

Town and Parish Council Planning Service

Mr D Marsh
Major Projects Officer
Nottinghamshire County Council
County Hall
Loughborough Road
Nottingham
NG2 3NG

17th February 2022

Dear Mr Marsh

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Top Wighay Farm, Land east of A611, near Hucknall: Planning application for the construction of an office building (use class (E)(G)(I)) and associated infrastructure including access, drainage and car parking (Application No. 4/NA/2022/0002; your reference FR3/4371).

Urban Vision Enterprise CIC has been appointed by Linby Parish Council to submit representations with regard to the above development (Reference FR3/4371).

Grounds of Objection

We raise the following concerns in relation to the proposed development:

- The proposed development is contrary to policy EMP2 Employment in the Linby Neighbourhood Plan, by virtue of being piecemeal development without a masterplan for the wider site.
- The proposed development is poorly designed and not specific to the site and context and fails to meet national, local or Neighbourhood Plan policy requirements. It has ignored the guidance in the National Model Design Code.
- The scheme is unsustainable in terms of offering a balanced range of transport options, including sustainable modes and active travel.

National Policy - Transport

Chapter 9 of the NPPF deals with sustainable transport. The proposed development fails to meet the requirements of Paragraph 104 or 110, as the scheme fails to promote sustainable transport, including provision of facilities and infrastructure or promotion of active travel.

The Transport Statement that claims that the site is accessible and sustainable. Accessibility is predicated on users of the development having alternative modes of travel readily available should they not have access to a vehicle. To be sustainable development it is expected that the frequency, safety, suitability and convenience of the alternative travel modes would be to such a level and quality that persons accessing the office building would realistically be encouraged to make the choice to travel by any alternative means other than a private car.

Measures should be incorporated in development schemes to help to reduce congestion and emissions, improve air quality and public health.

The Transport Assessment states that the site has good *opportunities* for sustainable travel to and from the site, when considering the available and proposed footways, crossing points, cycle facilities and frequent bus services passing the site. However, these are not provided by the scheme.

This application is unrelated to the outline application (reference 2020/0050) for the comprehensive development of the allocated strategic site. This application remain undetermined, but the current application is not bound by any conditions or obligations applied to that (or any subsequent reserved matters) application. Mitigation measures proposed as part of that application are not relevant (namely the footway/cycle links, a Toucan Crossing, junction improvements and public transport improvements/contribution). These measures cannot be secured through the current proposal, but only through the implementation of the outline application. The proposed office building could be built many years before the stated mitigation measures attached to the outline application come to fruition, if at all.

If this application is to be determined in isolation, unbound by any conditions and obligations imposed on the outline application for the wider Top Wighay Farm site (if it is granted), it must demonstrate that it is of an acceptable size and within a location which is or will be made sustainable as part of the application. Opportunities to promote sustainable travel choice and modes must be incorporated into the proposal and secured before it could be approved. Presently there is an exceptionally limited focus on providing adequate and improved linkages for pedestrians and cyclists to public transport networks in Hucknall.

National Policy - Design

Chapter 11 of the NPPF deals with effective use of land makes clear in paragraph 125 that design codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.

Chapter 12 deals with achieving well-designed places and is augmented by the National Model Design Code.

This application is for piecemeal development, with little regard for the urban context, and pretty much ignores Chapters 11 and 12 of the NPPF and the National Model Design Code. It does not plan

positively for the sustainable future of the site. The design does not evoke a strong sense of place or of architectural merit in that it is a standard design. This is of particular concern given its prominence as corner plot in a prominent gateway location within the strategic site. We are very concerned that the recent changes to national policy and guidance appear to have been ignored.

Greater Nottingham Aligned Core Strategy (Part 1 Local Plan)

Policy 10 - Design and Enhancing Local Identity, states that new development should be designed to make a positive contribution to the public realm and sense of place; create attractive, safe, inclusive and healthy environments; reinforce value local characteristics; be adaptable to meet changing needs of occupiers and reflect the need to reduce the dominance of motor vehicles. The Policy also sets out a number of elements against which development will be assessed, and makes specific reference to the protection, conservation and enhancement of landscape character.

The proposed design and layout of the site is not considered to make a positive contribution, creating a gateway site to the strategic site. Furthermore, the proposed landscaping is not considered to enhance the landscape character of the site or create a strong new identity for the natural environment.

Policy 14, Managing Travel Demand and Policy 15 - Transport Infrastructure Priorities, both seek to reduce the need to travel, especially by private car, by securing new developments of appropriate scale in the most accessible locations as identified in the Spatial Strategy at Policy 2. A hierarchical approach to ensure the delivery of sustainable transport networks to serve new development will be adopted to ensure area wide travel demand management i.e. incentives to use public transport, walking and cycling, improvements to public transport and optimisation of the existing highway network.

The proposed development fails to adequately address this policy in that active travel provision and support is limited within the development, its capacity to encourage alternative methods of travel and reduce personal car journeys is poor. Similarly, the site is dominated by the provision of car parking, that is not well designed or integrated within the site.

Policy 17, Biodiversity, seeks to increase biodiversity over the plan period by seeking to ensure new development provides new biodiversity features, and where this is not possible, improves existing biodiversity features and mitigates and compensates biodiversity value of habitats lost.

It is recognised that part of the mature established hedgerow is retained. However, the site is bound by a 2.4m weldmesh security fence with hedge planting, reducing the scope and capacity for the landscaping to serve as a wildlife corridor or to support meaningful biodiversity net gain.

Gedling Borough Council Local Planning Document (Part 2 Local Plan)

Policy LPD18, Protecting and Enhancing Biodiversity, Aligned Core Strategy Policy 17, states that development proposals will be expected to take opportunities to incorporate biodiversity in and around development and contribute to the establishment and maintenance of green infrastructure.

Policy LPD19, Landscape Character and Visual Impact, states that planning permission will be granted where new development does not result in a significant adverse visual impact or significant adverse

impact on the character of the landscape. Where practicable, development will be required to enhance the qualities of the landscape character.

The scheme does not include details about the maintenance, species or detailed landscaping aspects. It provides limited screening and does not soften the edge of the development which will be adjacent to future residential development. There are also no details about how the proposed landscaping achieves the minimum 10% biodiversity net gain.

Policy LPD35, Safe, Accessible and Inclusive Development, accords with the NPPF which places great importance on ensuring development is well-designed and functions well. This Policy sets out that development proposals should; create a simple, well-defined and inter-connected network of streets and spaces; provide direct, clear and attractive links to existing routes and local and wider services, amenities and facilities; ensure that the layout and scale are appropriate to their function; incorporate new green infrastructure; and take account of the needs of all users.

Policy LPD58, Cycle Routes, Recreational Routes and Public Rights of Way, states that development will not be granted where it would prejudice the implementation of the proposed cycle or recreational routes as shown on the Policies Map, and proposed public rights of way.

Policy LPD61, Highway Safety, states that planning permission will be granted for development which does not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.

Policy LPD62, Comprehensive Development, sets out that planning permission will not be granted which would prejudice the comprehensive development of any allocated site for the purpose for which it has been allocated, and proposals should take account of the delivery of the whole site including supporting infrastructure.

Collectively these policies make clear that development proposal must be considered in context of the entire strategic allocation. The lack of masterplanning to support the current proposal makes this unachievable. Therefore, to determine this application based on the limited information submitted, in the absence of a masterplan, could prejudice future development, set a precedent for poorly designed piecemeal development and result in disjointed proposals that fail to deliver the vision set out in the Top Wighay Farm Development Brief SPD.

Linby Neighbourhood Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the statutory development, unless material considerations indicate otherwise. Planning Practice Guidance makes clear that where Neighbourhood Plans and Local Plans conflict, the later plan carried more weight.

The neighbourhood plan responds constructively to the strategic site allocation at Top Wighay Farm. The aims of the Plan include:

“ensure that Linby Village is not adversely affected by the remaining strategic site that is planned in the parish by Gedling Borough Council” and “inform and shape the design and development at the Top Wighay site”.

The following Neighbourhood Plan policies are also of relevance to this planning application.

Policy DES1 makes clear that innovative architectural and building design will be supported, especially where it involves superior environmental performance. Whilst the design of the building does not meet these criteria, it does include elements that contribute to a climate resilient development. These are welcomed, in particular the solar panels on the roof and solar shading.

There is currently no other alternative public transport option. Whilst there are bus services within the existing network, there is no provision currently on site. For these reasons the proposed development is also considered to be contrary to policy TRA1.

The provision of car parking on site is limited. The application form makes clear that 320 employees will operate from the new development. There are only 119 car parking spaces available (including for visitors). The assumption is perhaps 'active travel' is promoted through adequate provision of facilities. However, 40 cycle spaces and only 6 showers in reality would not deliver a sustainable alternative to promote cycling to work. Similarly, storage for associated items such as change of clothing and helmet is limited to a small number of lockers within the shower room.

The proposed car parking only includes provision of only 10 electric vehicle charging points, which fails to future proof the development, even in the short-term.

Policy EMP2 states that for the employment land on the allocated site at Top Wighay, a masterplan should be prepared for the whole employment site prior to individual development within it being approved. There has been no masterplan prepared and this application has been submitted without considering the wider site. This is known as bad planning. .

The standalone application is unrelated to the undetermined outline application, as mentioned previously (reference 2020/0050). Masterplan drawing P19-0346_007 Revision K accompanying that application is submitted for illustrative purposes only and the application seeks approval for access and no other matters. The requirements of EMP2 have not been met and this will result in poor-quality disjointed and piecemeal development. This clearly fails to meet the requirements of the Linby Neighbourhood Plan, which seeks to plan positively for future growth.

The Plan also seeks to ensure that the rate of new development is matched by the provision of essential infrastructure, in the interests of sustainability. It will be difficult to secure necessary and timely improvements to sustainable transport infrastructure if the site is developed in a fragmented and ad-hoc way, outside the scope of a comprehensive development scheme.

Policy EMP2 also makes clear that there should be appropriate screening and landscaping to parking and servicing areas within the site for employment related development. Screening implies that it will hide these aspects of the development from outside the site. The proposal to enclose the site perimeter with 1.8m welded mesh fencing is clearly unacceptable. High quality landscape treatment of development boundaries is required to avoid a harsh and urban feel. If 1.8m high weldmesh fencing is required for security, this should be supplemented by appropriate native hedge planting on the outside of the fence (to grow to the height of the fence) to prevent a hard edge when viewed from the surrounding area.

Policy NE2 requires that new development must respect and enhance the landscape and rural character of its setting, including 'high quality boundary treatments'.

No soft landscaping scheme appears to have been provided with the application. It is also noted that drawing 27591-ARC-XX-XX-RP-A-06201 Rev PO3 in the Design and Access Statement annotates the frontage of the site to the A611 Annesley Road as:

“safeguarded buffer zone for path and landscaping to be delivered in future phase of masterplan development”.

This is despite the land being included in the red edged application site. The LVIA submitted for outline planning application (reference 2020/0050), and also submitted for this application, states at paragraph 6.5.11:

“Along the western boundary the employment development cell is offset from the existing hedgerow to allow for additional planting to help filter views of the larger scale development when traveling along the A611”.

This is a full planning application and landscaping is not a reserved matter. A detailed and quality soft landscaping scheme is needed prior to the determination of this application, and it should not be an afterthought. The landscape scheme must be an integral part of the layout and design of development, not an afterthought. Visually, landscaping to the site frontage with the A611 is very important.

All landscaping should comprise wildlife-friendly species (preferably locally native) to maximise biodiversity benefits. Tree cover should be maximised across the site, and the wildlife meadow should be planted with a mix of nectar-rich species to benefit pollinator species.

Top Wighay Farm Development Brief SPD (February 2017)

The brief sets the tone for future development on the strategic allocation. In the absence of a clear masterplan this is critical to informing any future development. This states that:

“employment buildings, due to their greater heights, have the potential to be more visually prominent than residential development, particularly on this relatively flat site. As such, the visual impact of taller employment buildings from surrounding viewpoints should be carefully considered and, where necessary, mitigated through appropriate design”; and

“The development provides an opportunity to reflect the village-scale vernacular architecture and local distinctiveness of Linby and Papplewick”; and

“The western side of the allocated land fronts onto the A611, a main route from the north into Hucknall and the main route to Junction 27 of the M1. The design of buildings along the frontage should reflect the high visual impact they will have and should be of sufficient design quality to form an attractive gateway to the northern approach to Hucknall”.

The proposed development meets none of these requirements.

Landscaping has already been addressed earlier in this representation. The SPD further supports the case for a revised detailed landscaping plan in that it recognises:

“Tree and shrub planting in appropriate locations across the site could also have an important role to play in mitigating and minimising the landscape and visual impact of the new development from key viewpoints”.

Conclusions

Applications for piecemeal development, outside an approved planning permission and masterplan for the whole site, are not supported.

The scheme fails to meet design requirements of the NPPF, National Model Design Code, Neighbourhood Plan or the Top Wighay Farm Development Brief SPD.

The transport provision is unsustainable and similarly fails to meet policy requirements.

We would emphasise the requirement of Section 38 of the Planning and Compulsory Purchase Act 2004, to determine planning applications in accordance with the policies of the statutory development plan, unless material consideration indicate otherwise. The statutory development plan includes the adopted Local Plan and the Linby Neighbourhood Plan.

Yours faithfully



Hannah Barter

Director