

Date: 6 June 2016

Dear Sir/Madam,

**PLANNING COMMITTEE**

Notice is hereby given that a special meeting of the **Planning Committee** will be held in the Council Chamber, Kelham Hall, Newark on Tuesday, 14 June 2016 at **4.00 pm**.

Yours faithfully,



A.W. Muter  
Chief Executive

**AGENDA**

- |  | Page Nos. |
|--|-----------|
| 1. Apologies   |           |
| 2. Declarations of Interest by Members and Officers    |           |
| 3. Declaration of any Intentions to Record the Meeting |           |

**PART 1 - ITEMS FOR DECISION**

- |   |        |
|---|--------|
| 4. Land at Stephenson Way, Newark (16/00166/FULM) | 3 - 17 |
|---|--------|

**PART 2 – ITEMS FOR INFORMATION**

None

**PART 3 - STATISTICAL AND PERFORMANCE REVIEW ITEMS**

None

#### **PART 4 - EXEMPT AND CONFIDENTIAL ITEMS**

The following items contain exempt information, as defined by the Local Government Act, 1972, Section 100A(4) and Schedule 12A, and the public may be excluded from the meeting during discussion of these items.

None

#### **NOTES:-**

A Briefing Meeting will be held in the office of The Business Manager – Development, at 3.00 pm on the day of the meeting between the Business Manager - Development, the Chairman and Vice-Chairman of the Committee to consider late representations received after the Agenda was published.

<b>Application No:</b>	<b>16/00166/FULM</b>	
<b>Proposal:</b>	<b>Erection of Hatchery with Ancillary Building and Associated External Works</b>	
<b>Location:</b>	<b>Land at Stephenson Way Newark on Trent Nottinghamshire</b>	
<b>Applicant:</b>	<b>Moy Park Ltd Mr D Graham</b>	
<b>Registered:</b>	<b>8<sup>th</sup> March 2016</b>	<b>Target Date: 7<sup>th</sup> June 2016</b>

**The Site**

This application relates to 2.63 hectares of vacant land located within the Newark Industrial Park accessed from Stephenson Way, a cul de sac accessed from Brunel Drive. The site falls the Newark Urban area and within an allocated employment site (NUA/E/2) as identified in the Allocations and Development Management Development Plan Document (2013) (ADMDDP).

The site is adjoined to the west by large single and two storey buildings serving industrial businesses and a highway depot. To the east the site is adjoined by the A1 whilst to the north and south is further vacant land. To the north west beyond the junction of Stephenson Way and James Watt Road is a terrace of brick built single storey commercial buildings.

The wider area comprises further industrial and commercial business units.

**EIA Regulations**

The proposal set out in the application includes development which meets the criteria and thresholds of Schedule 1 of the 2011 Town and Country Environmental Impact Regulations which refer to ‘installations for the intensive rearing of poultry or pigs with more than (a) 85,000 places for broilers or 60,000 places for hens’.

An Environmental Statement covering flood risk, ecology, heritage, noise, odour, ammonia and landscape considerations have been submitted in support of the proposal.

The application has been screened under the Environment Impact Assessment Regulations and it has been concluded that an EIA is not required.

**Relevant Planning History**

None

**The Proposal**

Following the submission of revised elevation plans full planning permission is sought for the erection of:-

- A hatchery building comprising process, storage, offices and welfare facilities which would measure 125.980m in length and 64.170m in depth and 9m maximum height;
- A single storey ancillary building which will house the generator, waste water treatment area and vehicle wash area would measure 30m in length, 10m in width and 6.3m maximum height;
- A sub station and LV switch room each measuring 3m x 3m.
- 2 no. water storage tanks each measuring 6m diameter and 4m in height sited at the south west boundary of the site
- 2no. service yards with wheel wash facilities; and
- Car park with 60 spaces and 12 visitor spaces sited to the front of the hatchery and accessed via one existing and one new vehicle entrance from Stephenson Way. There is also the provision of cycle shelters
- 3m high security fencing to enclose the site;

Landscaping is also proposed to the front and side boundaries of the site.

The proposal would create employment for a total of 59 staff.

The largest of the buildings, the hatchery building would be sited towards the north western boundary of the site set some 24m from the existing boundary fencing/hedging adjacent to the A1. The area of land separating the building and the A1 is identified as potentially being for future expansion.

The ancillary building will be sited some 6m back from this boundary. The LV and switch buildings are sited to the south east of this building.

Samples of proposed external materials have been deposited which comprise:-

Wall /roof Cladding – Kingspan KS1000RW horizontal micro-rib insulated cladding with powder coated finish in khaki green

Doors and windows double glazed aluminum with polyester powder coated frame in leaf green RAL 6002.

A Design and Access Statement has been deposited with the application which outlines the proposal and how the proposed business would operate. The Hatchery would provide a controlled environment where fertilised eggs are received and kept until they hatch which takes 3 weeks. Once the chicks are 1 day old they would be distributed across Nottinghamshire and the surrounding counties. The whole process would take 3 weeks.

There would be an estimated output of 2.4m birds a week.

The application is also accompanied by an Environmental Site Plan, Flood Risk Assessment, a Planning Statement, an Ecology Phase 1 Survey and a Archaeological Evaluation.

Additional plans have been subsequently submitted in relation which include details of fencing, landscaping, drainage and CCTV and lighting.

#### Departure/Public Advertisement Procedure

Occupiers of thirty two 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.

#### **Planning Policy Framework**

##### **The Development Plan**

##### **Newark and Sherwood Core Strategy DPD (adopted March 2011)**

Spatial Policy 1 – Settlement Hierarchy  
Spatial Policy 2 – Spatial Distribution of Growth  
Spatial Policy 7 - Sustainable Transport  
Core Policy 6 – Shaping our Employment Profile  
Core Policy 9 - Sustainable Design  
Core Policy 10 - Climate Change  
Core Policy 12 - Biodiversity and Green Infrastructure  
Core Policy 13 - Landscape Character

##### **Allocations & Development Management DPD**

Policy DM5 – Design  
Policy DM7 – Biodiversity and Green Infrastructure  
Policy DM10 – Pollution and Hazardous Materials  
Policy DM12 – Presumption in Favour of Sustainable Development

##### **Other Material Planning Considerations**

National Planning Policy Framework 2012  
Planning Practice Guidance 2014

##### **Consultations**

**Newark Town Council** – No objections are raised. The creation of 59 full time jobs is welcomed.

**NCC Highways Authority** – Whilst existing peak hour traffic conditions at the Lincoln Road/Brunel Drive junction are close to or at capacity, this is a proposal that appears to fit the allocated land use identified within the Local Development Framework. Any development here is therefore expected to add traffic to this junction and it does appear on the CIL123 list. In line with National planning Policy Framework, unless a development generates a severe impact it should not be refused.

In traffic terms, this proposal has the advantage of distributing traffic volumes over a wide time period (4am-7pm) with the majority of staff being on site by 7am with a staff shift turnover at 2pm; thus avoiding peak hours. Similarly HGV movements are spread throughout the day and would appear to generate 2-3 trips per hour. This is not seen as significant.

In view of the above, it is considered that this application may be approved subject to the following conditions:

No part of the development hereby permitted shall be brought into use until the vehicular accesses are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and to protect the structural integrity of the highway.

No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.

Reason: To ensure that adequate off-street parking/turning/servicing provision is made to reduce the possibilities of the proposed development leading to parking /turning/servicing occurring on-street.

The gates at the access point(s) shall not open towards the public highway, & be set back 15 metres from the highway boundary.

Reason: To enable vehicles to stand clear of the highway whilst the gates are opened/closed.

No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

Reason: To promote sustainable travel.

*Notes to Applicant:*

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Area Office tel. 0115 9773496 to arrange for these works to be carried out.

**Highways Agency** - recommend that conditions should be attached to any planning permission that may be granted subject to the following conditions:-

*Condition:*

No part of the development hereby permitted shall be commenced until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England.

*Reason:*

To provide a satisfactory means of drainage compliant with Department for Transport Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development.'

**NCC Flood Risk** - No Objection subject to the following condition:

1. No works shall commence until a detailed surface water drainage design and management plan has been submitted and approved by the LPA. This design and management plan must include or address the following:
  - a. Evidence that the hierarchy of drainage options, infiltration - discharge to watercourse – discharge to sewer has been followed correctly and any decisions made supported by facts.
  - b. Hydraulic calculations must show compliance of the proposed system to current design standards including climate change allowances. The site drainage system should cater for all rainfall events upto a 100year + 30% climate change level of severity. The underground drainage system should be designed not to surcharge in a 1 year storm, not to flood in a 30 year storm and for all flooding to remain within the site boundary without flooding new buildings for the 100year + 30% cc event. The drainage system should be modelled for all event durations from 15 minutes to 24 hours to determine where flooding might occur on the site. The site levels should be designed to direct this to the attenuation system and away from the site boundaries.
  - c. Evidence of how the flows and existing risk of flooding from surface water will be incorporated into the overall surface water management proposals for the site
  - d. Details of maintenance regimes for any SUDS along with how these will be managed for the lifetime of the development.
  - e. Details of what elements of the system will be adopted and by whom, including highway drainage, public sewers, SUDS and above and below ground storage assets.
  - f. Flow paths for exceedence flows.
  - g. Any flood resilience measures proposed for new buildings.

**Environment Agency** – The Agency has no objections to the proposed development but wishes to make the following comments.

The proposal to discharge up to 600m<sup>3</sup> of trade effluent into the Slough Dyke will require an Environmental Permit under the Environmental Permitting Regulations 2010 if the option of discharge to sewer is not allowed by the sewerage undertaker; the impact on the Slough Dyke downstream of the discharge point will need to be considered in terms of increased discharge, and the pollution load.

**Severn Trent Water Ltd** - raise no objection to the proposal subject to the inclusion of the following condition.

*Condition*

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

### *Reason*

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

### *Suggested Informative*

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

**Trent Internal Drainage Board** - The site is within the Board's district. The Slough Dyke Environment Agency Main River maintained by Trent Valley Internal Drainage board is in close proximity to the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

**Nottinghamshire Wildlife Trust** - We have reviewed the above report and are generally satisfied with the methodology and conclusions. Provided the recommendations in section 4 are implemented, we are satisfied that negative ecological impacts are considered unlikely.

We recommend that the following mitigation measures are secured through planning **conditions**, should the application be approved:

- Development work, including moving of debris and stored materials, should take care not to harm sheltering hedgehogs
- The northeast hedge and tree line should be retained post-development
- Removal of pipes and other debris at the south end of the site should be preceded by a nest check, or avoid the March-September nesting season
- Loss of the grassland should be compensated by supporting conservation and/or restoration of similar habitats elsewhere in Nottinghamshire.

We would also welcome securing a Landscape Plan for the site which incorporates planting of native, locally appropriate species. Again, this could be secured through use of a planning condition.

We note that the Flood Risk Assessment makes reference to surface water run-off and the potential for incorporating a sustainable drainage system if appropriate. We would support this approach and recommend consideration is given to use of ponds, swales and other wetland features which can provide multiple benefits, including biodiversity enhancement (as encouraged within the NPPF).

**NSDC Environmental Health** –. On the basis of the details of the Environmental Statement no problems are envisaged.

**NSDC Environmental Health Contamination** - No observations in relation to contaminated land – Following the details deposited by the agent on the 17<sup>th</sup> March 2016 in relation to air quality and biomass boilers given that this confirms that proposal is for two 485kW hot water boilers which

will be gas fired boilers rather than biomass although there is not yet a detailed design for these details of this can be controlled by condition, for example:-

If biomass boilers are to be installed the applicant shall complete the biomass boiler information request form and ensure that the boilers meet the relevant requirements to the satisfaction of Environmental Health

Depending on the specifications of the boilers, there may also be the requirement for compliance with clean air act chimney height regulations. Please refer to our website.

**NCC Archaeology** – No comments have been received.

**NATS** - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

**NSDC Access** - As part of the developer's considerations of access for all, with particular reference to access and facilities for disabled people, it is recommended that attention is drawn to BS8300:2009 Design of buildings and their approaches to meet the needs of disabled people – Code of practice – which contains useful information in addition to Approved Document M and K of the Building Regulations.

Access to, into and around the proposals on all floors, along with the provision of accessible features and facilities, should be carefully considered together with access from the boundary of the site and from car parking where carefully laid out provision for disabled motorists should be available. BS8300:2009 give further information in this regard including proportion of spaces, layout and design. Safe segregated 'traffic free' pedestrian routes should be considered from the boundary of the site and from car parking to the proposal. Routes should be carefully designed so as to be smooth, level, non-slip, and barrier free and of sufficient width.

It is recommended that the developer make separate enquiry regarding Building Regulations approval requirements and that the developer be mindful of Equality Act requirements.

**No representations have been received from local residents/interested parties.**

#### Comments of the Business Manager/ Appraisal

##### Principle of development

The National Planning Policy Framework promotes the principle of a presumption in favour of sustainable development and recognises that it is a duty under the Planning Acts for planning applications to be determined in accordance with the development plan. Where proposals accord with the Development Plan they should be approved without delay unless material considerations indicate otherwise. The NPPF also refers to the presumption in favour of sustainable development being at the heart of the NPPF and places significant weight on the need to support economic growth through the planning system.

Policy DM12 of the Allocations and Development Management DPD further reflects the guidance and the presumption in favour of sustainable development identified in the NPPF. Account should be taken as to whether the impacts of granting of permission would significantly or demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF.

Core Policy 9 of the Core Strategy discusses Sustainable Design. This policy outlines that the District Council will expect new development to achieve a high standard of sustainable design and layout that is capable of being accessible to all and is of an appropriate form and scale to its context, complementing the existing built and landscape environments. New development should demonstrate an effective and efficient use of land that, where appropriate, promotes the reuse of land and optimises the site potential at a level suitable to local character.

The site falls within the Newark Urban Area, identified in Spatial Policy 1 of the Core strategy as the sub regional centre of the district which will be the main location for new housing and employment growth.

The principle of development in this location has been established through the sites allocation in the ADMDDP, under Policy NUA/E/2 which sets out the approach for bringing the site forward and supports the principle of employment development subject to other matters including the requirements of NUA/E/1 (Newark Industrial Estate Policy) which states that new employment development falling under B1/B2 and B8 will be encouraged subject to the provision of appropriate landscaping and the assessment of access issues on the wider industrial estate. This policy also makes specific reference to Policy DM2 (Allocated sites).

Given the sites re-use of land within the context of the existing industrial estate and being located close to the sub regional centre and in close proximity to good transport links (A1, A17 and A46), the proposal is considered to accord with the aims of both national and local policies in terms of sustainable development.

As such I am of the view that the principle of the proposed development is acceptable subject to the detailed assessment of the site specific factors set out below.

### **Economic Role**

The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity and that the planning system should do everything it can to support sustainable economic growth. Significant weight should be attached to the need to support growth through the planning system.

At paragraph 17 the NPPF identifies 12 core planning principles which should underpin planning decisions. Of particular relevance to this application are the principles that planning should proactively drive and support sustainable economic development, should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, should encourage and support the transition to a low carbon future (taking account for example the conversion of existing buildings). Moreover planning should contribute to conserving and enhancing the natural environment reducing pollution, encourage the effective use of brownfield land, promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas by actively managing patterns of growth and focusing significant development in locations which are or can be made sustainable and should deliver sufficient community facilities and services to meet local needs.

The onsite operational process of the proposed development is designed around current technology and best practice and is summarised above. It is acknowledged that should permission be granted the hatchery would employ at the outset 59 people. Once operational the

development would subsequently contribute to the wider rural economy by virtue of supplying chicks to both local poultry farmers and those in neighbouring counties.

The proposed development would bring a major European company and associated investment into the Newark area creating employment and supporting economic growth whilst also supporting local farming businesses and a prosperous rural economy. By virtue of investment into the area and support for the local and wider rural economy it is considered that the proposal will meet the economic, social and environmental role by contributing to and supporting economic development and growth in accordance with the aims of the NPPF and significant weight should therefore be attached to this aspect in the planning balance.

### **Design and Layout**

The NPPF states that good design is a key aspect of sustainable development. Core Policy 9 and Policy DM5 of the DPD require new development to achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context, complementing the existing built and landscape environments.

Although the proposal relates to a substantial development I am satisfied that given its size and location the site can adequately accommodate the proposed buildings together with the ancillary structures, parking and service yards without the site appearing over developed or the development appearing significantly over intensive. The main hatchery building is set back from the highway boundaries, separated from the A1 by an area of open land and from Stephenson Way by car parking and further landscaping. The ancillary building which is of a more modest scale will be set closer to the A1 boundary.

I am of the view that the design of the buildings and the proposed materials as outlined above, samples of which have been deposited during the life of the application, would not appear out of character with the surrounding area which predominantly comprises industrial and commercial buildings. Furthermore, revised proposed site plans have been deposited which show proposed landscaping including a 5m landscaped buffer zone between the boundary of the site and the A1 which together with the retention of the existing hedgerow would further soften the impact of the proposal. Landscaping is also proposed to the side and Stephenson Way boundaries. This can be secured by condition to ensure that the appropriate planting and landscaping.

### **Impact on Character**

The NPPF states that good design is a key aspect of sustainable development and Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development. Core Policy 9 of the Core Strategy seeks to ensure that new development is of an appropriate form and scale to its context and complements the existing built and landscape environments. Policy DM12 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

A Landscape Character Appraisal (LCA) has been prepared to inform the policy approach identified within Core Policy 13 of the Core Strategy. The LCA has recognised a series of Policy Zones across the five Landscape Character types represented across the District. The application site is located within the East Nottinghamshire Sandlands 'Winthorpe Village Farmlands' area (Policy Zone ES PZ 04) which is defined being of moderate condition with moderate sensitivity. The policy zone has a

landscape action of conserve and create. This includes new hedgerows and enhancing tree cover and landscape planting generally and conserving what remains of the rural landscape by concentrating new development around existing settlements and reflecting the local built vernacular.

I am mindful that the proposed development would be of significant scale, the floor space of the hatchery being 8070 sq.m with a maximum ridge height of 9m and the ancillary building being 300 sq. m with a maximum ridge height 6.4m.

However, it is considered that the design of the proposal with supplementary soft landscaping, the siting of the proposed buildings set back from the adjoining highways with landscape buffer zones and together with the development being viewed in close proximity to the neighbouring industrial and commercial buildings will ensure that the proposal does not have a detrimental impact on the landscape character of the area

I note that detailed landscape plans have been deposited which at the time of writing this report are currently being considered. Any comments received will be reported to Members at the Planning Committee meeting. Notwithstanding this appropriate conditions can also be attached to any consent should Members be minded to grant permission to ensure that the details of the landscape scheme are appropriate and are fully implemented.

The proposal is therefore considered to comply with policies CP9, CP13 of the Core Strategy and DM5 and DM12 of the DPD.

### **Impact on Amenity**

Policy DM5 of the DPD states that development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate any impact.

The Environmental Statement submitted as part of the application includes reports within the relating to noise, air and odour likely to emanate from the site. It concludes that the noise sources will be located within the buildings resulting in limited impact. With regards to odour and air emissions, it is stated that hatcheries do not give rise to fugitive odours other than those associated with waste water and in this case waste water will be within a separate building and will be filtered via a carbon filter system. No ammonia will be produced.

Hatchery waste will be stored in a sealed container before being removed from site by an approved waste processor.

Environmental Health have given due consideration to the Environmental Statement deposited with the application and have confirmed that they are satisfied with the details. Given the location of the proposed development adjacent to the A1 and within the industrial estate it is not considered that noise would be an issue. Appropriate facilities for waste storage are also proposed.

The Environment Agency have confirmed that they have no objections to the proposal but advise that the applicant will also require an Environmental Permit from the Environment Agency which will also cover such matters.

Given the location of the site immediately adjacent to the A1 within the Newark Industrial Estate and taking account of the distance to the nearest neighbouring businesses I am satisfied that the proposal would not result in any unacceptable impacts in terms of levels of activity, noise, odour and dust or the generation of vehicle movements.

Taking account of the above it is considered that the proposal, provided they meet the requirements of the Environmental Permitting Regulations would not have any detrimental impact on neighbouring land users or the wider area in accordance with Policy DM5 of the DPD.

### **Impact on Flood and Drainage**

The NPPF directs development away from areas at highest risk of flooding employing a sequential approach. Core Policy 10 reflects this guidance. Policy DM5 also reflects this guidance but adds that development proposals within Environment Agency Flood Zones 2 and 3 and areas with critical drainage problems will only be considered where it constitutes appropriate development and it can be demonstrated, by application of the sequential test, that there are no reasonably available sites in lower risk Flood Zones.

Core Policy 9 requires new development proposals to proactively manage surface water.

The site is located with Flood Zone 1 on the Environment Agency's mapping relating to flooding from rivers and sea and therefore under the definitions within the NPPF in an area of low probability for flood risk.

As the site exceeds 1Ha a Flood Risk Assessment has been deposited with the application. This outlines the recommended flood mitigation measures which are proposed which include details of materials to be used in the construction of the buildings together with concrete kerbs, water resistant coating to flooring and the provision of a safe place of refuge in the event of a flood and the occupant registering with the EA Floodline Warning Service.

The Flood Risk Assessment also outlines provisions for dealing with surface water run off which would include the use of SuDs, appropriate attenuation and the use of rainwater harvesting and recycling.

Nottinghamshire County Council Flood Authority, Severn Trent Water have raised no objections to the proposal subject to conditions being attached should permission be granted requiring the submission of a detailed surface water drainage design and management plan together with drainage plans for the disposal of surface water and foul sewage.

Similarly the Environment Agency has raised no objections but has advised that the applicant be informed that an Environmental Permit under the Environmental Permitting Regulations 2010 would be required if the option of discharge to sewer is not allowed by the sewerage undertaker.

I note that detailed drainage plans have been deposited which at the time of writing this report are currently being considered. Any comments received will be reported to Members at the Planning Committee meeting. Notwithstanding this appropriate conditions can be attached to any consent should Members be minded to grant permission to ensure that the drainage proposals are satisfactory and are fully implemented.

For the above reasons I am satisfied that the proposal will meet the flood risk and water management objectives set out within the NPPF, Core Policies 9 and 10 and Policy DM5 of the Development Management DPD.

### **Ecological Impact**

Core Policy 12 and Policy DM7 of the Development Management DPD relate to Biodiversity and Green Infrastructure and provide that the Council will seek to conserve and enhance the biodiversity of the District and that development proposals will be expected to take into account the continued protection of ecological assets. Policy DM5 requires that significantly harmful ecological impacts are avoided through the design, layout and detailing of the development with mitigation provided where significant impacts cannot be avoided.

The applicants have submitted an ecological report which concludes that the only hedge and tree line is bordered by the A1 and that this together with the lights of the industrial units would result in the site being unlikely to be a commuting or foraging route or area for bats, the site lacks connectivity to support suitable habitat for mammals or reptiles, trees and hedges are to be retained and any pipe or debris clearing will be preceded by a nest check or will be carried out outside of the bird breeding season, the ditches on site have limited amphibian value, the loss of grassland should be compensated for its impact on invertebrates.

The NWT have reviewed the survey and raise no specific objections subject to conditions being attached should permission be granted to secure the implementation of the recommendations and mitigation measures stated in the survey and to secure a Landscape Plan for the site which incorporates planting of native, locally appropriate species and would recommend consideration is given to use of ponds, swales and other wetland features which can provide multiple benefits, including biodiversity enhancement. I consider it reasonable that should members be minded to grant permission, the suggested conditions be attached.

Taking these considerations into account I am satisfied that the proposals will not unduly impact on the biodiversity of the area and opportunities to conserve and enhance biodiversity can be secured through conditions in compliance with the aims of Core Policy 12, Policy DM7 and the guidance in the NPPF.

### **Highway Matters**

Spatial Policy 7 sets out the criteria for assessing whether a development encompasses a sustainable approach to transport and includes that development proposals should include safe, convenient and attractive access for all, be appropriate for the highway network in terms of volume and nature of traffic generated.

I note that a Highway Impact Assessment has been deposited with the application which outlines the estimated number and types of commercial vehicle movements per week as summarised below and that 60 car parking spaces will be provided together with 12 visitor spaces and cycle parking.

Estimated weekly commercial vehicle movements are estimated as being:

Egg vehicles 25

Chick vehicles 30

Waste skip 12

LGV deliveries 12  
HGV deliveries 6

Whilst the Highway Authority have acknowledged that existing peak hour traffic conditions at the Lincoln Road/Brunel Drive junction are close to or at capacity, it is accepted that the proposal would distribute volumes of traffic over a wide time frame (4am -7pm) with a shift turnover at 2pm which would avoid peak hours and that the HGV movements would not be significant.

It is acknowledged that the Highway Authority do not raise objections to the proposal, subject to conditions being attached should members be minded to grant permission with regards to the development not being brought into use until the vehicular accesses being made available and the parking/turning and servicing areas being provided, the development not being occupied until a Travel Plan has been submitted to and approved by the council and restricting the proposed gates to be inward opening only.

The Highways Agency has also raised no objections to the proposed scheme subject to a condition being attached should permission be granted requiring the submission and approval of surface water drainage details.

I note that detailed drainage plans have been deposited which at the time of writing this report are currently being considered. Any comments received will be reported to Members at the Planning Committee meeting. Notwithstanding this appropriate conditions can also be attached to any consent should Members be minded to grant permission to ensure that such details meet the requirements of the Highways Agency and that they are fully implemented.

I note that the Highway Authority have raised no objection to the level of parking provision for both staff and visitors.

Taking the above considerations into account and the significant weight placed on the need to support economic growth, I am satisfied that in this instance and subject to the inclusion of the suggested conditions the proposal would accord with the aims of Policy SP7.

## **CIL**

Spatial Policy 6 'Infrastructure for Growth' and Policy DM3 'Developer Contributions and Planning Obligations' set out the approach for delivering the infrastructure necessary to support growth. This infrastructure will be provided through measures including the Community Infrastructure Levy (CIL).

The application site is located within the Newark Growth Point charging zone for the purposes of CIL and a charge of £20 per sqm.

## **Conclusion and Balancing Exercise**

The NPPF states that significant weight should be attached to supporting economic growth in order to create new jobs and prosperity. The proposal would bring a major European business and associated investment to the District which would provide employment opportunities within the area and would also have the wider benefit of supporting the local and wider rural economy.

It is considered that the proposal would not result in undue impact upon the character of the area, the highway network or the amenity of adjoining land users.

On balance I therefore consider that the significant weight to be attached to supporting sustainable economic growth as well as the other benefits of the proposal weigh in favour of the proposal and on this basis it is recommended that planning permission be granted.

### **RECOMMENDATION**

**That conditional planning permission is granted. Given that additional plans and details of drainage and landscaping have been deposited for consideration prior to the determination of the application a full list of proposed conditions are to follow.**

### **BACKGROUND PAPERS**

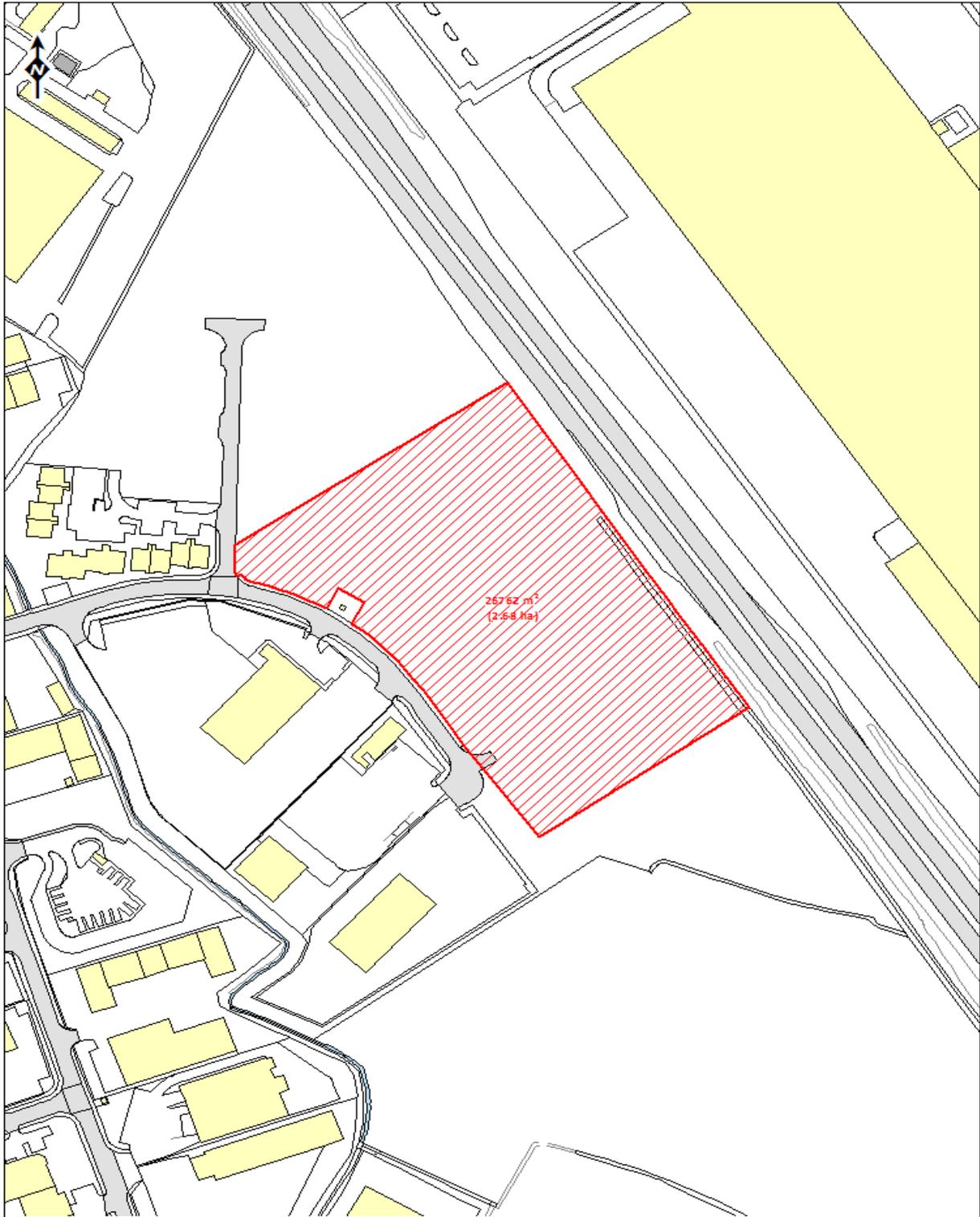
Application case file.

For further information, please contact Bev Pearson on ext 5840.

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Kirsty Cole**  
**Deputy Chief Executive**

Committee Plan - 16/00166/FULM



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