



8 March 2017

Dear Sir/Madam

A meeting of the Jobs and Economy Committee will be held on Thursday, 16 March 2017 in the New Council Chamber, Foster Avenue, Beeston, commencing at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:	B C Carr	A Harper (Chair)
	T A Cullen	H G Khaled MBE
	M J Crow (Vice Chair)	P Lally
	J W Handley	W J Longdon
	M Handley	R S Robinson

## AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 2

The Committee is asked to confirm as a correct record the minutes of the meeting held on 23 February 2017.

4. WI-FI FOR STAPLEFORD TOWN CENTRE PAGE 3

To provide members with an update on the installation of public WiFi in Stapleford town centre.

5. FUNDING UPDATE NOTTINGHAMSHIRE  
PRE-DEVELOPMENT FUND – ECONOMIC  
DEVELOPMENT PAGES 4 - 5

To update members of the Committee on the progress made towards funding opportunities through the Nottinghamshire Pre-Development Fund.

6. JOBS FAIRS PAGE 6

To update members of the Committee on two jobs fairs which are planned over the coming months within the Borough.

7. PART TWO LOCAL PLAN POLICIES PAGES 7 - 31

To consider the policies to include in the Part 2 Local Plan.

8. WORK PROGRAMME PAGE 32

To consider items for inclusion in the Work Programme for future meetings.

## **JOBS AND ECONOMY COMMITTEE**

**23 FEBRUARY 2017**

Present: Councillor A Harper, Chair

Councillors: M J Crow  
E Kerry  
W J Longdon  
M E Plackett  
M Radulovic MBE

Apologies for absence were received from Councillors B C Carr, J W Handley, M Handley and R S Robinson.

37. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

38. **MINUTES**

The minutes of the meeting held on 26 January 2017 were confirmed and signed.

39. **PART TWO LOCAL PLAN – UPDATE**

The Committee considered the key policies that were to be included in the Part Two Local Plan.

There was a question as to why insurers and planning authorities did not recognise the benefit of the flood defences, particularly in areas near the Trent where there had been substantial investment in protection. It was noted that development schemes and insurers still needed to take into account a possibility that the flood defences could fail.

There followed a discussion about permitted development, what constituted an outbuilding and the current design standard. The importance of the balance between having detailed policies, whilst maintaining an element of planning discretion was agreed. It was noted that a glossary would be included in the Part Two Local Plan to clarify exactly what was meant by certain technical terms.

The Committee considered the categorisation for local green space, which was split into three distinct classifications. The possibility of combining these into one category was discussed. It was noted that the designated areas

were protected from development except in very special circumstances, which was in line with the greenbelt policy. The Committee noted that should they agree the protection for areas set out in the policy, the planning inspector who was to make a determination on the Bramcote Golf Course development would be informed immediately of that decision.

**RESOLVED that the policies listed in the appendix be approved for inclusion in the Part 2 Local Plan.**

40. WORK PROGRAMME

**RESOLVED that the Work Programme be approved.**

## Report of the Director of Housing, Leisure and Property Services

**Wi-Fi FOR STAPLEFORD TOWN CENTRE**1. Purpose of report

To provide members with an update on the WiFi installation in Stapleford.

2. Current progress

Following the Committee's decision to install free WiFi in Stapleford all the requisite documentation has gone through Legal Services, whilst all the necessary Data Protection protocols have been assessed and put in place. Following the signing of the main contract agreement and associated payment the next stage is the installation of a line from BT.

The intention is still to fully commission the installation by the end of April. A verbal update will be provided to Committee on latest progress to highlight key information gathered from the Wi-Fi installation and its benefits to the town centre.

Stapleford Town Team held an open meeting on 23 February where there was a lot of interest in the free WiFi project officers along with the town team presented the benefits and had very positive feedback from the businesses and members of the public who attended.

**Recommendation**

**The Committee is asked to RESOLVE that the Town Centre Manager prepare a quarterly report to be brought to the next meeting.**

Background papers

Nil

## Report of the Director of Legal and Planning Services

**FUNDING UPDATE NOTTINGHAMSHIRE PRE-DEVELOPMENT FUND – ECONOMIC DEVELOPMENT**1. Purpose of report

To update members of the Committee on the progress made towards funding opportunities through the Nottinghamshire Pre-Development Fund.

2. Background

Reports to Finance and Resources Committee (and previously the Budget Advisory Committee) have set out arrangements for the retention of surpluses generated by the Nottinghamshire Business Rates Pool. It was agreed by all contributors that 50% of any surplus generated by the pooling arrangement would be retained to form a development fund. For the three years 2013/14 to 2015/16 a total of £2,940,650 has been accumulated, as reported to Finance and Resources Committee on 19 September 2016. Of this, Broxtowe has contributed approximately £135,000.

In September 2016, the pool surplus was made available for distribution through the Nottinghamshire Pre-development Fund administered by Nottinghamshire County Council. This was designed to support pre-development of sites and exploration for potential economic schemes. Broxtowe Borough Council economic development team, with support from Property Services, submitted applications relevant to the Beeston Town Square Phase 2 redevelopment and the Chewton Street site in Eastwood

3. Financial implications

Any external funding received for the purpose of economic development will be utilised in accordance with agreed pre-development objectives through bids submitted to Nottinghamshire County Council. Broxtowe Borough Council was awarded £140,000 to be split equally between the two schemes.

**Recommendation**

**The Committee is asked to NOTE the report.**

Background papers

Nil

**APPENDIX**

Last year economic development was notified of a £1million pot of funding available through Nottinghamshire County Council in respect of pre-development funding for economic projects. From this two bids for funding were submitted relevant to Beeston Town Square Phase 2 (with assistance from property services) and Chewton Street, Eastwood.

Once all bids were submitted, appraisals of bids were conducted by economic development colleagues across Nottinghamshire to determine which applications would have the most economic impact across Nottinghamshire.

After appraisals were completed, selected bids were sent to an advisory board which awarded a section of the funding to Broxtowe Borough Council. The figure awarded for each project was £140,000 in total, with an even split of £70,000 for each project.

The funding awarded will contribute to the options appraisal and contamination land survey for Beeston Town Square Phase 2, helping to expedite development of the site and increase Beeston's offer to shoppers, businesses etc.

In regards to Chewton Street, Eastwood the awarded money will be used to conduct the early stages of a scoping report, contamination survey and remediation strategy. This will help to rejuvenate the housing site and accelerate housing delivery.

**Report of the Director of Legal and Planning Services**

**JOBS FAIRS**

1. Purpose of report

To update members of the Committee on two jobs fairs which are planned over the coming months within the Borough.

2. Information

On Wednesday 8 March 2017 a jobs fair took place in Stapleford and on Monday 24 April another jobs fair is scheduled to take place in Kimberley. The Council is currently in the process of sourcing local employers and liaising with job centres to maximise the benefits this event could bring.

These jobs fairs are an ideal opportunity for job providers and job seekers to meet one another and for unemployed constituents of the Borough to source possible job opportunities locally. The Stapleford Jobs Fair has become almost an annual event and hopefully, if the Kimberley Jobs Fair is a success, this can be replicated here.

It is important to have jobs fairs in both the north and south of the Borough to ensure as many people as possible have an opportunity to reach these events. Update reports on the success of these events will be taken to future Jobs and Economy Committee meetings.

**Recommendation**

**The Committee is asked to NOTE the report.**

Background papers

Nil

## Report of the Director of Legal and Planning Services

**PART TWO LOCAL PLAN POLICIES**1. Purpose of report

To consider the policies to include in the Part 2 Local Plan.

2. Background

The Jobs and Economy Committee considered a number of housing allocations at its meeting on 26 January 2017. The plan will also need to include detailed development management policies, some of which were considered at the meeting on 23 February 2017 and more of which are included in this report.

3. Details

The draft policies on pollution and related issues, Green Infrastructure and open space, employment, minerals and health are included in appendix 1. The policies are titled XX because they will be numbered when they are included in the plan. Where appendices are referred to, these will be included and numbered in the plan. All policies should be read in conjunction with the Local Plan Part 1 – Broxtowe Borough Aligned Core Strategy. No policy should be applied in isolation; account will be taken of all relevant policies. The Health and Planning Checklist is included at appendix 2.

4. Financial implications

The Local Plan examination is likely to cost up to £80,000. This is included in the budget for the 2017-18 financial year.

**Recommendation**

**The Committee is asked to RESOLVE that the policies listed in the appendix be approved for inclusion in the Part 2 Local Plan.**

Background papers

Nil

**Policy XX: Retention of good quality existing employment sites**

Permission will be granted for the expansion, conversion or redevelopment of land and premises for employment purposes on allocated and protected employment sites as identified on the policies map, provided:

- The proposed employment use is within Use Class B1 – B8 or sui generis use of a similar nature

Permission will not be granted for the redevelopment or reuse of the site or premises for other purposes unless:

- The annual review of sites, currently undertaken by Broxtowe Borough Council officers and published in the SHLAA indicates that the site or premises is not suitable for retention or redevelopment for B Class employment development;
- It is demonstrated that the site is not viable for its specified employment use.

**Justification**

The quantum of floor space and land is specified in Policy 4 of the Core Strategy. The retention of good quality existing employment sites is necessary to maintain sufficient employment sites and is essential to the well-being of the borough's economy and to the provision of local jobs for local residents. Inappropriate loss of these sites to other uses would be likely to require alternative employment sites to be developed; these would be likely to be in less accessible locations and may result in unnecessary loss of Green Belt land. The sites to be retained were the subject of careful analysis by the Council's Economic Development team in 2016, taking account of previous consultants' studies. (The results were set out in the Council's Strategic Housing Land Availability Assessment 2015/16.) The schedule of sites will be reviewed on an annual basis and any updates will be taken into account in future decision-making. The review undertaken in late 2016 to inform the most recently published SHLAA indicates that the following sites are viable employment sites for B Class employment uses and should be retained for this purpose:

- Chilwell Meadows Business Park, Brailsford Way, Attenborough
- Eldon Road Business Park, Attenborough
- Padge Road, Boulevard Industrial Park, Beeston
- Lilac Grove, Beeston
- The Poplars, Beeston
- Simplex Knitting Co, 164 Bye Pass Road, Chilwell
- Chetwynd Business Park, Regan Way, Chilwell
- Main Road (including Fernwood Drive, Common Road and British Bakeries Ltd), Watnall
- Palmer Drive (including Bessell Lane), Stapleford

- Former Dyeworks Site, West End Street, Stapleford
- Pasture Road (including Silicone Altimex), Stapleford
- New Road, Stapleford
- Hickings Lane, Stapleford
- New Road Industrial Estate, Stapleford Road, Trowell
- Strelley Hall, Strelley
- Balloon Wood Industrial Estate, Coventry Lane, Bramcote
- Eagle Mill, Ilkeston Road, Trowell
- Cossall Industrial Estate, Soloman Road, Cossall
- Robinettes Lane, Cossall
- Gin Close Way, Awsworth
- Phoenix Park, Nuthall
- Giltbrook Industrial Park, Giltway, Giltbrook
- Amber Trading Estate, Giltbrook
- Essentra, Giltbrook Industrial Park, Giltway, Giltbrook
- Birch Park, Halls Lane, Giltbrook
- Microlise Engineering Ltd, Farrington Way, Eastwood
- Meadowbank Court, Meadowbank Way, Eastwood
- Nottingham 26, Eastwood
- Moorgreen Colliery Site, Engine Lane, Moorgreen Industrial Park, Newthorpe

As part of this same review, the following sites may be released in part for development other than in Use Classes B1, B2 or B8:

- Beeston Business Park, Technology Drive, Beeston
- Boots Campus, Lilac Grove, Beeston
- Evelyn Street, Beeston
- Factory Lane (including Wilmot Lane and Holly Lane), Chilwell

This policy provides detail on the principle of allowing existing employment sites to be redeveloped. Elsewhere in this Local Plan there are policies relating to design, neighbouring amenity, parking, heritage, ecology landscaping and noise. These relevant policies will be relevant in most cases to assess the detail of any redevelopment proposal.

In order to demonstrate that a site is not viable for its specified employment use a detailed financial appraisal and evidence of appropriate marketing for a period of 12 months will be required.

### **What the Aligned Core Strategy says**

Policy 4h)ii) implies that part 2 Local Plans will retain good quality existing employment sites. Paragraph 3.4.19 says that part 2 Plans will protect existing employment land and premises that are well-located and continue to meet the needs of modern businesses.

### **What consultation responses say**

In response to the 'Issues and Options' consultation there was a representation that policy should consider the release of poor quality employment land and should

recognise the importance of jobs that are not in the 'B' Use Classes. At the 'Topics Workshops' it was suggested that criteria for retention or release should include location, proximity to housing, occupancy, period of vacancy and reasons for vacancy.

### **Monitoring**

The floorspace and area of losses to other uses on the specified sites will be monitored.

The overall provision of office and industrial/warehousing floorspace/area will also be monitored, to ensure that Aligned Core Strategy requirements are met.

**Policy XX: Green Infrastructure corridors**

Proposals in the vicinity of Green Infrastructure corridors, as shown in map X, will be required to enhance the corridors where possible.

**Justification**

Green Infrastructure is defined for the purposes of the Green Infrastructure Strategy (GIS) and the Part 2 Local Plan as “a network of living multi-functional natural features, green spaces, rivers, canals and lakes that link and connect villages, towns and cities” (GIS section 2.1).

The corridors that are identified in the GIS and in the Plan bring a variety of environmental and socio-economic benefits (which are summarised in section 2.4 of the GIS) and any loss of assets within them would have serious implications. However there is a need for these corridors to be enhanced in terms of quality, size, multifunctionality and connectivity, in order to maximise benefits and address needs identified in the GIS. The greatest opportunities for enhancing the corridors will come through development, and the Council intends to work with developers to create and maintain new spaces and to improve connectivity. The details of these opportunities for enhancement will depend on the characteristics of the corridors concerned. The corridors are detailed in section 6 of the GIS and are shown diagrammatically on map X in this Plan. The corridors do not have fixed boundaries and map X should not therefore be interpreted rigidly.

Examples of opportunities for enhancing the corridors are listed at section 5.5.2 of the GIS. They include opportunities to enhance or add to the provision of green spaces in areas where there are priorities for improvements or gaps in provision, throughout the borough, as identified in section 5.1 of the GIS. Opportunities also include those for enhancing priority wetland habitats, predominantly within the Erewash Valley, and other habitat types (grassland, woodland and heathland), as identified in section 5.2 of the GIS. Potential access improvements include the areas, predominantly in the north and south of the borough, identified in section 5.3 of the GIS. In all cases, attention should be paid to the ‘Action Plans’ for each corridor, as set out in section 6.2 of the GIS.

**Policy XX: Developer contributions for green space**

Contributions towards off-site improvements to existing playing pitches, or on-site provision of new playing pitches, will be required for all developments of 0.5 ha / 15 dwellings or more.

Contributions may be required for enhancement of other types of green space in line with up to date evidence including the recently published Green Infrastructure Strategy and Playing Pitch Strategy depending on local circumstances.

**Justification**

The need for the provision and maintenance of playing pitches, and associated developer contributions, will be assessed on a case-by-case basis, using evidence

from the Playing Pitch Strategy (PPS, adopted in January 2017), the GIS and the Green Spaces Strategy. In most cases the improvement of existing facilities will be more relevant than the provision of new facilities. The need for contributions for other types of green space will be assessed in accordance with the Broxtowe Green Space Standard, which is set out on pages 19-20 of the GIS and which was developed taking account of Natural England's Accessible Natural Greenspace Standards.

### **Policy XX: Protection of green spaces**

Permission will not be granted for development which would harm, lead to the loss of, prejudice the use of, or detract from the heritage value of existing or proposed playing pitches, open spaces, allotments or Local Nature Reserves, as shown on the policies map and listed in appendix X.

#### **Justification**

Parks and open spaces will be protected in accordance with paragraph 74 of the NPPF and policy 16.4 of the ACS. With regard to the NPPF requirement for an assessment of existing facilities, Broxtowe's PPS identifies a need to retain all existing playing fields.

The Council will continue to work with strategic sports partners to seek agreements to secure access for community sport at sites where long-term access is currently unsecured. It will continue to seek to influence the design and specification of sports facilities on education sites to ensure their suitability for dual use. The Council will also continue to secure access to Council-owned sites.

### **Policy XX: Sites of Special Scientific Interest, Local Wildlife Sites, Local Geological Sites, priority habitats, priority species and Mature Landscape Areas**

Permission will not be granted for development which would harm:

- Sites of Special Scientific Interest, Local Wildlife Sites or Local Geological Sites (as listed in appendix X and shown on the policies map); or
- Priority habitats and priority species (as identified in the Nottinghamshire Local Biodiversity Action Plan and section 4.5 of the Green Infrastructure Strategy); or
- Mature Landscape Areas (as listed in appendix X and shown on the Policies Map).

#### **Justification**

The policy will apply to any Sites of Special Scientific Interest, Local Wildlife Sites or Local Geological Sites which are designated after the adoption of the Plan. As stated in policy 17.2 of the ACS, the degree of protection, and therefore the weight to be given to other material considerations, will vary "in line with the established hierarchy of designations".

**Policy XX: Recreational routes**

Permission will not be granted for development which would harm recreational routes, including the Erewash Valley Trail, the Broxtowe Country Trail, the Big Track, the National Cycle Path, the Great Northern Path and the Nottingham Canal Towpath.

**Justification**

Broxtowe contains several recreational routes, many of which are shown on map X. The policy will apply to the specified routes and to all routes leading from the built-up areas into the countryside. Protection of the Nottingham Canal Towpath north of Eastwood would help to retain a possible route for the restoration of the Cromford Canal, should proposals for this emerge in the future.

**Policy XX: Trees**

Permission will not be granted for development which would harm:

- Trees which are the subject of Tree Preservation Orders; or
- Aged or veteran trees; or
- Ancient Woodland; or
- Hedgerows which are important according to the criteria of the Hedgerow Regulations 1997; or
- Other trees and hedgerows which are important to the local environment.

Unless the benefits of development are clearly shown to outweigh the loss of the trees.

Trees are a vital part of the borough's landscape and townscape. They enhance the character of the environment and are often also important for wildlife.

**Policy XX: Design for biodiversity**

Measures to enhance biodiversity should be incorporated into the detailed design of all developments. These should include:

- The use of native species of trees, shrubs and wildflower seeds in landscaping proposals;
- The integration of bat and/or bird boxes into the fabric of new buildings.

**Justification**

Cheap and easy design details can produce significant benefits for wildlife without harming the viability of the development or the amenity of future occupants.

### **What the Aligned Core Strategy says**

With regard to all the inter-related Green Infrastructure and open space policies referred to above:

Policies 16.1 and 16.2.c say that non-strategic Green Infrastructure corridors, assets and sites will be defined and assessed through part 2 Local Plans. Paragraph 3.16.10 refers to embedding the Green Infrastructure network approach into the development of sites.

Policy 16.4 says that parks and open spaces should be protected from development and deficiencies addressed in part 2 Local Plans.

Policies 18.2 and 19.3 say that contributions/obligations will be sought for necessary infrastructure to support new development. Paragraph 3.19.5 says that more detailed information will be provided in part 2 Local Plans.

### **What consultation responses say**

With regard to all the inter-related Green Infrastructure and open space policies referred to above, in response to the 'Issues and Options' consultation, Natural England: supported co-ordinating policy on Local Wildlife Sites and long distance trails with Green Infrastructure policy, which in turn should complement the Green Infrastructure Strategy; requested a policy to protect ancient woodland and aged or veteran trees; and recommended the use of their Accessible Natural Greenspace Standards. The Environment Agency requested specific reference to 'blue infrastructure'. English Heritage (now Historic England): requested a policy on important trees and hedgerows; requested policy recognition of the heritage value of open spaces; and supported a reference to the Cromford Canal. Sport England expected policies to be based on an appropriate evidence base. Responses from other consultees requested that: Nature Improvement Areas should not be included; policy on Local Wildlife Sites should be retained; Green Infrastructure policy should meet various NPPF requirements; open space requirements should be based on evidence; policy on trees and hedgerows should be more precise and less restrictive than the current policy; and Green Infrastructure policy should reflect the 'hierarchy' of the Green Infrastructure Strategy. At the 'Topics Workshops' there were references to the importance of protecting the local environment, green open spaces, trees and green corridors, and the opportunities for positive change in these corridors.

### **Strategic policy context**

With regard to all the inter-related Green Infrastructure and open space policies referred to above, the relevant Aligned Core Strategy policies are:

Policy 16: Green infrastructure, Parks and Open Space

Policy 17: Biodiversity

Policy 18: Infrastructure

Policy 19: Developer Contributions.

**Monitoring**

With regard to all the inter-related Green Infrastructure and open space policies referred to above, and in accordance with the monitoring requirements for Aligned Core Strategy policies 16 and 17, the following indicators will be monitored:

- Number of SSSIs in a favourable condition;
- Net change in the area of Local Wildlife Sites;
- Number of Local Wildlife Sites under positive conservation management;
- Number of Local Nature Reserves with a management plan in place;
- Green Flag status of open space;
- Number of s106 contributions related to open space;
- Percentage of the population with access to Green Infrastructure in accordance with the Broxtowe Green Space Standard.

**Policy XX: The health impacts of development**

A Health Impact Assessment Checklist, as set out in Appendix X, will be required for applications for residential development of 50 dwellings or more, non-residential developments of 5,000 square metres or more and other developments which are likely to have a significant impact on health and wellbeing. Hot food takeaways of any size within 400m of any part of the grounds of a school will be assessed against the hot food takeaway question within this checklist unless such takeaways are within the defined boundary of a town or district centre. Where significant adverse impact is identified, measures to substantially mitigate the impact will be required.

**Justification**

The checklist in Appendix X that is referred to in the policy was produced by Nottinghamshire County Council, in consultation with partner authorities and organisations, and was published in 'Spatial Planning for the Health and Wellbeing of Nottinghamshire, Nottingham City & Erewash' (2016). Its use will help to ensure that the health and wellbeing of residents is given appropriate weight when applications are prepared and considered.

Not all of the points in the Checklist will be relevant to all applications; equally there may be additional health-related issues that are relevant to particular applications.

**What the Aligned Core Strategy says**

Paragraph 3.12.3 recognises the importance of a healthy life for all and a reduction in health inequalities.

**What consultation responses say**

No representations specifically on this issue were raised in response to the 'Issues and Options' consultation or at the 'Topics Workshops', although the importance of health generally was recognised and attention was drawn to the potential links between A5 uses and obesity.

**What other relevant information says**

Evidence from the Nottinghamshire Joint Strategic Needs Assessment (JSNA) and from Public Health England ('Broxtowe Health Profile', appended to 'Spatial Planning for the Health & Wellbeing of Nottinghamshire, Nottingham City & Erewash', 2016) shows that childhood and adult obesity is a significant issue in Broxtowe, at a scale similar to the national average. Another Public Health England publication ('Obesity and the environment: regulating the growth of fast food outlets', 2014) refers to evidence that the quality of the food environment around schools has the potential to influence children's food-purchasing habits, potentially influencing their future diets. The JSNA refers to evidence that weight problems in childhood are liable to continue into adulthood. It identifies one of the issues that need to be addressed as being restrictions on the opening times of fast food outlets. This is in accordance with one of the priorities of the Health and Wellbeing Strategy of the county-wide Health and Wellbeing Board, of which Broxtowe is part, and of the associated Sustainability and

Transformation Plan. One of the specific points in the checklist in Appendix X is the question of whether the proposal seeks to restrict the development of hot food takeaways (A5) in specific areas.

**Strategic policy context**

Aligned Core Strategy Policy 12: Local Services and Healthy Lifestyles.

**Monitoring**

The number of applications for which a Health Impact Assessment Checklist is required will be monitored, together with the outcome of those applications.

The number of applications relating to A5 uses within 400m of schools will be monitored, together with the outcome of those applications.

**Policy XX: Minerals**

Within the Minerals Safeguarding and Consultation Areas, as defined in the Nottinghamshire Minerals Plan and shown on the Part 2 Plan Policies Map, Nottinghamshire County Council will be consulted on proposals for non-mineral development.

Development will not be permitted which would needlessly sterilise mineral resources of economic importance or pose a serious hindrance to future extraction in the vicinity.

**Justification**

Nottinghamshire County Council is the Minerals Planning Authority for Broxtowe; however the Borough Council will determine applications for non-mineral development which may affect mineral resources. In accordance with the NPPF, this policy will help to protect mineral resources without creating a presumption that resources will be worked. In Nottinghamshire the safeguarding and consultation areas are identical. At the time of publication of the Part 2 Plan, the Minerals Plan is at examination and this policy will apply to any subsequent amendments to the Minerals Safeguarding and Consultation Areas.

**What consultation responses say**

In response to the 'Issues and Options' consultation, the Coal Authority and Nottinghamshire County Council encouraged the inclusion of a policy on this issue.

**Monitoring**

The number of permissions will be monitored which are contrary to the recommendations of the County Council or the Coal Authority.

**Policy XX: Pollution**

Permission will not be granted for development which would result in:

- a) An unacceptable level of pollution, or is likely to result in exposure to sources of pollution or risks to safety; or
- b) An unacceptable impact on the ability of sites allocated in the Aligned Core Strategy or Part 2 Local Plan to be developed for the purpose they were allocated for; or
- c) Unacceptable harm to the historic environment or the character of the landscape,

unless measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.

Proposals for development must identify potential nuisance issues arising from the nature of the proposal and address impacts on that development from existing land uses.

Conditions will be applied relating to the restriction or mitigation of pollution effects where appropriate.

**Justification**

The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. This policy seeks to ensure that any proposal for development is accompanied by an appropriate scheme of mitigation.

Controls of pollution under planning and environmental health should complement (rather than duplicate) each other. Planning decisions focus on whether a particular type of development is an acceptable use of the land under consideration and whether associated impacts can be managed, rather than the control of processes or emissions themselves.

For clarification, this policy does not relate to pollution from vehicle emissions, the pollution of land or light pollution, which are addressed by separate policies (air quality, land potentially affected by contamination and light pollution).

Nuisance issues, for example noise, dust and odour (as well as lighting, which is the subject of a separate policy) can have a significant impact on the quality of life, community cohesion, health and amenity. These issues are also material planning considerations and, when determining planning applications, consideration needs to be given to existing land uses in the vicinity, for example an existing factory next to a proposed housing development. Every effort must be made to ensure that nuisance problems are not generated during construction or operation and conditions may be applied to control and mitigate these potential problems.

Noise can be an unwanted intrusion that adversely impacts on quality of life, affecting an individual's health and wellbeing. Commercial or industrial premises and construction sites are common sources of noise pollution and therefore a restriction

on working hours often needs to be applied as part of the planning permission. Noise needs to be considered both in the context of the additional noise generated by new development and when new development would be sensitive to the prevailing acoustic environment.

There are other types of pollution such as odour, dust, heat and vibration which can also be of concern due to their effect on local amenity. These issues need to be considered when determining planning applications.

### **What consultation responses say**

With regard to the previous policy on pollution, in response to the 'Issues and Options' consultation one consultee requested greater clarity.

### **Monitoring**

The number of permissions will be monitored which are contrary to the advice of the Council's Environmental Health department, together with the reasons for those decisions.

### **Policy XX: Light pollution**

Permission will not be granted for lighting schemes unless they are designed to use the minimum amount of lighting necessary to achieve their purposes and to minimise any adverse effects beyond the site, including effects on the amenity of local residents, the darkness of the local area and nature conservation (especially bats and invertebrates).

### **Justification**

Light pollution can add to the visual intrusion of a development, cause annoyance, nuisance and loss of amenity for neighbours and detract from the quality of the night sky. It can also be detrimental to highway safety, harmful to wildlife, undermine enjoyment of the countryside and, by using energy unnecessarily, it can contribute to climate change. Appropriate design can address these issues. The lighting implications of proposals will be considered in consultation with the Council's Environmental Health department. All applications should include full details of any proposed lighting, which are likely to be the subject of conditions (including hours restrictions) to ensure that adverse effects are minimised.

### **What the Aligned Core Strategy says**

Policy 1 says that part 2 Local Plans will, where appropriate, set out further guidance on how development should contribute to reducing carbon dioxide emissions. Policy 10 says that part 2 Plans will set out standards for design, sustainability and place making.

### What consultation responses say

In response to the 'Issues and Options' consultation Natural England supported the inclusion of a policy on light pollution, including reference to wildlife. Other representations were made both in support of, and in opposition to, the inclusion of such a policy.

### Strategic policy context

Core Strategy Policy 1: Climate Change

Core Strategy Policy 10: Design and Enhancing Local Identity

### Monitoring

The number of permissions will be monitored which are contrary to the recommendation of the Council's Environmental Health department, together with the reasons for those decisions.

### Policy XX: Protection of groundwater

Permission will not be granted for development which would be liable to result in the infiltration of contaminants into groundwater resources, having regard to any cumulative effects of other developments and the degree of vulnerability of the resource, unless measures would be carried out as part of the development to prevent such contamination taking place.

### Justification

The protection of groundwater is an important issue for Broxtowe as the borough is situated on principal and secondary aquifers which provide a high level of water storage. Substantial areas are highly vulnerable to contamination due to the high permeability of the rocks and the high leaching potential of the soil. Other areas are less vulnerable but still require protection, as groundwater forms part of the base flow of rivers and provides a substantial proportion of water used for public supply. The groundwater implications of proposals will be considered in consultation with the Environment Agency. Conditions are likely to be applied to ensure that suitable safeguards are in place.

### What consultation responses say

In response to the 'Issues and Options' consultation the Environment Agency requested the retention of a 'standalone' policy on this issue.

### Monitoring

The number of permissions will be monitored which are contrary to the recommendation of the Environment Agency, together with the reasons for those decisions.

**Policy XX: Land potentially affected by contamination**

Development of land potentially affected by contamination will not be permitted unless and until:

1. A site investigation has been carried out to assess the nature and degree of contamination, using a method of investigation agreed in writing with the Council; and
2. Details of effective and sustainable remedial measures required to deal with any contamination have been agreed in writing with the Council, taking into account actual or intended uses; and
3. There will be no significant risk to the health and safety of the occupants of the development; and
4. There will be no contamination of any surface water, water body, groundwater or adjacent land.
5. There will be no threat to the structural integrity of any building on or adjacent to the site.

**Justification**

The Council wishes to encourage the effective use of land by re-using land that has been previously developed ('brownfield' sites) and ensuring that new development is appropriate for its location. However, it is essential that future occupants and broader environmental concerns are protected from the effects of contamination and not all relevant issues are covered by separate environmental permitting regulations. Where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner. If planning permission is granted conditions will be applied which require the implementation of necessary remedial measures prior to occupation.

'Contaminated land' is a legal term defined in Part 2A of the Environmental Protection Act 1990. Currently Broxtowe Borough contains no contaminated land. The term 'land potentially affected by contamination' is used here to capture all sites with potential contamination and not just those designated in accordance the Act.

**What consultation responses say**

In response to the 'Issues and Options' consultation the Environment Agency requested the retention of the previous policy on this issue.

**Monitoring**

The number of permissions will be monitored which are contrary to the advice of the Council's Environmental Health department and/or the Environment Agency, together with the reasons for those decisions.

**Policy XX: Hazardous substances**

Permission will not be granted for:

- a) Development involving the use, storage or transport of a hazardous substance, as defined in the Planning (Hazardous Substances) Act 1990; or
- b) Development in the vicinity of a site known to be used for the use, storage or transport of a hazardous substance,

if it would result in the health and safety of the public or the natural environment being put to any unacceptable risk or prejudice the use or development of nearby land.

Conditions will be applied relating to restrictions or verification processes where appropriate.

**Justification**

Previous incidents such as Buncefield in 2005 demonstrate the importance of controlling sites where hazardous substances could be present and where development is proposed nearby.

Regulations provide controls to prevent major accidents and to maintain appropriate safety distances between hazardous substances and residential areas, public areas, recreational areas and major transport routes. These controls are enforced by the Hazardous Substances Authority, which is the local planning authority.

Sites which hold certain quantities of hazardous substances must obtain hazardous substances consent. Broxtowe will consult the Health and Safety Executive (HSE) on these applications and on applications for development near major hazard installations and pipelines.

**What consultation responses say**

No representations were made on this issue.

**Monitoring**

The number of permissions will be monitored which are contrary to the advice of the Council's Environmental Health department, together with the reasons for those decisions.

**Policy XX: Unstable land**

Within the Coal Authority's 'Development High Risk Area' permission for non-householder development will only be granted if it is demonstrated that the site is, or can be made, safe and stable.

**Justification**

There is an extensive legacy of past coal mining activity within the borough, including several substantial collieries and many hundreds of small mine entries. The associated, locally distinct, issue of unstable land must be afforded due consideration when proposals are assessed. The Coal Authority has defined a 'Designated High Risk Area' which is shown on the Policies Map. Within this Area proposals for non-householder development will be required to include a Coal Mining Risk Assessment Report, or equivalent, to demonstrate that the site is, or can be made, safe and stable to accommodate the proposed scheme.

**What consultation responses say**

In response to the 'Issues and Options' consultation the Coal Authority recommended the inclusion of a policy relating to the defined 'Development High Risk Area'.

**Monitoring**

The number of permissions will be monitored which are contrary to the advice of the Coal Authority, together with the reasons for those decisions.

# Health and Planning Checklist

## Nottinghamshire Rapid Health Impact Assessment Matrix

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
<b>1. Housing quality and design</b>				
1. Does the proposal seek to address the housing needs of the wider community by requiring provision of variation of house type that will meet the needs of older or disabled people?  [For example does it meet all Lifetime Homes Standards, Building for Life etc?]	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
2. Does the proposal promote development that will reduce energy requirements and living costs and ensure that homes are warm and dry in winter and cool in summer	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>2. Access to healthcare services and other social infrastructure</b>				
3. Does the proposal seek to retain, replace or provide health and social care related infrastructure?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
4. Does the proposal address the proposed growth/ assess the impact on healthcare services?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
5. Does the proposal explore/allow for opportunities for shared community use and co-location of services?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>3. Access to open space and nature</b>				
6. Does the proposal seek to retain and enhance existing and provide new open and natural spaces to support healthy living and physical activity?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
7. Does the proposal promote links between open and natural spaces and areas of residence, employment and commerce?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
8. Does the proposal seek to ensure that open and natural spaces are welcoming, safe and accessible to all?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
9. Does the proposal seek to provide a range of play spaces for children and young people (e.g. play pitches, play areas	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
etc.) including provision for those that are disabled?				
<b>4. Air quality, noise and neighbourhood amenity</b>				
10. Does the proposal seek to minimise construction impacts such as dust, noise, vibration and odours?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
11. Does the proposal seek to minimise air pollution caused by traffic and employment/commercial facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
12. Does the proposal seek to minimise noise pollution caused by traffic and employment/commercial facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>5. Accessibility and active transport</b>				
13. Does the proposal prioritise and encourage walking (such as through shared spaces) connecting to local walking networks?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
14. Does the proposal prioritise and encourage cycling (for example by providing secure cycle parking, showers and cycle lanes) connecting to local and strategic cycle networks?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
15. Does the proposal support traffic management and calming measures to help reduce and minimise road injuries?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
16. Does the proposal promote accessible buildings and places to enable access to people with mobility problems or a disability?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>6. Crime reduction and community safety</b>				
17. Does the proposal create environments & buildings that make people feel safe, secure and free from crime?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>7. Access to healthy food</b>				
18. Does the proposal support the retention and creation of food growing areas, allotments and community gardens in order to support a healthy diet and physical activity?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
19. Does the proposal seek to restrict the development of hot food takeaways (A5) in specific areas?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>8. Access to work and training</b>				
20. Does the proposal seek to provide new employment opportunities and encourage local employment and training?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>9. Social cohesion and lifetime neighbourhoods</b>				
21. Does the proposal connect with existing communities where the layout and movement avoids physical barriers and severance and encourages social interaction?  [For example does it address the components of Lifetime Neighbourhoods?]	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
<b>10. Minimising the use of resources</b>				
22. Does the proposal seek to incorporate sustainable design and construction techniques?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>11. Climate change</b>				
23. Does the proposal incorporate renewable energy and ensure that buildings and public spaces are designed to respond to winter and summer temperatures, i.e. ventilation, shading and landscaping?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
24. Does the proposal maintain or enhance biodiversity	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>12. Health inequalities</b>				
25. Does the proposal consider health inequalities and encourage engagement by underserved communities?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>Any other comments</b>				

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
Name of assessor and organisation				
Date of assessment				

## Report of the Chair of the Jobs and Economy Committee

**WORK PROGRAMME**1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

3. Work Programme

11 May 2017	<ul style="list-style-type: none"> <li>• Consultation on Brinsley sites</li> <li>• Part 2 Local Plan</li> <li>• Update on Town Centres</li> <li>• Consent Streets / Use of Squares Policy</li> <li>• Update on loyalty card schemes and food markets in Kimberley and Eastwood</li> <li>• Stapleford Jobs Fair</li> <li>• Site update</li> <li>• Kimberley Market</li> </ul>
8 June 2017	Kimberley Jobs Fair

4. Dates of future meetings

The following additional dates for future meetings have been agreed:

- 14 September 2017
- 2 November 2017
- 25 January 2018
- 15 March 2018

(All meetings to start at 7.00 pm)

**Recommendation**

**The Committee is asked to consider the Work Programme and RESOLVE accordingly.**

Background papers

Nil