its own sake and that non-renewable and natural resources should be afforded protection". The following policies therefore aim to provide for the protection of the countryside. This aim needs to be balanced with the need to allow for appropriate rural development. The plan therefore contains other policies to allow for such development where they can be accommodated without detriment to the environment.
Trees, woodlands and hedgerows

2.24 Trees and woodlands make a valuable contribution to the landscape character of the Borough and are also important as wildlife habitats. For this reason it is important that existing trees, woodlands and hedges are retained wherever possible. Emerging Joint Structure Plan policy 2/8 indicates that development that results in the loss of areas of trees or woodland will only be permitted where an overriding need for development can be demonstrated. The Borough Council recognises the special importance of ancient semi-mature woodland and will pay particular attention to protecting such areas from inappropriate or potentially damaging activities. A local planning authority may preserve trees of great amenity value by serving a Tree Preservation Order. The Borough Council will make tree preservation orders where trees constitute a significant contribution to the environment, particularly where it is considered that they may be at risk. In addition, trees within conservation areas have a degree of protection, as notification of works or felling needs to be given to the planning authority. The Hedgerow Regulations 1997 introduced new arrangements for local planning authorities to protect important hedgerows in the countryside by controlling their removal through a system of notification. Where development is proposed, the Borough Council will insist that every effort is made to retain existing vegetation and wherever possible to include new planting to allow new development to merge into the countryside. Apart from the policies in the Local Plan the Borough Council also publishes a number of leaflets on tree planting and landscaping and its officers are willing to give advice at any stage of a planning application. In addition, grant aid is often available for planting of new woodlands under such schemes as the Woodland Grant Scheme administered by the Forestry Commission.

2.25 In the case of woodlands it is often more appropriate that a management agreement is used to protect the trees. The Borough and County Councils have the ability to agree management plans with owners. The Borough Council will look to increase the areas covered by agreements and encourage landowners where possible to maintain and enhance their woodlands.

Sites of ecological and geological significance

2.26 Sites of Special Scientific Interest (SSSIs) are protected by the Wildlife and Countryside Act (1981) as amended by the Countryside and Rights of Way Act 2000, and policy EN10 reinforces this. As well as the importance for their ecological and geological characteristics, they can, where appropriate, be an important educational and recreational resource. The Borough Council will require that any nearby development has no adverse impact on a SSSI. Development which has an adverse effect, either directly or indirectly, on a SSSI would not normally be permitted. It is only in exceptional circumstances, such as an over-riding national need for the proposed development, that the Borough council would consider granting planning permission. The Borough Council is required to consult English Nature before planning permission is granted on land within an SSSI, or for development outside, but likely to affect an SSSI, or in any consultation area defined by English Nature around an SSSI.

2.27 SSSIs are sites of national importance but there are still many other areas of recognised ecological or geological significance which are worthy of protection. Wherever possible such sites will be protected from proposals which would have a detrimental impact upon their ecological or geological significance. A comprehensive assessment of all sites of biological and geological interest in the county has been undertaken by the Nottingham Biological and geological Records Centre and their views would be sought on any proposals likely to affect such a site.

EN10 – SITES OF SPECIAL SCIENTIFIC INTEREST

PERMISSION FOR DEVELOPMENT PROPOSALS IN OR LIKELY TO AFFECT A SITE OF SPECIAL SCIENTIFIC INTEREST WILL ONLY BE GRANTED IN EXCEPTIONAL CIRCUMSTANCES WHERE THERE IS A CLEAR OVERRIDING NEED FOR THE
PROPOSAL WHICH OUTWEIGHS THE NATURE CONSERVATION VALUE OF THE SITE AND THE NATIONAL POLICY TO PROTECT SUCH SITES. IN THE EXCEPTIONAL CIRCUMSTANCES THAT PLANNING PERMISSION IS GRANTED FOR DEVELOPMENT WHICH WILL HAVE AN ADVERSE EFFECT ON AN SSSI, THEN PLANNING CONDITIONS WILL BE USED, OR A LEGAL AGREEMENT SOUGHT, TO ENSURE THAT DAMAGING IMPACT IS MINIMISED AND TO REQUIRE THE IMPLEMENTATION OF APPROPRIATE MITIGATION MEASURES.

EN11 – FEATURES OF NATURE CONSERVATION INTEREST

DEVELOPMENT PROPOSALS LIKELY TO HAVE AN ADVERSE IMPACT ON SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINCs), LOCAL NATURE RESERVES (LNRs), AND REGIONALLY IMPORTANT GEOLOGICAL AND GEOMORPHOLOGICAL SITES WILL NOT BE PERMITTED UNLESS THE REASONS FOR THE PROPOSAL CLEARLY OUTWEIGH THE NEED TO SAFEGUARD THE NATURE CONSERVATION VALUE OF THE SITE. WHERE DEVELOPMENT IS PERMITTED, PLANNING CONDITIONS MAY BE USED, OR A LEGAL AGREEMENT SOUGHT TO ENSURE THAT, IF UNAVOIDABLE LOSS OR DAMAGE TO THE SITE OR FEATURE OR ITS SETTING IS LIKELY, MEASURES OF MITIGATION WILL BE REQUIRED TO ENSURE FEATURES ARE RETAINED OR INCORPORATED INTO AN AGREED LANDSCAPE SCHEME.

2.28 Borough Councils are empowered to designate Local Nature Reserves and enter into management agreements in order that certain sites can be managed in the interests of nature conservation. To promote positive management and to safeguard sites of recognised ecological or geological value the Borough Council will encourage landowners to enter into management agreements to manage the land in the interests of nature conservation, and will consider, in consultation with English Nature, designating Local Nature Reserves on appropriate sites. Where development proposals are likely to have an adverse affect on a Local Nature Reserve, a Site of importance for Nature Conservation or a Regionally Important Geological/Geomorphological Site, the Borough Council will require applicants to clearly demonstrate that the need for the proposal outweighs the need to safeguard the recognised nature conservation value of the site and that such damage will be kept to a minimum. Where appropriate the Council will consider the use of conditions and/or planning obligations to provide appropriate compensatory measures or provision. The Council will also encourage the provision of new wildlife areas, which it is recognised have important educational and recreational potential. In addition to seeking the advice of English Nature, the Borough Council will also consult the Nottinghamshire Wildlife Trust in considering the provision of new sites of nature conservation interest.

2.29 In implementing policies EN10 and EN11 the Borough Council will liaise closely with the appropriate organisations including English Nature, Nottinghamshire Wildlife Trust and Nottinghamshire County Council, to establish the desirability of such designations.

Habitat Protection.

2.30 Protected species such as Bats and owls are species that often set up roosts or breeding sites in buildings. Other species may set up habitats elsewhere. All planning applications which involve the conversion of an existing building, extensions and alterations to rooftops that affect buildings and structures in rural locations or affect streams and ponds require a protected species survey to be carried out in a timely manner by competent persons. The survey should be submitted as part of a planning application. English Nature will be consulted on all applications for proposals which, if carried out, would be likely to result in harm to a protected species or habitat.

EN12 - HABITAT PROTECTION

WHERE AN APPLICATION FOR PLANNING PERMISSION WOULD AFFECT RECOGNISED SITES OF ECOLOGICAL SIGNIFICANCE OR HABITATS OF SPECIES OF PRINCIPAL IMPORTANCE FOR BIODIVERSITY IN ENGLAND, IT MUST BE ACCOMPANIED BY A SURVEY OF THE HABITATS AND SPECIES. PLANNING
PERMISSION WILL NOT BE GRANTED UNLESS THE APPLICATION INCLUDES APPROPRIATE MEASURES TO:

a) MITIGATE THE IMPACT OF THE DEVELOPMENT PROPOSALS ON THE HABITATS; AND TO
b) REDUCE DISTURBANCE TO A MINIMUM; AND
c) PROVIDE ADEQUATE ALTERNATIVE HABITATS TO SUSTAIN THE CURRENT LEVELS OF POPULATION.

WHERE DEVELOPMENT IS PERMITTED THAT WOULD AFFECT THESE HABITATS, PLANNING CONDITIONS WILL BE USED OR PLANNING OBLIGATIONS NEGOTIATED TO ENSURE IMPLEMENTATION OF THOSE MEASURES.

2.31 The Borough Council has produced the Rushcliffe Nature Conservation Strategy (2003). This document brings together information relating to the Rushcliffe area and identifies how conservation organisations including Rushcliffe Borough Council will protect and enhance Rushcliffe’s wildlife for future generations. The document will be constantly reviewed in line with the Local Agenda 21 principles, with particular importance being placed on input from the local community. The Rushcliffe Nature Conservation Strategy will be consulted in considering decisions made under policies EN10, EN11 and EN12. In addition the Borough Council has contributed to the ‘Local Biodiversity Action Plan for Nottinghamshire’ (1998), which outlines the diversity and value of species in the area and the action that must be taken to ensure their continuation and success.

2.32 Many proposals for development are on sites with distinctive natural features. They require particular attention to be given to landform, planting, maintenance and surface treatments. Trees, hedges and land and water features are among the characteristics of a site which require consideration and protection at an early stage in the planning process. Landscape proposals should be an integral part of any planning application.

2.33 Proposals on large sites have different implications for landscape schemes. A comprehensive scheme is required to ensure proper treatment of open spaces; clear ownership and maintenance responsibilities; protection of existing trees, hedges and other features and clear indication of boundary and surface treatments. On certain sites a development brief will indicate more details of landscape requirements. The Borough Council will encourage the use of locally native species in planting schemes.

EN13 – LANDSCAPING SCHEMES

WHERE DEVELOPMENT IS PROPOSED WHICH IS LIKELY TO HAVE A SIGNIFICANT IMPACT WHICH COULD BE MITIGATED BY A SUITABLE LANDSCAPING SCHEME, SUCH A LANDSCAPING SCHEME MUST BE APPROVED PRIOR TO THE DEVELOPMENT COMMENCING.

2.34 The scheme mentioned in the above policy should indicate:

i) An accurate survey and plan of all existing trees and hedges or other natural features showing those to be retained.

ii) Details of all landscaping works, planting and surface treatments and means of protecting any identified ecological interest on the site.

iii) Methods of protecting trees and other existing features during construction work.

iv) Details of continued maintenance, ownership and adoption of open areas of the site; landscape features, including planting; and boundary treatments.

v) Details of the arrangements for replacement of new trees, shrubs and other planting which die within 5 years of completion of the original planting.

vi) How the amenity and recreational value of an existing public right of way will be retained where it is affected by a development proposal. If it is necessary to divert
the route of the public right of way, the scheme should show how the new route will be integrated into the landscaping proposals.

Appendix 2 presently sets out the Borough Council's standards for the provision of play and amenity open space.

THE GREEN BELT AND OPEN COUNTRYSIDE

2.35 The countryside surrounding Nottingham has, since 1956, been subject to additional restraint policies which were defined within the Green Belt Local Plan as adopted in 1989. The exact boundaries of the Green Belt are set and implemented by individual districts or boroughs through their Local Plans. The purposes of the Green Belt, as defined in PPG2, are to check the unrestricted sprawl of large built-up areas, to safeguard the surrounding countryside from further encroachment, to prevent neighbouring towns from merging into one another, to preserve the special character of historic towns and to assist in urban regeneration.

2.36 The Green Belt within Rushcliffe extends from West Bridgford as far as Bingham in the east and East Leake in the south. It prevents the coalescence of West Bridgford with Ruddington and Tollerton and Clifton with Ruddington and the surrounding villages, restricts the expansion of villages within it and protects the countryside in and around Nottingham where there is the greatest pressure from development. It also helps to retain countryside which is accessible to the urban population for recreational purposes and contributes to the amenity of adjoining towns and villages.

2.37 Beyond the Green Belt it is also important to protect the countryside from development so as to maintain its landscape value, protect the supply of land for agriculture and minimise the cost of servicing new development. PPG7 also stresses that the countryside is worthy of protection for its own intrinsic value. The only exceptions to this restrictive policy are uses and developments which are appropriate in the countryside.

2.38 Government advice in PPG2 recommends that reviews of Green Belt boundaries should be carried out only in exceptional circumstances or when alterations to the Structure Plan have been approved. Amendments to Green Belt boundaries should be made through the Local Plan process. The Nottinghamshire and Nottingham Joint Structure Plan Deposit Draft 2003 allocated an additional 5,600 dwellings and 120 Hectares of employment land to the Rushcliffe area for the period 2001-2021.

2.39 It is recognised that an over restrictive Green Belt may stifle economic development and exacerbate traffic problems across and beyond the Green Belt. Where amendments to the Green Belt are necessary to accommodate new development, the Borough Council is anxious that these should have regard for the principles of sustainable development, the need to restrict road traffic growth, and the need to support the services of existing communities. The Regional Spatial Strategy for the East Midlands (RSS8) indicates that a strategic review of the general scope of the Nottingham-Derby Green Belt will need to be undertaken in relation to longer term development requirements up to 2026. The results of the strategic review of the Green Belt will be taken into account when developing the Core Strategy and Site-Specific Proposals elements of the Local Development Framework.

Note

The section dealing with Green Belt Amendments to accommodate new development in paragraphs 2.40 to 2.41 and other references to such changes do not appear within the Non Statutory Plan in accordance with the Council resolutions of 15 June 2006 and 21 September 2006.

2.42 Planning Policy Guidance Note 2 sets out the aims and objectives of Green Belts and the developments or uses which are acceptable within them. Any proposal within the Green Belt must satisfy the provisions of policy EN14 below. Paragraphs 3.17-3.19 of PPG2,
Green Belts (as amended by Appendix E of PPG13, Transport) sets out criteria to assess Park and Ride proposals in the Green Belt. This issue is also dealt with further in the Movement chapter.

EN14 – PROTECTING THE GREEN BELT

WITHIN THE GREEN BELT AS DEFINED ON THE PROPOSALS MAP PLANNING PERMISSION WILL ONLY BE GRANTED FOR APPROPRIATE DEVELOPMENT FOR THE FOLLOWING PURPOSES:

a) AGRICULTURE, AND FORESTRY

b) FOR OTHER USES WHICH PRESERVE THE OPENNESS OF THE GREEN BELT, INCLUDING ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION AND FOR CEMETERIES;

c) ALTERATION AND LIMITED EXTENSION OR REPLACEMENT OF EXISTING DWELLINGS;

d) LIMITED RESIDENTIAL INFILLING IN EXISTING SETTLEMENTS WITHIN THE GREEN BELT.

PLANNING PERMISSION WILL NOT BE GRANTED FOR INAPPROPRIATE DEVELOPMENT, INCLUDING THE CONSTRUCTION OF NEW BUILDINGS OTHER THAN THOSE SET OUT IN THE CRITERIA, UNLESS VERY SPECIAL CIRCUMSTANCES CAN BE SHOWN TO OUTWEIGH THE RESULTING HARM TO THE GREEN BELT.

RAF Newton

2.43 The closure of the RAF Newton airfield was announced in November 2000 as part of the rationalization of the RAF’s ground training estate. The former airfield and RAF station comprises some 245 hectares of land and buildings. It is an extensive site including three grassed runways, hangars, administrative, operational and residential buildings, associated hardstandings, plant, equipment and infrastructure. Built development is concentrated to the east of the site with the runways and areas of open grassland to the west. The site lies within the Nottinghamshire Green Belt and the built element is therefore considered to be a Major Developed Site (MDS) defined by Annex C of PPG 2 – Green Belts. The reuse of the former officers’ accommodation at Newton Gardens would not require planning permission and therefore cannot be controlled by this plan. It would therefore be difficult to resist the replacement of the existing dwellings so long as the proposals comply with policy HOU6. However, in the event that the dwellings were to be replaced, the Borough Council considers that no additional dwellings should be allowed as the site is in a location that is served by limited local facilities. It is also considered that any proposals for replacing all of the dwellings should reflect the existing form of the development so as not to significantly detract from its present form.

2.44 There are many buildings and structures, together with infrastructure on the site which are capable of continued use for a variety of purposes, including residential and employment uses. In accordance with Annex C of PPG3 the Borough Council will favourably consider proposals for the re-use of the site, provided a comprehensive approach is taken to the whole site and the proposals are designed to limit the impact the development upon the openness of the Green Belt, upon local services and the amenity of the surrounding area. The provision of services or amenities for local residents within the redevelopment scheme will be particularly encouraged.

2.45 In November 2001 the Borough Council adopted an interim position statement indicating that it would consider favourably the temporary re-use of existing buildings on the main part of the site, subject to a number of conditions, in order to ensure that proper consideration could be given to the long term future of the whole site. The interim statement
indicated that any permissions granted would not extend beyond April 2004 and this end date was subsequently extended to April 2007. Any applications considered prior to the agreement of the development brief for the site will be considered against this interim position statement.

EN15 – RAF NEWTON

THE DEVELOPED PART OF THE FORMER RAF NEWTON SITE, INCLUDING THE FORMER OFFICERS’ HOUSING, IS IDENTIFIED AS A MAJOR DEVELOPED SITE IN THE GREEN BELT. PROPOSALS FOR REDEVELOPMENT OR EXTENSION OF INDIVIDUAL EXISTING BUILDINGS, INCLUDING LIMITED INFILLING, WILL ONLY BE CONSIDERED IN THE CONTEXT OF COMPREHENSIVE LONG-TERM PLANS FOR THE SITE AS A WHOLE, WHICH SHOULD INCLUDE MEASURES TO MEET SUSTAINABLE TRANSPORT REQUIREMENTS. PROPOSALS WILL ALSO BE REQUIRED TO MEET THE FOLLOWING CRITERIA:

(a) A DEVELOPMENT BRIEF HAS BEEN APPROVED BY THE BOROUGH COUNCIL FOR THE REUSE OR REDEVELOPMENT OF THE EXISTING BUILDINGS ON THE SITE FOR EMPLOYMENT USE;
(b) REPLACEMENT OR REDEVELOPMENT OF EXISTING BUILDINGS DOES NOT EXTEND THE EXISTING BUILT AREA AND ANY NEW DEVELOPMENT SHOULD HAVE NO GREATER IMPACT UPON THE OPENNESS OF THE GREEN BELT;
(c) THE PROPOSALS, EITHER INDIVIDUALLY OR CUMULATIVELY, SHOULD HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE LOCAL ROAD NETWORK, AND SPECIFIC MEASURES MUST BE IMPLEMENTED TO PREVENT TRAFFIC GENERATED BY THE DEVELOPMENT TURNING WEST THROUGH NEWTON VILLAGE;
(d) THE PROPOSALS ARE ACCOMPANIED BY A COMPREHENSIVE LANDSCAPE SCHEME FOR THE WHOLE SITE COVERED BY THE DEVELOPMENT BRIEF;
(e) CONSIDERATION IS GIVEN TO THE USE OF RENEWABLE ENERGY SYSTEMS ON THE SITE AND MECHANISM FOR REDUCING THE NEED FOR ENERGY USE ON THE SITE;
(f) RESIDENTIAL AND ASSOCIATED USES ARE LIMITED TO THE RE-USE OF THE FORMER OFFICERS HOUSING

CONVERSION AND CHANGES OF USE IN THE COUNTRYSIDE.

2.46 Rushcliffe contains a large number of rural buildings in the countryside. The buildings vary widely in type and quality from simple agricultural buildings to notable listed buildings. Such buildings can provide opportunities for change of use of residential or tourist and employment uses provided their form, bulk and general design are in keeping with their surroundings and subject to other planning considerations, such as traffic considerations. Such changes of use can help reduce the demand for new buildings in the countryside, can assist in the creation of new jobs and often help to promote farm diversification.

2.47 Whilst the principle of the change of use of a building may often be acceptable, it is important to ensure that the proposal does not detract from the character or appearance of the surrounding area nor from the character of the building itself. The Borough Council also wishes to ensure that the building is structurally capable of conversion and will therefore require a structural survey of the building to be submitted with a planning application for conversion or change of use. The Borough Council will, where appropriate, seek improvement of the building, by removal or amendment of unsuitable features, as part of any planning permission.

2.48 Planning Policy Statement 7 advises that the Government’s policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. It states that re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of buildings. In addition to policy EN16 the criteria set out in policy HOU3 outline the circumstances where the conversion of buildings in the countryside for residential purposes may be acceptable. The encouragement of the rural
economy may be compromised by allowing buildings which would provide much needed accommodation for employment uses to be converted to a residential use. Where conversion to residential use is proposed, it will be for applicants to demonstrate, where appropriate, that the development will not have a detrimental impact on existing nearby agricultural or commercial uses. Where permission is granted for a conversion to residential use, it may be appropriate, as part of the planning permission, to place a restriction on the permitted development rights of the property to prevent inappropriate features being added.

2.49 Policy EN16 sets out the general criteria for conversions or changes of use in the open countryside and Green Belt. Policies relating to shopping, residential, recreation and tourism are detailed in the appropriate chapters.

**EN16 - CONVERSION OR CHANGE OF USE OF BUILDINGS OUTSIDE SETTLEMENTS**

OUTSIDE SETTLEMENTS PLANNING PERMISSION FOR THE CONVERSION OR CHANGE OF USE OF BUILDINGS WILL ONLY BE GRANTED WHERE:

a) THE BUILDING IS OF PERMANENT AND SUBSTANTIAL CONSTRUCTION, AND IS SUITABLE FOR THE USE PROPOSED WITHOUT SIGNIFICANT EXTENSION, ALTERATION OR REBUILDING;

b) THE PROPOSAL IS NOT OF SUCH A SCALE THAT IT WILL UNDERMINE OVERALL SUSTAINABLE DEVELOPMENT OBJECTIVES

c) WHERE THE BUILDING IS OF HISTORIC OR ARCHITECTURAL MERIT, THE PROPOSAL PRESERVES THE SETTING, CHARACTER AND FABRIC OF THE BUILDING;

d) THE PROPOSED USE WOULD BE APPROPRIATE TO THE RURAL AREA AND COMPATIBLE WITH SURROUNDING USES.

♦ ALTERATIONS AND EXTENSIONS TO BUILDINGS OUTSIDE SETTLEMENTS

2.50 Alterations and extensions to existing buildings may be appropriate development within the countryside and Green Belt. In considering such applications, however, the Borough Council will have regard to the impact on the original building. Disproportionate extensions to dwellings, either by themselves or considered cumulatively with previous extensions, fundamentally alter the character of dwellings and will be inappropriate either in the Green Belt or the countryside. The original building is defined as that existing in 1948 or as subsequently originally constructed, excluding outbuildings. The visual intrusion of the resultant building into open rural countryside will also be a material consideration.

2.51 Where planning permission is forthcoming, the Borough Council will seek to ensure that the proposed design and materials are sympathetic to local characteristics and the rural setting.

**EN17 - ALTERATION OR EXTENSION OF EXISTING BUILDINGS**

OUTSIDE SETTLEMENTS PLANNING PERMISSION FOR THE ALTERATION OR EXTENSION OF EXISTING BUILDINGS WILL BE GRANTED WHERE:

(a) THE BUILDING IS OF PERMANENT CONSTRUCTION;
(b) THE PROPOSAL RETAINS THE FORM AND CHARACTER OF THE ORIGINAL BUILDING AND DOES NOT SIGNIFICANTLY INCREASE ITS IMPACT ON THE AMENITY OR CHARACTER OF THE SURROUNDING AREA; AND
(c) THE PROPOSED MATERIALS ARE IN KEEPING WITH THE EXISTING BUILDING AND LOCAL CHARACTERISTICS; AND
(d) THE PROPOSAL DOES NOT RESULT IN A DISPROPORTIONATE INCREASE IN THE SIZE OF THE ORIGINAL BUILDING OR HAVE AN ADVERSE IMPACT ON THE CHARACTER OF THE SURROUNDING AREA.
2.52 The use of open countryside as residential garden or curtilage is normally inappropriate and changes the rural character of the area. In addition, ancillary structures such as garden sheds and garages can interrupt the open nature of the Green Belt or countryside. To avoid the encroachment of non-countryside uses, the extension of curtilages will not normally be permitted. Where, however, the extension provides a minor rounding of the plot or is required to provide garden space in conjunction with a residential conversion scheme this may be favourably considered where it can be undertaken without detriment to the character of the surrounding area.

**EN18 - EXTENSION OF RESIDENTIAL CURTILAGES**

PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE EXTENSION OF RESIDENTIAL CURTILAGES INTO THE OPEN COUNTRYSIDE OR GREEN BELT WHERE;

(a) THE PROPOSAL INVOLVES A MINOR Rounding OFF OF THE PLOT; OR
(b) WHERE THE EXTENSION IS NECESSARY TO ENSURE THAT ADEQUATE GARDEN SPACE IS PROVIDED IN CONJUNCTION WITH RESIDENTIAL CONVERSION SCHEMES AND THIS CAN BE ACCOMMODATED WITHOUT DETERIMENT TO THE CHARACTER OF THE SURROUNDING AREA.

IN ALL CASES EXTENSIONS MUST PROVIDE A GOOD QUALITY BOUNDARY TREATMENT, PROVIDE ADDITIONAL LANDSCAPING TO THE OPEN SPACE IF APPROPRIATE AND MUST NOT OBSTRUCT VISIBILITY.

2.53 Where development is proposed in the Green Belt or open countryside it must be designed and located to maintain the rural character of its surroundings. In particular, where ancillary lighting (including street lighting) is required, this should be designed and located to minimise the impact on the darkness which is characteristic of rural areas.

**EN19 – IMPACT ON THE GREEN BELT AND OPEN COUNTRYSIDE**

IN THE GREEN BELT AND OPEN COUNTRYSIDE WHERE A PROPOSAL IS IN ACCORDANCE WITH OTHER POLICIES OF THE PLAN, IT MUST BE DEMONSTRATED,

a) THERE WILL BE NO SIGNIFICANT ADVERSE IMPACT UPON THE OPEN NATURE OF THE GREEN BELT OR OPEN COUNTRYSIDE, OR UPON IMPORTANT BUILDINGS, LANDSCAPE FEATURES OR VIEWS;

b) AN APPROPRIATE LANDSCAPE SCHEME IS PROPOSED AS AN INTEGRAL PART OF THE DEVELOPMENT; AND

c) AS FAR AS POSSIBLE EXISTING BUILDINGS ON THE SITE HAVE BEEN USED TO ACCOMMODATE INDOOR FACILITIES AND WHERE NEW BUILDINGS OR EXTENSIONS ARE PROPOSED THEY RESPECT THE GENERAL CHARACTER OF THE AREA THROUGH SITING, DESIGN AND MATERIALS.

d) ANY ANCILLARY LIGHTING, INCLUDING STREET LIGHTING, IS DESIGNED AND LOCATED TO MINIMISE ITS IMPACT BEYOND THE NECESSARY AREA.

♦ **THE OPEN COUNTRYSIDE**

2.54 Because of the greater pressure for development around Nottingham, particular attention must be given to how countryside policies are applied. This section relates to the open countryside which is not covered by Green Belt policies. Villages outside the Green Belt are not covered by the countryside policies, proposals in these locations will be considered against policy GP2 and other relevant policies in the plan.
2.55 The aims of countryside policies are to strictly control development and maintain the open character of the area. Any proposals will have to clearly meet the provisions of Policy EN20. Criteria within the policies will be strictly applied and there will need to be strong justification for the proposal to be located within the countryside; where a proposed development is acceptable in principle, policy EN19 will be applied to ensure that the most suitable location is considered and that wider impacts are minimised. Proposals which do not accord with these policies will normally be refused.

2.56 For clarification the following notes are provided:

(a) Appropriate recreational uses are those requiring extensive areas of land. Examples would be Country Parks or Golf Courses. Buildings associated with such uses may be necessary but will be carefully considered in terms of their effect on the openess of the area (See policy COM7)

(b) The policy exceptions indicate uses only. Any development proposal will be further judged against other relevant policies of the Development Plan.

(c) The use of the word ‘essential’ in category EN20 (e) refers to a use which is necessary to enable a public service authority or statutory undertaker to provide its service or to discharge its statutory functions.

EN20 – PROTECTION OF OPEN COUNTRYSIDE

THE OPEN COUNTRYSIDE COMPRIZES ALL LAND OUTSIDE OF THE GREEN BELT BUT EXCLUDING RURAL VILLAGES. WITHIN THE OPEN COUNTRYSIDE OUTSIDE THE GREEN BELT PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED EXCEPT FOR:

a) RURAL ACTIVITIES INCLUDING AGRICULTURE AND FORESTRY

b) OUTDOOR RECREATION AND OTHER USES APPROPRIATE TO THE COUNTRYSIDE;

c) CEMETERIES;

d) EXCEPTIONAL LOCAL NEEDS HOUSING

e) USES ESSENTIAL TO THE OPERATIONAL REQUIREMENTS OF A PUBLIC SERVICE AUTHORITY OR A STATUTORY UNDERTAKER;

f) THE ALTERATION, EXTENSION OR REPLACEMENT OF AN EXISTING DWELLING WHERE THE PROPOSAL WILL NOT RESULT IN A DISPROPORTIONATE INCREASE IN THE SIZE OR IMPACT OF THE ORIGINAL DWELLING.

♦ AGRICULTURAL BUILDINGS

2.57 Large agricultural buildings which require planning permission can create environmental problems though generally they do not generate as much traffic as intensive food production units. Intensive livestock units are considered to be appropriate uses in the countryside although the buildings are often of an industrial nature and can form prominent features in the landscape. The units also generate large quantities of effluent, and this requires disposal. Often smells from effluent, and noise from animals affect neighbouring housing.

2.58 Such buildings will therefore be subject to Policy EN20 in addition to Policy GP2 and particular attention will be given to the effects of effluent disposal and smells. The General Permitted Development Order, 1995, permits a wide range of development associated with agricultural uses of land on units of 5 hectares or more, and forestry uses of land. However, in certain cases this permission cannot be exercised without first applying to the Local
Planning Authority for a determination as to whether their approval will be required for certain details. In implementing this provision the Borough Council will aim to ensure that such buildings are well sited and well designed to ensure that they are in keeping with their surroundings. In considering applications for determination on agricultural land or forestry buildings, the Borough Council will take into account the visual impact on the surrounding countryside, the desirability of preserving sites of nature conservation interest, ancient monuments and their settings, and the operational needs of the agricultural and forestry industries.

♦ PROTECTION OF AGRICULTURAL LAND

2.59 Where development involves a loss of agricultural land it will primarily be considered in the light of Green Belt and other countryside policies. However, in the interests of sustainable development there may be a need to make use of strategically located high quality agricultural land for developments which are otherwise appropriate in the countryside. In these cases the Borough Council will have regard to the quality of land involved, except where sustainability considerations suggest otherwise. Such considerations may include the biodiversity importance of the site, quality and character of the landscape, its amenity or heritage value, accessibility to infrastructure, workforce and markets, and the protection of natural resources, including soil quality.

2.60 Consideration will also be given to the wider impacts of development on agricultural land which could jeopardise the viability of adjacent farmholdings by fragmentation or impact on neighbouring amenity. Particular attention will be given to the visual impact of the development upon agricultural land and whether the location is the most suitable. Policy EN21, will be applied to such proposals in the light of the effect upon agricultural land. Where relevant the observations of the Department of Environment, Food and Rural Affairs (DEFRA) will be taken into account. Where any development involves the loss of agricultural land, the onus is also placed on the applicant to contact DEFRA to establish the grade of that land. The applicant should supply the Borough Council with this information at the planning application stage.

EN21 – LOSS OF AGRICULTURAL LAND

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT INVOLVING THE LOSS OF BEST AND MOST VERSATILE AGRICULTURAL LAND (DEFINED AS GRADES 1, 2 AND 3A OF THE AGRICULTURAL LAND CLASSIFICATION) EXCEPT WHERE IT CANNOT BE ACCOMMODATED ON POORER QUALITY LAND, INCLUDING PREVIOUSLY DEVELOPED, OR NON-AGRICULTURAL LAND, OR WHERE OTHER SUSTAINABILITY CONSIDERATIONS SUGGEST THE USE OF HIGHER QUALITY LAND IS PREFERABLE.

♦ MINERALS, WASTE DISPOSAL AND DERELICT LAND

2.61 Applications for planning permission for mineral extraction and waste disposal are the responsibility of the County Council. The Nottinghamshire Minerals Local Plan covering the whole County was adopted in November 1997 by the County Council, the review of this document has commenced and has reached an advanced stage. Policies within the Minerals Local Plan relate to exploratory drilling, protection of resources, imposition of conditions and proposals for various types of mineral workings. The Nottinghamshire and Nottingham Waste Local Plan was adopted in January 2002. The document sets out how the City and County Councils will determine waste management planning applications in line with the strategy and policies contained within the Plan. Both minerals and waste proposals are the responsibility of the County Council, and it is not the role of this document to elaborate further.

Derelict land
2.62 The term "derelict land" is used to describe land which falls into one of three categories, derelict, degraded or under-used. Derelict land can, with little or no restoration form a valuable recreational or amenity resource. Nevertheless, derelict land which requires reclamation is both an eyesore and an under use of valuable resources. Grants under East Midland Development Agency's Reclamation Programmes have been used over recent years to reduce the level of dereliction.

2.63 Government derelict land policy places emphasis on environmental improvement and nature conservation being legitimate end-uses for reclamation. This is particularly so in the case of worked out coal or gypsum workings in the countryside. In considering proposals for the reclamation of derelict land and buildings the Borough Council will take into account the appropriate land use for the site bearing in mind the sequential test outlined in RPG8, and other National Planning Guidance, the existing use of land, the form of any buildings, any extant planning permission on the site, the necessity in sensitive locations of appropriate landscape works; and the wildlife and ecological value of the site and its informal recreational potential.

♦ POLLUTION

2.64 The Borough Council aims to ensure that development takes place in both a sustainable way and does not lead to unacceptable levels of pollution or loss of amenity. The Borough Council has an important role to play in enforcing environmental control and also in consultation with other bodies such as the Environment Agency. If the Borough Council considers that a development proposal would give rise to an unacceptable level of pollution or exacerbate an existing problem, particularly with reference to air quality, planning permission will not be granted. Where development is permitted the Borough Council will, where appropriate attached conditions to the approval to minimise any potential pollution levels.

2.65 The Borough Council is undertaking a range of initiatives in connection with the Governments National Air Quality Strategy which was published in March 1997. Under this strategy Local Authorities are required carry out periodic reviews of air quality in their areas and to assess air quality and make predictions for the future. The primary objectives of the assessment process is to identify those local areas where national policies appear unlikely to deliver air quality objectives and to ensure that air quality considerations are integrated into local authorities decision making processes. The Borough Council is committed to sustainable development and recognises that the management of air quality is an important element in pursuing this strategic objective. Improving air quality is therefore a fundamental consideration throughout the decision-making process. As a result of these periodic surveys, the Borough Council has designated three Air Quality Management Areas. An action plan is being prepared which will identify a package of measures to work towards meeting the national air quality targets within these areas.

EN22 – POLLUTION

PLANNING PERMISSION WILL NOT BE GRANTED FOR POTENTIALLY POLLUTING DEVELOPMENT THAT WILL HAVE AN UNACCEPTABLE IMPACT ON EXISTING RESIDENTIAL DEVELOPMENT OR OTHER DEVELOPMENTS SENSITIVE TO POLLUTION. WHERE POTENTIALLY POLLUTING DEVELOPMENT IS NECESSARY IN RESPONSE TO ECONOMIC AND WIDER SOCIAL CONSIDERATIONS, PLANNING CONDITIONS WILL BE IMPOSED OR, WHERE APPROPRIATE, A SECTION 106 AGREEMENT SOUGHT TO ENSURE THAT POLLUTION LEVELS CREATED BY THE DEVELOPMENT CAN BE MINIMISED.

NEW HOUSING OR OTHER DEVELOPMENTS SENSITIVE TO POLLUTION WILL NOT BE PERMITTED CLOSE TO AN EXISTING SOURCE OF POTENTIAL POLLUTION UNLESS THE IMPACT THAT THE SOURCE OF POLLUTION WOULD HAVE UPON THE DEVELOPMENT CAN BE MITIGATED. PLANNING CONDITIONS WILL BE IMPOSED OR, WHERE APPROPRIATE, A SECTION 106 AGREEMENT SOUGHT TO ENSURE THAT MITIGATION MEASURES ARE IMPLEMENTED.
2.66 The re-use of potentially contaminated sites can contribute towards the full and effective use of previously developed land. However, the development of such sites can potentially raise health and safety concerns or harm the environment. Applicants must provide a full assessment of potential hazards and the measures necessary to ensure that the land is made ‘Suitable for Use’.

2.67 Developers may need to liaise with the Environment Agency especially to establish the potential effects on water resources.

2.68 Planning powers will be used to complement, and not substitute for, other legislative controls and will focus on land use issues. The aim will be to ensure that development brings the site to a state where it is fit for the use and where there are no unacceptable risks to health, safety or the environment. The Council is compiling a Public Register of contaminated sites within the Borough. The Council will aim to ensure that sites which have been identified as contaminated are remediated to a standard that renders them ‘suitable for use’ and which ensures that there is no significant risk of significant harm to the environment, humans and controlled waters.

**EN23 - LAND IN A POTENTIALLY CONTAMINATED STATE**

PLANNING PERMISSION FOR DEVELOPMENT ON SITES THAT MAY BE AFFECTED BY CONTAMINATION WILL BE GRANTED PROVIDED THAT THE BOROUGH COUNCIL IS SATISFIED THAT THE PROPOSAL WOULD NOT CAUSE ADVERSE OR HAZARDOUS EFFECTS AND THAT ANY NECESSARY REMEDIAL MEASURES ARE CARRIED OUT BEFORE DEVELOPMENT STARTS.

- **RENEWABLE ENERGY**

  **General**

  2.69 The Government’s Energy White Paper sets out an aspiration to increase renewable energy production to 10% of total energy production by 2010, and 20% by 2020. Renewable energy sources include Wind turbines, Hydrological plants, Solar power and Biomass power stations. From time to time, proposals for renewable energy development may be located in the Green Belt and the open countryside, and in other areas of acknowledged importance. Where this is the case, the applicant must demonstrate through an Environmental Impact Assessment where required, or through a supporting statement in other cases, that the benefits of energy generation from renewable sources outweighs any potential harm caused by a proposals impact on the site and its surrounds.

  **Wind Energy**

  2.70 In considering proposals for such development, the Borough Council will take into account the size and number of turbines proposed in relation to the type of landscape involved. Where there are several such developments proposed, an assessment of their cumulative visual impact will be made.

  2.71 Much of the West of the Borough is covered by the Nottingham East Midlands Airport safeguarding zone for Wind Turbine Development. There are also local airfields at Langar and at Nottingham airport that may also have informal safeguarding arrangements. The Borough Council will require evidence that, where relevant, proposals are compliant with any Civil Aviation Authority guidance on wind turbine development and that this has been taken into account in relation to radar and the legislative requirements of separation distances.

  **Biomass and Energy Crops**

  2.72 Biomass energy projects may have a local impact in relation to traffic generation. As part of the submission of a planning application, the Borough Council will require information in relation to the sources of fuel, distances to fuel sources and trip generation. This information will assist in the assessment of a site in relation to its sustainability.
Solar Energy Generation

2.73 The Borough Council recognises the positive benefits of solar energy generation. Where such schemes require permission, the Borough Council will normally permit planning applications for small scale solar energy projects where they do not detrimentally affect features of acknowledged importance such as listed buildings and conservation areas.

EN24 – RENEWABLE ENERGY

PLANNING PERMISSIGN FOR RENEWABLE ENERGY PROJECTS WILL BE GRANTED PROVIDED THAT:

a) IN SITES WITH NATIONALLY RECOGNISED DESIGNATIONS, INCLUDING SSSIs, CONSERVATION AREAS, LISTED BUILDINGS AND SCHEDULED ANCIENT MONUMENTS, THE OBJECTIVES OF DESIGNATING THE SITE WILL NOT BE COMPROMISED;

b) IN THE GREEN BELT IT CAN BE DEMONSTRATED THAT THERE ARE VERY SPECIAL CIRCUMSTANCES THAT OUTWEIGH ANY HARM BY REASON OF INAPPROPRIATENESS AND ANY OTHER HARM;

c) IN ALL CASES, THE PROPOSALS ARE LOCATED AND DESIGNED TO MINIMISE INCREASES IN AMBIENT NOISE LEVELS; AND ANY ADVERSE IMPACT ON VISUAL OR RESIDENTIAL AMENITY IS MINIMISED THROUGH APPROPRIATE SITING, LAYOUT, DESIGN AND LANDSCAPING SCHEMES.

♦ ENVIRONMENTAL MANAGEMENT

2.74 The Borough Council is involved in a number of initiatives to ensure that issues surrounding environmental impact are considered across a wide range of activity areas.

2.75 Rushcliffe Community Partnership involves ten organisations that are building a framework to work together to improve everyone's quality of life. These organisations have a deep impact on people's everyday lives - and they will be improving the economic, social and environmental well-being of the Borough. The Rushcliffe Community Strategy sets out how the partnership will carry out its work; this strategy guides the strategic development of the borough. The Borough Council is a partner.

2.76 Rushcliffe Environmental Action for the 21st century or REACT21 (previously known as Rushcliffe Agenda 21) is a community led environmental organisation, aided by the borough council, supporting the local community of Rushcliffe take action to improve their environment.

2.77 Principally based within the Borough of Rushcliffe, Nottinghamshire, REACT 21 promotes environmental issues, sustainable development and to action the principles of Agenda 21, the action plan of the 1992 Rio Earth Summit and subsequent world environment summits. It aims to: encourage residents, organisations and services in the Borough to care for and safeguard the environment; promote action on sustainability and the environment by the people of Rushcliffe; actively engage and represent the views of the people of Rushcliffe on environmental issues; increase awareness and knowledge of sustainability issues locally and in the wider environment; and work in partnership with other organisations having similar aims.

REACT 21 guides the environmental action of Rushcliffe Community Partnership.

2.78 The Borough Council recognises that energy use resulting from new and existing development impacts on the environment by means of emissions, pollution or depletion of natural resources. Although, energy use is fundamental to modern society, it is important that resources are used prudently to minimise adverse environmental impacts. The environmental impact associated with the extraction or production of materials, or even through the design and layout of new development should be considered as well as their energy efficiency during use. Both RPG8 and The Deposit Draft Replacement Nottinghamshire and Nottingham Joint
Structure Plan contain policies in relation to energy efficient development, which are backed by criterion in GP2.