

MATTER 25: IS THERE AN INSOLUBLE TENSION BETWEEN HERITAGE AND NATURE CONSERVATION AND THE LEVEL OF DEVELOPMENT ENVISAGED IN POLICY ShAP3 (ROLE OF EDWINSTOWE)?

- 25.1 This Matter Statement has been prepared by Tetlow King Planning on behalf of David Sparks of the Minster Veterinary Centre in relation to his land interests to the east of Southwell.
- 25.2 Policy ShAP3 was amended following comments from the Preferred Approach Consultation (**CS.11C**). It seeks to enhance Edwinstowe from a Principal Village to a Service Centre in the main to accommodate the Council's allocation of the former Thoresby Colliery for redevelopment.
- 25.3 In the accompanying text (paragraph 6.3) to Policy ShAP3 there are references to impacts on the network of green infrastructure and natural conservation assets that will need to be carefully managed, thereby acknowledging that there are issues which will need to be overcome to allow Edwinstowe to develop further in line with the policy aims.
- 25.4 Edwinstowe falls within the Sherwood Area and Policy ShAP1 (and accompanying paragraphs) of the Publication Core Strategy clearly state that the Sherwood Area is *“characterised by a wide and diverse range of landscapes including the heartland of the historic Sherwood forest and the extensive parklands...that are, rich with historical, ecological and landscape features...”* (paragraph 6.82)
- 25.5 Edwinstowe is adjacent to the Birklands and Bilhaugh Special Area of Conservation (SAC). The SAC lies partially within the northern development boundary of the colliery proposals in two locations. In addition, the Sherwood Forest area (a National Nature Reserve (NNR)) supports nationally important breeding populations of nightjar, woodlark and honey buzzard, all species listed on Annex 1 of the European Birds Directive. These elements require robust protection through high level policies and not simply acknowledgement that they will be addressed later through detailed policies or individual applications.

Heritage and Nature Conservation Considerations

- 25.6 The NPPF emphasises the presumption in favour of sustainable development and to: *“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.”*
- 25.7 In particular paragraph 126 states that *“local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.”*
- 25.8 With regard to nature conservation the NPPF states that the *“planning system should contribute to and enhance the natural and local environment”* (paragraph 109).
- 25.9 The centre of Edwinstowe comprises a Conservation Area with historic listed buildings. With the closure of the colliery the reasons behind the regeneration of the former colliery are understood to be in order to inject life into the economy. However, tourism is already a draw to the area with Center Parcs and the Sherwood Forest being a large attraction for visitors to the area. The further development of the area is at odds with the aims of the Birklands and Bilhaugh SAC and Sherwood forest NNR.
- 25.10 Paragraph 6.109 of the Core Strategy refers to the landscape and visual impacts advice from Via East Midlands with regard to the regeneration of the Thoresby Colliery which states (our emphasis): *“The proposal would result in a substantial change to existing landscape character and landscape character anticipated from the completion of the consented restoration scheme. The mixed-use development will result in a substantial impact on landscape character and is likely to be visually intrusive, particularly to users of Ollerton Road and recreational users of the restored tip site.”*
- 25.11 Our concern is that the policy requirements with regard to the further development of Edwinstowe and the associated regeneration of the former colliery do not go far enough to ensure that this proposed ‘substantial change’ is managed and will not harm

the natural and historic character of Edwinstowe. The cumulative impact of the planned growth in and around Edwinstowe should be addressed fully in the evidence base.

- 25.12 Currently Edwinstowe and Ollerton are visually separate settlements; any proposed development in the fields south of the former Thoresby Colliery will result in significantly less separation and this will lead to coalescence towards Ollerton and major impacts on the junction with the existing Ollerton roundabout producing an urbanising effect.
- 25.13 Whilst this is strictly not a comment on Policy ShAP3 it is interrelated. We note that the RSPB and Nottinghamshire Wildlife Trust have removed their objections to Policy ShAP4 since the updating of the Wildlife Habitats Regulation Assessment however, the inclusion of point 9 in Policy ShAP4 does not go far enough to protect the SAC from adverse impacts with regard to air pollution. Monitoring and acting once levels have been found to be too high is not a positive or proactive approach to this potential impact.
- 25.14 We agree with Nottinghamshire CPRE's response to the Preferred Approach Consultation (**CS.11C**) that the wording of Policy ShAP4 admits that there will be impacts but that the Council have chosen to ignore at this stage and address on an ad hoc basis. This is not the correct approach to policy making and is in direct conflict to paragraph 182 of the NPPF.
- 25.15 Nottinghamshire County Council responded to the Preferred Approach consultation that there should be further long-term management requirements added. Furthermore, the recommendations from the updated Habitats Regulation Assessment which has been carried out in association with the outline application for the regeneration of the former colliery should be incorporated into policy in the Core Strategy.

Role of Edwinstowe - Policy ShAP3

- 25.16 The wording of Policy ShAP3 has changed significantly since the Preferred Approach consultation, in an attempt to address the issues which have come to light through that consultation and to allow for the development of the former Thoresby Colliery.

- 25.17 However, the inclusion of the bullet points in the policy acknowledge that the Council does not have any resolutions to the issues highlighted through the bullet points of the Policy.
- 25.18 This statement has focussed upon nature conservation and heritage which have been brushed over by the council in their inclusion in Policy ShAP3 but are fundamental to the development proposed and as a result the role of Edwinstowe. These are crucial elements which have not been considered in detail thus far and therefore this policy has not been positively prepared, or justified in line with NPPF paragraph 182. Nature conservation and heritage have not been satisfactorily considered or weighed into the decision making process in the run up to this Local Plan Review.
- 25.19 We refer the Inspector to the objections made by various expert bodies to the Preferred Options Consultation (as highlighted above at paragraphs 25.14 – 25.16) these objections should be given significant weight as they are coming from the relevant bodies of experts on the respective issues. These have not to our knowledge been investigated or acknowledged in the further work the Council has carried out on the Core Strategy Review and we urge the Inspector to look at these further with regard to the role of Edwinstowe in further development proposed through Policy ShAP3.
- 25.20 Thoresby colliery is the only urban extension site which has been identified which is not within the Newark Urban Area which suggests that this is a 'quick fix' to allocate development elsewhere within the District. There are many issues which will need to be considered in the development of the role of Edwinstowe; nature conservation and heritage are only two of those considerations.
- 25.21 Even with the proposed enhancement of the role of Edwinstowe, the proposals included within Policy ShAP4 are ambitious within the location and unsustainable; which will ultimately lead to a conflict with the role and function of the existing Edwinstowe village.
- 25.22 The proposals to enhance the role of Edwinstowe are at odds with Core Policies 12, 13 and 14 which seek to maintain the historic environment and nature conservation of the area and we conclude that there is an unreconcilable tension between heritage

and nature conservation and the level of development envisaged through Policy ShAP3 of the publication Core Strategy.

25.23 The allocation of the Thoresby colliery site and associated upgraded role for Edwinstowe is not a positively prepared and effective solution to respond to the regeneration needs of the former colliery. The council state that they will actively seek to bring forward Opportunity Sites to release sites earlier in the plan period, however, to be positively prepared, these should be identified at this stage and cover the whole district.

25.24 In line with our other Matter Statements we recommend that the Council and Inspector should allocate additional Opportunity Sites elsewhere in the District to ensure that an appropriate growth strategy, capable of being delivered, can be implemented across the District to support a vibrant and viable economy.

Prepared by Tetlow King Planning