

Policy 31 – Biodiversity Assets:

ID	Organisation
Duty to Co-operate / Interest Groups	
21	Natural England
6279	Bramcote Neighbourhood Forum
6944	Brinsley Vision (Representing 70 Residents of Brinsley)
34	Nottinghamshire Wildlife Trust Nottinghamshire wildlife trust
Developer / Landowner	
6053	The British Land Company (Represented by WYG)
6903	Beeston Fields Golf Club (Represented by Stone Planning Services)
6877	Barton Willmore (on behalf of Mr Sahota)

Details

Agent	
Please provide your client's name	
Your Details	
Title	
Name	
Organisation (If responding on behalf of an organisation)	Natural England
Address	
Telephone Number	
Email Address	
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
31: Biodiversity Assets		Biodiversity Assets			

Question 1: What does your comment relate to? Please specify exactly
--

Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	Yes
2.2 Compliant with the duty to co-operate	Yes
2.3 Sound	No

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	No
It is not positively prepared	No
It is not consistent with national policy	Yes

Additional details

<p>Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.</p>	<p>Policy 31 Biodiversity Assets</p> <p>Natural England advises that the wording of this policy needs to be clarified. The current wording states that developments which may lead to the increased use of biodiversity assets would be required to enhance the asset(s). The phrase "increased use" would seem to imply the increase in recreational use resulting from development however this is only one source of harm that could occur. Development can also harm biodiversity assets by air or water pollution, increased lighting or noise or general urban encroachment. The wording should therefore reflect more closely the guidance set out in paragraph 109 of the National Planning Policy Framework (NPPF): "The planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible ..."</p> <p>Furthermore the policy's requirement to enhance the asset should be further explained and make reference to the mitigation hierarchy set out at 118 of the NPPF and in point 1e of Policy 17: Biodiversity of the Aligned Core Strategy Policy.</p> <p>We therefore consider that the plan is not sound as it does not comply with national guidance.</p>
---	--

Question 4

Question 4: Modifications sought	
<p>Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.</p>	<p>The Authority may want to consider policy wording which builds on the approach set out within the Aligned Core Strategy which could include the following wording:</p> <p>All development proposals should seek to deliver a net gain in biodiversity and geodiversity and contribute to the Borough's ecological network. Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation or geological value, together with species that are protected or under threat. Support will be given to the enhancement and increase in the number of sites and habitats of nature conservation value, and in particular to meeting objectives and targets identified in the Nottinghamshire Biodiversity Action Plan.</p> <p>New development will be required to show how biodiversity can be retained, protected and enhanced through its design and implementation, for example by designing for wildlife, delivering BAP targets and enhancing Biodiversity Opportunity Areas.</p> <p>Development allocations should enhance biodiversity and in particular consider:</p> <ul style="list-style-type: none"> • Enhancement of existing features, especially on-site hedges, wetlands, woods, aged and veteran trees, watercourses and any geological features. • New habitat creation measures. • Proportion of green roofs on commercial buildings. • Bird and bat boxes. • Biodiversity plan for site (or biodiversity incorporated into any scheme for GI/open spaces). • Measures to protect/enhance/link neighbouring/nearby SSSIs or local sites. • Maximise the biodiversity contribution of any SUDS.

Question 5

Question 5: Public Examination Attendance	
<p>If your representation is seeking a modification, do you consider it necessary to participate at the public examination?</p>	<p>No</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	

Details

Agent	
Please provide your client's name	
Your Details	
Title	
Name	
Organisation (If responding on behalf of an organisation)	Bramcote Neighbourhood Forum
Address	
Telephone Number	
Email Address	
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
2: Site Allocations	32	Policy 3.3 para 3.8			

Question 1: What does your comment relate to? Please specify exactly

Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	No
2.2 Compliant with the duty to co-operate	Yes
2.3 Sound	No

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	Yes
It is not positively prepared	Yes
It is not consistent with national policy	No

Additional details

<p>Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.</p>	<p>The aspiration for a "Replacement Leisure Centre (if required)." is ambiguous and open to abuse and should be changed to read "Replacement Leisure Centre"</p>
--	---

Question 4

Question 4: Modifications sought	
<p>Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.</p>	<p>The text should be amended to read "Replacement Leisure Centre "</p>

Question 5

Question 5: Public Examination Attendance	
<p>If your representation is seeking a modification, do you consider it necessary to participate at the public examination?</p>	<p>Yes</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	<p>The local community is being asked to pay a very heavy price in the loss of a major asset and is getting nothing tangible in return while at the same time it faces the prospect of losing a major and much used, indeed profitable, public facility in the form of a leisure centre. The Coventry Lane playing fields should be developed in a way the generates enough surplus to develop a new school and a new leisure centre (on the former site of the Bramcote School).</p>

Question 1: What does your comment relate to? Please specify exactly

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape	167	30.2
	Policy 31: Biodiversity Assets	168	text
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant	X	
2.2	Compliant with the duty to co-operate	X	
2.3	Sound	X	

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	
It is not effective as it could be with the suggested modification	
It is not positively prepared	
It is not consistent with national policy	

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

We fully support these policies

Planning Policy
Broxtowe Borough Council
Council Offices
Foster Ave
Beeston
Notts NG9 1AB

3rd November 2017

Dear Sir/ Madam

Comments on Publication Version Part 2 Broxtowe Local Plan

Thank you for the opportunity to comment on the Broxtowe Local Plan Part 2 (publication version).

Whilst recognising the need for housing provision and economic investment in Broxtowe, we have significant concerns about whether the scale of growth proposed during the plan period is necessary or sustainable.

We do not currently have resources to submit each comment on a separate form but to help with your collation of responses our comments are broadly set out by policy number, as requested on the response form (question 1). Where appropriate, we have also indicated if we query the 'soundness' of the plan, as per question 2 and 3. After putting forward our comments we have submitted suggested modifications, as per question 4 of the response form.

Our comments on individual policies are set out below:

Policy 3 Main built up area site allocations

For the reasons provided at 3.1 and 3.2 we generally support the Spatial Strategy approach. We do, however, have substantive concerns about the scale of some of the allocations. We do understand that allocation sites would not necessarily be built up in their entirety and land within the allocation boundary would potentially be set aside for Green Infrastructure (GI) provision and related requirements. However, we think that seeing sites with large red-line boundaries might be potentially confusing and of concern to many of the other consultees - certain local community groups and individuals have contacted us about their concerns about potential loss of greenfield and wildlife sites.

Policy: 3.1 Chetwynd Barracks: 500 homes (within the plan period)

If this site is to be allocated, we very much support the 'key development requirement' to "*Retain and enhance Green Infrastructure corridors around the eastern and northern areas of the site*".

Some parts of the site have developed significant habitat value. These include Hobgoblin Wood and the adjacent Chilwell Ordnance Depot Local Wildlife Site (LWS) which is located outside the redline boundary. Both areas should be protected during construction phase and be retained within GI with their management secured and paid for in perpetuity by the developer. Focusing new built development on the previously developed parts of the site whilst converting and reusing existing buildings, roads and infrastructure wherever possible would allow for a more sustainable form of development to be achieved.



**Nottinghamshire
Wildlife Trust**

Website
www.nottinghamshirewildlife.org

President
Sir Andrew Buchanan Bt.

Registered Charity No.
224168R
A company limited by
guarantee.
Registered in England No.
748865.

Modification sought

Include a clear statement confirming that Hobgoblin Wood, other woodland area, mature trees and grasslands will be retained and their long-term management will be secured in perpetuity.

Policy: 3.2 Toton (Strategic Location for Growth): 500 Homes

Toton sidings is at the very centre of the Erewash Valley Living Landscape area, where many partners including Broxtowe Borough Council are investing in extending and improving habitats and GI to achieve Broxtowe Borough Council's Biodiversity and GI targets.

We therefore **object** to this site as a strategic location for growth. Not only would it lead to the loss of a substantial area of Green Belt, resulting in the merging of Chilwell and Stapleford, it would cause a well-defined wildlife corridor between the Erewash Valley and Wollaton Park (via Bramcote Village and Beeston Fields golf course) to be lost. This corridor is identified as primary corridor 1.2 and secondary corridors 2.12 and 2.23 in the Broxtowe Green Infrastructure Strategy and the land between the two secondary corridors will also, in effect, function as a single wide corridor.

We cannot see how transport issues can be addressed in a location already suffering from severe congestion and where other large-scale developments are planned for the current plan period, i.e. 500 homes in connection with the Chetwynd Barracks redevelopment.

We need to point out that part of this land, especially the northern and eastern part of the sidings, are within floodplain and are at high risk of flooding. Therefore, there should be a presumption against development of these parts of the site. Also, if substantive measures are not put in place (e.g. flood storage), development of such a large parcel of land could increase risk of both fluvial and surface water flooding in adjacent areas, especially within Toton and parts of Long Eaton.

Whilst we don't support the principle of development on Green Belt and the scale of the proposed development, we welcome inclusion of open space: *"Minimum of 16ha Open Space, to incorporate Green Infrastructure of sufficient width and quality to provide attractive and usable links between Hobgoblin Wood in the east and Toton Fields Local Wildlife Site in the west and the Erewash Canal, which will blend with a high quality built environment."*

However, we would expect to see the quantity of 'informal' open space (wildlife habitat) specified in the policy wording. In the absence of this, we are concerned that:

- a). the 16ha minimum could be taken up with 'formal' open spaces, such as sports pitches, play areas etc,
- b). the open spaces would be sited in areas subject to high levels of disturbance, such as along paths, road verges etc, which will never develop high wildlife value,
- c). areas of open spaces will be too narrow to usefully function as wildlife habitat (our comments on policy 27 and our recommendation for 50 metre wide buffer are relevant to this).

We are also concerned about the loss of such a large extent of brownfield land in the sidings, which has regenerated to woodland. New open space wildlife sites cannot be recreated easily and will take many years to develop a level of wildlife value equivalent to what will be lost from the sidings, if achievable at all.

Modification sought

Removal of the allocation. If Broxtowe Borough Council is minded to allocate then all LWS habitat should be removed from the allocation, as it might never be possible to recreate habitats of the same value. Clarification that the 16ha minimum will comprise a significant amount of informal open space (wildlife habitat), including a 50m wide habitat corridor.

Policy: 3.3 Bramcote (East of Coventry Lane): 300 Homes

If the entire site is to be developed, this allocation would result in the loss of a LWS – Bramcote Moor Grassland, which we would strongly **object** to.

LWSs are defined areas identified and selected locally for their substantive nature conservation value. Their selection takes into account the most important, distinctive and threatened species and habitats within the county. They therefore comprise many of our best remaining flower-rich meadows, ancient woodlands, ponds, swamps, fens and mires and provide a home to many of our native plant and animal species, including many rare, declining or protected species. These sites can be of SSSI quality or can be even more important than SSSIs for wildlife. We therefore consider protection of this network of sites to be of the utmost importance.

Should the LWS be lost, we would consider the policy unsound as it is not consistent with local (Policy 17 of ACS) and national policy (NPPF para 118).

Modification sought

Inclusion of a sentence stating that the LWS will not be developed or removal of LWS from the allocation boundary. If the LWS would be retained, it would also need to be adequately buffered and work would be required to make the site more robust, as it will be subject to greater footfall post any development. Future management of the LWS should also be secured.

Policy: 3.4 Stapleford (West of Coventry Lane): 240 Homes

The 'key development requirements' include *"provide enhanced Green Infrastructure corridors linking urban areas of Nottingham to the east with Bramcote and Stapleford Hills, Bramcote Park, Boundary Brook, Pit Lane Wildlife Site, Nottingham Canal and Erewash Valley Trail"*.

Whilst we **object** to this allocation because we consider it is encroaching significantly into the surrounding countryside and that local needs have been met by the adjacent Fields Farm site, achievement of a strong corridor is very important. We also agree with the last point of the 'key development requirements', that the cemetery and Stapleford Hills should be adequately buffered, forming a strong and robust habitat corridor linking to Bramcote Moor Grassland LWS.

Modification sought

Removal of allocation. Clarification as to the extent of the corridor, so the site isn't over developed. The adjacent Field Farm Development is mentioned in the location description but we think this policy needs to offer some guidance in terms of how GI linkages will be provided between the two sites.



**Nottinghamshire
Wildlife Trust**

Website
www.nottinghamshirewildlife.org

President
Sir Andrew Buchanan Bt.

Registered Charity No.
224168R
A company limited by
guarantee.
Registered in England No.
748865.

Policy: 3.5 Severn Trent (Lilac Grove): 150 Homes

The 'key development requirements' states that the 150 homes will be located towards the north of the site, which appears to be on the former Severn Trent works, and that access will only be from the north (Lilac Grove).

We are hopeful this means the land at the end of Cornwall Avenue will remain undeveloped. It also talks about 'soft landscaping' along the canal and the importance of "Green Infrastructure" corridors. The field at the end of Cornwall Avenue is an important buffer to the Beeston Canal, which itself is a Local Wildlife Site and this should form part of the "Green Infrastructure" and remain undeveloped and long-term management of GI needs to be secured.

Modification sought

Clarification of the extent of GI, confirmation that fields along the Beeston Canal will not be developed and that long-term management of GI will be secured.

Policy: 3.6 Beeston Maltings: 56 Homes

Transport corridors can provide essential wildlife habitat. For instance our sister Wildlife Trust in Yorkshire is promoting a project to maximise their value, which is supported by the Humberhead Levels Nature Improvement Area. Given the apparent lack of buffer on the south of the railway line, we would strongly recommend some form of green link be provided along the southern development boundary.

Modification sought

Provision of green infrastructure link along the railway line under the 'key development requirements'.

Policy: 3.7 Beeston Cement Depot: 21 Homes

Transport corridors can provide essential wildlife habitat. For instance our sister Wildlife Trust in Yorkshire is promoting a project to maximise their value. We would strongly recommend some form of green link be provided along the southern development boundary.

Modification sought

Provision of green infrastructure link along the railway line under the 'key development requirements'.

Policy 4 Awsworth Site Allocation

A substantial population of common toad (Local Biodiversity Action Plan Priority species and NERC Act species of principal importance in England) was known to be present in the vicinity of the allocated site. We are aware that toad tunnels, which we understand have not been maintained, were installed underneath the Awsworth Bypass, to allow toads to migrate between breeding habitat (Nottingham Canal) and fields on the opposite side of the new bypass. Potentially, the fields subject to this allocation still provide terrestrial habitat for common toad, should they still occur. We would recommend surveys for common toad and other wildlife, possible reinstatement of toad tunnels (if required). Due to it's greenfield nature and strong hedgerow network, we think the land could provide habitat for many other species.

Common Toad is considered a biodiversity asset under policy 31, as they are a species of concern in the Notts Biodiversity Action Plan.

Should this species be subject to further adverse impacts, we would consider the policy unsound as it is not consistent with local (Policy 17 of ACS) and national policy (NPPF para 118).

Modification sought

We would wish to see removal of this allocation. If the allocation is to remain, provision of substantial green infrastructure, incorporation of existing hedges and retention of some meadows (quantity defined) and protection of common toads, should they still occur.

Policy 5 Brinsley Site Allocation

We would have preferred to have seen the alternative site included (option 2) rather than this one (option 1) for the reasons provided in our response to the Brinsley Alternative Site Consultation February 2017:

“Option 1 is located immediately adjacent to Brinsley Headstocks Local Nature Reserve and associated Local Wildlife Sites, Brinsley Brook Grassland LWS (5/2302) and Brinsley Headstocks LWS (5/3405), which are identified for their botanical interest. The wildlife value of Brinsley Headstocks, which has been well recorded, may be harmed by any substantial increases in recreational use, which would be inevitable if Option 1 is taken forward.

The LNR and adjacent land is considered locally by members of the Friends Group and others who carry out regular birdwatching locally, as being more valuable for birds. This is certainly likely because the LNR itself supports more structural diversity in its habitats, with areas of woodland, plantation, hedges alongside meadows and the Brinsley Brook. These features are largely lacking from land within Option 2, which is predominantly arable. The LNR currently has good, strong habitat connectivity along the brook and to Saints Coppice to the north, which could be adversely affected by built development if Option 1 is taken forward.

Option 1 contains areas of permanent grassland whereas the majority of land within option 2 is mainly arable, which contains no known botanical interest is less valuable in wildlife terms, apart from hedges which we would like to see sensitively retained within any development”.

Local residents have reported that the fields in the vicinity of the Brinsley allocation included in the current consultation support a number of wintering farmland bird species. We are also concerned about possible hydrological impacts on the Brinsley Brook. As this allocation is within the catchment for the watercourse there is the potential for adverse impacts on the ecology of the brook due to increased runoff rates, contamination (directly or indirectly, via any new drains) etc.

Modification sought

Replace this site allocation with ‘option 2’.

Policy 6 Eastwood Site Allocation

Walker Street Eastwood is an important Green Space in the centre of Eastwood. Whilst we welcome retention of ‘Canyons’ as open space, we would wish to see Green Infrastructure/ habitat corridors enhanced throughout the site.

Modification sought

Include a commitment to provide GI links across the wider site.



**Nottinghamshire
Wildlife Trust**

Website
www.nottinghamshirewildlife.org

President
Sir Andrew Buchanan Bt.

Registered Charity No.
224168R
A company limited by
guarantee.
Registered in England No.
748865.

Policy 7.1 Land south of Kimberley Depot

We find proposals to develop the exiting built up part of the site acceptable but are concerned about the impact on wildlife arising from loss of surrounding farmland and plantation woodland. Kimberley Disused Railway, on the southern boundary, is a LWS and important wildlife corridors, which should be adequately buffered from any development.

Modification sought

If this allocation is to remain, we would like to see a statement about extent of developable area, ideally limiting it to the existing built up part of the site. It is important that the allocation is sensitive to, and secures future positive management of the LWS.

Policy 7.2 Land south of Eastwood Road Kimberley

We consider this is an important area of remnant fields on the edge of urban area which, when considered with the adjacent woodland, is an important wildlife corridor. We would be concerned about inclusion of the site as an allocation.

Modification sought

Site to be excluded.

Policy 17 Place-making, Design and Amenity

We **support** the inclusion of 1(n – p):

- “n). Incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity; and*
- o). Uses native species of trees, shrubs and wild-flower seeds in landscaping proposals; and*
- p). Integrates bat and/or bird boxes into the fabric of new buildings”.*

Modification sought

Under n) adding reference to following:

- green walls,
- brown and green roofs,
- ecologically designed / focused suds schemes,
- features to assist permeability for wildlife through the built environment (e.g. gaps under fences for hedgehogs).

Under p) adding a reference to insect houses.

The policy should raise future responsibilities and funding mechanisms for management of habitats / informal open spaces. The developer should cover the costs for management of habitats in perpetuity, so that it does not fall to Broxtowe Borough Council to pay for this.

Policy 19 Pollution, Hazardous Substances and Ground Conditions

Sub section 1b). *“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)”.*

We **support** inclusion of point in relation to darkness and nature conservation.

Policy 27 Local Green Space

We strongly **support** this policy and welcome inclusion of the sites listed. Protection of the sites around Bramcote Hills Park and wood, Stapleford Wood and the Bramcote Schools (section 3 relating to land east and west of Coventry Lane) is welcome, as these are very important wildlife sites with historic / cultural interest.

In terms of policy wording, we are concerned about inclusion of 'exceptional circumstances' clause, as this will undermine the policy protection.

Paragraph 28.2 states, "*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*".

Development certainly creates opportunities for enhancing corridors but we would question whether it creates the 'greatest opportunities'. Many of the corridors are in the rural landscape, not through areas allocated for potential development and significant opportunities exist through working with existing landowners and farmers, in relation to improving existing Rights of Way or strengthening important landscape features and wildlife habitats, such as hedgerows, woodlands and field margins.

Green infrastructure corridors need to be of a reasonable, specified width to be viable; otherwise they will fail to function in ecological terms. Without specified widths there is the danger the corridors will be narrow as developers will naturally seek to maximise the size of the new built development. We have carried out some research on what is considered viable widths of green corridors. In summary:

- "Corridors should be preserved, enhanced and provided, [.....], as they permit certain species to thrive where they otherwise would not. Corridors should be as wide and continuous as possible" (Dawson, 1994).
- 50m buffers [are] recommended for developments in the Local Plans of both Wakefield & Darlington Councils to protect local wildlife sites and / or river corridors.
- A 50m width allows corridors to function as a 'multi-purpose network', as defined in NECR 180, so that it includes attributes that are valuable to people, i.e. biodiversity alongside amenity, footpaths, cycleways, sustainable drainage, microclimate improvement, heritage [etc.]
- Quadrat Scotland 2002 (Appendix 1). For connectedness, to be defined as 'high' (on scale high, medium, low), the corridor needs to be at least 50m wide for more than 50% of the corridor

References

- Dawson, D. 1994. Are Habitat Corridors Conduits for Animals and Plants in a Fragmented Landscape? A Review of the Scientific Evidence. English Nature Research Reports
- Wakefield Consultation on spatial strategy: Wakefield Council Spatial Policy Areas
- Darlington consultation on draft housing allocations: Darlington Council Housing Allocations report
- Natural England Commissioned Report NECR180 (2015). Econets, landscape & people: Integrating people's values and cultural ecosystem services.



**Nottinghamshire
Wildlife Trust**

Website
www.nottinghamshirewildlife.org

President
Sir Andrew Buchanan Bt.

Registered Charity No.
224168R
A company limited by
guarantee.
Registered in England No.
748865.

- Quadrat Scotland (2002) The network of wildlife corridors and stepping stones of importance to the biodiversity of East Dunbartonshire. Scottish Natural Heritage Commissioned Report

Modification sought

Removal of “*except in very special circumstances*” from the final sentence of the policy wording.

State that development provides opportunities for enhancing corridors, but remove (development) ‘provides *the greatest*’.

State that corridors must be at least 50 metres wide to be considered beneficial and viable for wildlife.

Policy 28 Green Infrastructure Assets

We strongly **support** this policy and welcome that “*Development proposals which are likely to lead to increased use of any of the Green Infrastructure Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Asset(s)*”.

Policy 29: Cemetery extensions

We **support** this policy and welcome that the potential biodiversity value of new proposed cemeteries has been recognised in the supporting text.

Policy 31: Biodiversity Assets

In terms of defining biodiversity assets, 1b “*Priority habitats and priority species (as identified in the Nottinghamshire Local Biodiversity Action Plan and section 4.5 of the Green Infrastructure Strategy)*”, whilst we welcome inclusion of the reference to Nottinghamshire LBAP, we consider that the definition of biodiversity assets is missing the following:

1. Any reference to UK priority species and habitats (formerly called UK BAP priority species and habitats). Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 identifies these and they may be found both within or outside designated sites. Priority species correspond to those identified under Section 41 of the NERC Act as species of principal importance for the conservation of biodiversity in England and have to be considered under planning policy.

2. Any reference to protected species. This is different from priority species list (although some priority species may also be protected).

Due to lack of reference to S41 species and habitat NERC Act and Biodiversity Duty, Legally protected species we consider the policy is not sound as it is not consistent with local (Policy 17 of ACS) and national policy (Biodiversity paras).

Modification sought

Inclusion of a reference to NERC Act (species and habitats of principal importance) and legally protected species.

We also consider there is a requirement for a Biodiversity SPD to help protect Broxtowe’s important nature sites, habitat and species and would like to see a commitment to produce one made in the LPP2 main document. A Biodiversity SPD would also help the council to secure its aspirations set out in the Green Infrastructure Strategy and Nature Conservation Strategy.

Policy 32: Developer Contributions

We welcome that financial contributions may be sought for biodiversity for applications of 10 or more houses and therefore **support** the policy in this respect.

In terms of question 5 on the response form (participation at public inquiry), if we have resources available at the time of the hearings, we would be happy to attend public examination sessions. In any case, we are happy to be contacted by the Planning Policy Team regarding future consultations and would welcome email correspondence in connection with this and future consultations.

Please do not hesitate to contact me should you have any further queries.

Yours sincerely

[Redacted]
[Redacted]
Nottinghamshire Wildlife Trust



**Nottinghamshire
Wildlife Trust**

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Website
www.nottinghamshirewildlife.org

President
Sir Andrew Buchanan Bt.

Registered Charity No.
224168R
A company limited by
guarantee.
Registered in England No.
748865.

Broxtowe Part 2 Local Plan



Broxtowe
Borough
COUNCIL

Agent

Miss

Please provide your client's name	The British Land Company Plc
-----------------------------------	------------------------------

Your Details

Title	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Name	<input type="text"/>
Organisation (if responding on behalf of the organisation)	WYG
Address	<input type="text"/>
Postcode	<input type="text"/>
Tel. Number	<input type="text"/>
E-mail address	<input type="text"/>

Comments should be received by 5.00pm on Friday 3rd November 2017

If you wish to comment on several policies, paragraphs, or sites, please use a separate form for each representation.

If you would like to be contacted by the Planning Policy Team regarding future consultations.

Please tick here

☒

Please help us save money and the environment by providing an e-mail address that correspondence can be sent to:

For more information including an **online response** form please visit:

www.broxtowe.gov.uk/part2localplan

Data Protection - The comment(s) you submit on the Local Development Framework (LDF) will be used in the plan process and may be in use for the lifetime of the LDF in accordance with the Data Protection Act 1998. The information will be analysed and the Council will consider issues raised. Please note that comments cannot be treated as confidential and will be made available for public inspection. All representations can be viewed at the Council Offices.

Please return completed forms to:

Planning Policy, Legal and Planning Services, Foster Avenue, Beeston, Nottingham NG9 1AB

For more information: Tel: 0115 917 3452, 3448, 3468 or 3015 E-mail: policy@broxtowe.gov.uk

Question 1: What does your comment relate to? Please specify exactly

Document	Policy number	Page number	Policy text/ Paragraph number
Part 2 Local Plan	Policy 1: Flood Risk		
	Policy 2: Site Allocations		
	Policy 3: Main Built up Area Site Allocations		
	Policy 4: Awsworth Site Allocation		
	Policy 5: Brinsley Site Allocation		
	Policy 6: Eastwood Site Allocation		
	Policy 7: Kimberley Site Allocations		
	Policy 8: Development in the Green Belt		
	Policy 9: Retention of good quality existing employment sites		
	Policy 10: Town Centre and District Centre Uses		
	Policy 11: The Square, Beeston		
	Policy 12: Edge-of-Centre A1 Retail in Eastwood		
	Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations		
	Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)		
	Policy 15: Housing size, mix and choice		
	Policy 16: Gypsies and Travellers		
	Policy 17: Place-making, design and amenity		
	Policy 18: Shopfronts, signage and security measures		
	Policy 19: Pollution, Hazardous Substances and Ground Conditions		
	Policy 20: Air Quality		
	Policy 21: Unstable land		
	Policy 22: Minerals		
	Policy 23: Proposals affecting designated and non-designated heritage assets		
	Policy 24: The health impacts of development		
	Policy 25: Culture, Tourism and Sport		
	Policy 26: Travel Plans		
	Policy 27: Local Green Space		
	Policy 28: Green Infrastructure Assets		
	Policy 29: Cemetery Extensions		
	Policy 30: Landscape		
	Policy 31: Biodiversity Assets		✓
	Policy 32: Developer Contributions		
Policies Map			
Sustainability Appraisal			
Other (e.g. omission, evidence document etc.)			

Question 2: What is the issue with the Local Plan?

Do you consider this paragraph or policy of the Local Plan to be: <i>(please refer to the guidance note at for an explanation of these terms)</i>		Yes	No
2.1	Legally compliant		
2.2	Compliant with the duty to co-operate		
2.3	Sound		X

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above

If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	✓
It is not effective	
It is not positively prepared	
It is not consistent with national policy	✓

Your comments

Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co operate. Alternatively, if you wish to support any of these aspects please provide details. Please be as precise as possible. Continue on an extra sheet if necessary.

Policy 31 (biodiversity assets)

Policy 31 relates to Biodiversity Assets and indicates: "1. *development proposals which are likely to lead to the increased use of any of the Biodiversity Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Asset(s). These Biodiversity Asset(s) are*"; inter alia "...g) *Other trees and hedgerows which are important to the local environment*"... 2. *In all cases permission will not be granted for development that results in any harm to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm*".

BL object to the inclusion of criteria g) as it places undue status to potentially all trees/hedges. This is considered unnecessary and disproportionate in the absence of some statutory or non-statutory designation of the biodiversity asset. On this basis, it is equally unclear how 'harm' could reasonably be established. Paragraph 31.1 refers to "the established hierarchy of designations", however category g) does not form a designation. Furthermore, Paragraph 31.4 suggests the inclusion of category g) potentially originated from a suggestion by English Heritage. As such, BL propose category g) should be altered to relate to "Other trees and hedgerows within designated conservation areas or within the setting of a listed building". This ensures the policy does not have the potential to unintentionally negatively hinder any development impacting upon all trees/hedgerows in the county borough.

Question 4: Modifications sought

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. Continue on an extra sheet if necessary.

Question 4 Modifications Sought

Policy 31 (biodiversity assets)

"1. Development proposals which are likely to lead to the increased use of any of the Biodiversity Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Asset(s). These Biodiversity Asset(s) are; [inter alia]... g) Other trees and hedgerows ~~which are important to the local environment within designated conservation areas or within the setting of a listed building~~ 2. In all cases permission will not be granted for development that results in any harm to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Question 5: Public Examination Attendance

If your representation is seeking a modification, do you consider it necessary to participate at the public examination?

Yes, I wish to participate at the public examination

No, I do not wish to participate at the public examination

X

If you wish to participate at the public examination, please outline why you consider this to be necessary

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

Guidance Note:

Please complete a **separate form** for **each representation** you wish to make.

'Legally Compliant':

If your response relates to **the way in which the plan has been prepared**, then this is likely to relate to whether it or not it is '**Legally Compliant**'. To be 'Legally Compliant', the Local Plan has to be prepared in accordance within the 'Duty to Cooperate' and legal and procedural requirements. These are set out by legislation in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). If you think that we have not met the legal requirement in the preparation of the Local Plan, please use the response form to tell us what we have not done or what we have done incorrectly.

'Compliant with the Duty to Co-operate':

If your response relates to **the way in which we have worked with other authorities** then this is likely to relate to the '**Duty to Co-operate**'.

The 'Duty to Co-operate' places a legal duty on Local Planning Authorities, County Councils and certain public bodies to engage constructively, actively, and on an on-going basis, to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters. The 'Duty to Co-operate' is not a duty to agree. However, Local Planning Authorities should make every effort to secure the necessary co-operation on strategic cross-boundary matters before they submit their Local Plan for examination.

'Sound'

If your response is about the **content** of the Local Plan and the strategy it adopts, then it is likely to relate to whether or not the Local Plan is '**Sound**'.

To meet the 'Test of Soundness', the independent Planning Inspector is required to consider whether or not our Local Plan is '**justified**', '**effective**', has been '**positively prepared**', and is '**consistent with national policy**'. You may wish to consider the following before making a representation on the 'Soundness' of our Local Plan:

- '**Justified**': This means that the Local Plan is based upon a robust and credible evidence base. If you think that the evidence doesn't support the choice made in our Local Plan, or there are realistic alternatives, then your comments may relate to whether or not it is 'justified'.
- '**Effective**': This means that the Local Plan will deliver what it sets out to. If you think that what we are proposing in the Local Plan is not deliverable, then your comments may relate to whether or not our Local Plan is 'effective'.
- '**Positively Prepared**': This means the Local Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- '**Consistent with National Policy**': Do you consider that our Local Plan accords with the National Planning Policy Framework (NPPF) and other policies, or includes clear and convincing reasons for doing something different?

For further guidance or assistance, please contact the **Planning Policy Team** on **0115 917 3452** or by emailing **policy@broxtowe.gov.uk**.

Stone Planning Services Limited

Ref: SPS/0086

Date: 3rd November 2017

Planning Services
Broxtowe Borough Council,
Civic Offices.
Foster Avenue,
Beeston,
Nottingham.
NG9 1AB

Dear Sir/Madam,

Representations – Broxtowe Local Plan Part 2

Stone Planning Services Limited acts for Beeston Fields Golf Club and makes representations on its behalf with regard the above.

The proposals map provides for two designations with regard to our client's ownership which is shown on Plan 1 attached. These relate to:

1. Policy 27 2.a) – Local Green Space with regard to all of the golf course; and
2. Policy 31 – Biodiversity Assets with regard to the western part of the golf course.

Local Green Space

As the Council will be aware Beeston Fields Golf Club has occupied the site covered by the existing Beeston Field Protected Open Area for over 90 years. It has been managed by the family and there is no desire to harm its overall character.

The consultation indicates that all of the golf course would be designated as Local Green Space. My client would not support that approach and considers it to be inappropriate and not consistent with the National Planning Policy Framework (NPPF).

Paragraph 77 of the NPPF makes reference to the designation of Local Green Space and states that such a designation would "not be appropriate for most green areas or open space". It then goes on to state that "designations should be used:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historical significance, recreational value (including playing field), tranquillity or richness of its wildlife; and
- Where the green area concerned is local in character and is not an extensive tract of land."

These are considered in turn.

Where the green space is in reasonably close proximity to the community it serves.

The golf course has very limited unrestricted public access with a single bridle way (BW35) passing from Bramcote Drive to The Chancery; in public access terms it serves a limited community. Hence, the golf course does not serve a close and defined geographical community; it serves a golfing community and patrons travel to the course from a disperse set of geographical communities. In our view the golf course is not in "close proximity to the community it serves".

Stone Planning Services Limited

Just because the land may be visible from adjacent properties that is not justification to designate the area as Local Green Space. Hence, designation would be inconsistent with bullet point 1 of paragraph 77 of the NPPF.

Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historical significance, recreational value (including playing field), tranquillity or richness of its wildlife.

The space is not 'demonstrably special to a local community'. The golf course does not hold any particular significance. The site is not covered by any national, regional or local heritage, landscape or bio-diversity designation (see below). It holds recreational value for golfers and those attending events in the walled garden; however, there is no broader value in recreation terms. The site is extensive and provides a degree of peacefulness but it is not a 'tranquil' area; it is not designated as a 'tranquil' area in the Development Plan. Lastly, whilst an open area it is surrounded by housing and save for a level of bio diversity one would expect on a site of this scale it is not 'rich' in wildlife. Hence, we strongly consider that designation would be inconsistent with bullet point 2 of paragraph 77 of the NPPF.

Where the green area concerned is local in character and is not an extensive tract of land.

The Local Green Space would cover approximately 60 ha and is far in excess of what could reasonably be acknowledged as being 'local in character'. The golf course is an extensive tract of land. Hence, designation would be inconsistent with bullet point 3 of paragraph 77 of the NPPF.

From the above analysis, it is our view that it would be highly inappropriate to designate Beeston Fields Golf Course as a 'Local Green Space'. Such a policy on this site would be inconsistent with government policy as set out in paragraph 77 of the NPPF. This should be removed from the Plan.

Policy 27 2.a) with regard to Beeston Fields Golf Course is inconsistent with the Framework and in our opinion, would be contrary to paragraph 182 of the Framework and thus unsound.

Notwithstanding our comments above we consider that a blanket policy approach is inappropriate.

The current boundaries of the earlier "Protected Open Area" have remained unchanged, without review, for over 20 years. We cannot see any evidence base to justify the boundaries indicated.

We have appraised the current boundaries and feel that boundary amendments can be justified in two small areas:

- A. Paddocks off Beeston Fields Drive, Clubhouse, Car park and the Walled Garden.
- B. Area to the north of Bramcote Drive

Paddocks off Beeston Fields Drive, Clubhouse, Car park and the Walled Garden - none of this land forms part of the operational open area of the Golf Course. It consists of paddocks and groups of trees off Beeston Fields Drive, Clubhouse building, the main car park, the Walled Garden and immediately associated areas. The character of the land is defined by these functions and differs from the grassed fairways and greens of the Golf Course with its associated belts of trees. The paddocks are in part separated from land to the south by a mature belt of trees and understorey and, in character, they are more closely related to the high quality residential development off Beeston Drive. The Clubhouse and associated car park consist largely of tarmac hard surface and the building, which also differs from the Golf Course.

Stone Planning Services Limited

The Walled Garden is an enclosed garden and leisure development which is separate from the Golf Course both visually and in terms of function and character. Deletion of these areas from the proposed designated area would have no material impact on the role of the Golf Course in terms of Local Green space

Area to the north of Bramcote Drive - this area is also not part of the Golf Course function. It is separated from the Golf Course by a well-established belt of trees. This area consists of a belt of trees immediately to the north of Bramcote Drive together with an area of grassland to the north of this. The tree belt contains a number of trees which are dead and in poor condition. The grassed area does not contain any tees, greens, fairways or other golf features, and therefore differs in its character from the more manicured appearance of the Golf Course itself.

It is considered that the removal of these two small areas of land would not impact on the overall purpose of establishing the Local Green Space. The proposed Local Green Space is approximately 60 ha in area. Approximately 54 ha of land would remain in the Local Green Space. The removal of the two small areas we suggest would not affect the overall character or function of the land.

Notwithstanding the above we firmly believe that none of the site should be designated Local Green Space

Biodiversity Assets

Policy 31 – Biodiversity Assets relates to the western part of the golf course. We are concerned about the justification for this designation and have therefore commissioned RammSandersson Ecology Limited to undertake a Grassland Assessment in that area.

The Executive Summary states:

"RammSanderson Ecology Ltd was instructed by Stone Planning Services Limited to carry out a detailed grassland assessment of Beeston Fields Golf Club. This survey was carried out in order to assess the validity of the Local Wildlife Site (LWS) designation for Acidic Grassland Communities, currently in place to the west of the club, based on presence and abundance of LWS qualifying flora species within the site boundary."

The findings of the surveys are summarised below:

- A total of 25 quadrats were assessed throughout the grassland habitats within the site, with quadrats from each community analysed separately.
- An average of 5.4 species including an average of 1 LWS species were found in each quadrat from the acid grassland communities.
- An average of 5 species and 0 LWS species were found in the amenity grassland on/around the tees and fairways.
- A total of 6 LWS species within the golf club, all within the western area of the golf club, with 6 or more criteria species need, this therefore meets the criteria for dry, acidic grassland LWS.

However, only small pockets of the acidic grassland community detailed in the LWS citation were found within the golf course, with the majority of grassland areas being very regularly, intensively managed, amenity grassland and therefore do not fall within the criteria for classification.

Stone Planning Services Limited

Therefore, as per the published Nottinghamshire LWS boundary rules, flexibility should be used to create a more accurate LWS boundary at the site. If a 1:3 ratio was used it could retain the specific areas in the northwestern section of the golf course as LWS but leave the amenity areas of grassland and majority of the golf course site out of the designation making it much more logical. It would also assist the golf course to carry out targeted management on acid grassland areas identified to be of greater biological importance. The current designation incorporates large areas of amenity land, which leads to confusion and lack of suitable management of the acidic grassland. This would result in an area of approximately 8 hectares of LWS within the golf course boundary.

Based on the current findings, it is recommended that the areas of acidic grassland are retained within the golf course and are managed in line with their specific requirements to increase their botanical interest."

It concluded the following:

"The survey found that the eastern side of the golf course is comprised of amenity grassland (MG7) containing 0 LWS species. As such no further comments in relation to this compartment are made in this report. The results of the NVC assessment confirmed that there are areas of acidic grassland (NVC community U2) dominated by wavy hair grass (Deschampsia flexuosa) within the grounds of the Golf Course. However, these were isolated to small areas in the west 1 compartment, within the less intensively managed 'rough' areas of the golf course. A total of 6 LWS criteria species for lowland dry acidic grassland were identified within the site. A seventh species, sheep's fescue (Festuca ovina) was potentially identified, but not with certainty, due to its vegetative state at the time of survey. Therefore, it was considered that areas of the western side of the site meets the criteria for acid grassland LWS in Nottinghamshire based on the presence of 6 criteria species (with 6 or more required under the criteria).

However, these 6 species were found in very small numbers spread across the western compartments. The highest number of LWS species found in any one quadrat was 3 (Q17, Q18, Q19 and Q21 as per Figure 5). The quadrats within the west 2 compartment to the south only contained 1 LWS criteria species, sweet vernal grass (*Anthoxanthum odoratum*) and whilst this is an LWS dry acid grassland species it is also a common species in a variety of grassland habitats along with the other species recorded in these quadrats. such as white clover (*Trifolium repens*) and common sorrel (*Rumex acetosa*).

*This result indicates that this is a relatively poor-quality acid grassland lacking in species diversity. Very few forb species were found at the time of the survey and whilst this is likely to be in part due to the time of year, where several acidic grassland species would now be either very difficult to find in such a habitat or would be dormant, it also points to a poor sward diversity as some species should still be apparent, vegetatively at this time of year and these were not observed. Given that the LWS criteria species previously found on the site and used to justify the designation also indicate a lack of forb diversity within the grassland. Whilst this is not uncommon in acidic grassland, the grassland species list is still less diverse than good examples of such a habitat where species such as *Potentilla* sp, heath milkwort (*Polygala serpilifolia*) and wild thyme (*Thymus polytrichus*) would be present.*

Whilst the U2 community in itself is not particularly rich in flowering species, under specific management it can be more diverse than that which was present at the time of survey or to transition it to a different acidic grassland community with a more diverse botanical assemblage.

Stone Planning Services Limited

Based on the areas in which the better quality acidic grassland was found, it is recommended that the boundary of the LWS is much reduced, to become more realistic and less confusing to ensure correct management of the better-quality habitats.

The recommended boundary changes are in line with the LWS boundary rules as per the Nottinghamshire. Biological and Geological Record Centre (NBGRC) SINC selection criteria 2007 where flexibility should be applied. Excerpts from the boundary rules section can be found below:

"Below the 25% level we suggest the 1:3 ratio is maintained. This is a very crude rule of thumb, but it does put a sensible limit on the amount of associated LBAP habitat that could be brought into the SINC category. Any LBAP areas outside a SINC designated by these rules would of course be monitored in any event."

"There needs to be some flexibility as well. Where no obvious boundary is present on the ground it makes sense to recognise obvious edges to a site, the top of a rise, the boundary of a surrounding traditionally managed area, a local watershed etc. These will have to be justified site by site."

Traditionally/ Once-Traditionally- Managed Land Parcels

	% of parcel of SINC quality	Minimum standard of remainder of parcel	Area for SINC designation
1	>= 50%	Altered /re-sown/species poor	All parcel notified as SINC
2	<50%	Altered /re-sown/species poor	SINC area + 10m boundary in non SINC remainder designated SINC
3	25-50%	Remainder LBAP quality	All parcel notified
4	<25%	Remainder LBAP quality	SINC area + up to 3x SINC area of LBAOP habitat + 10m boundary. Any remaining LBAP habitat monitored.

Table from NGBG SINC Criteria 2007 document.

As per the boundary rules, if the area between the acid grassland areas were such that the whole current LWS area could be restored/habitat created to bring the LWS in its entirety into a good habitat, then a larger area would be logical. However, the golf course having been in place for 89 years and will never have anything but very high levels of management resulting in very short swards and a lack of species and structural diversity. If the designation is more sensibly delineated, it may lend to a more appropriate approach to conservation management of the acidic grassland areas. The current management of these 'rough' areas is evidently maintaining some of the key acidic grassland species but may have led to a decline in other LWS criteria species originally identified during the designation in 2010. As such some guidance on the management of this habitat type may be useful.

Therefore, either applying the flexibility aspect of the boundary rulings or using the 1:3 ratio based on less than 25% of the area being of LWS criteria habitat (with the remaining habitat not being of LWS or LBAP quality), it is recommended that a more sensible boundary as per Figure 6 is applied to the site. This follows the longer term 'rough' areas and also is in line with the key LWS criteria areas. This allows for the landowners to target management in the correct areas and avoids confusion as to what areas are designated as acid grassland and why."

Stone Planning Services Limited

Our client has also commissioned their agronomist to assess the potential for bio diversity enhancement in the identified area with highest bio diversity (Holes 5, 6 and 7) whilst ensuring the golf course remains operational for golf. Introducing a blanket policy will not achieve any enhancement, working with the owners will.

We therefore consider that the evidence base does not justify the biodiversity designation and should be removed from Policy 31. Furthermore, working with the owners on a Management Plan would achieve the bio diversity objectives set out in the Plan and the Framework. Unnecessary policy designation would not. We object to its designation.

Our clients are willing to work with the Council to develop a Management Plan for sensitive areas that have acidic grassland but that should be out with the policy designation.

In our view the Part 2 Plan – Policies 27 and 31 insofar as they relate to our client's site indicated on Plan 1 are not consistent with the Framework. The Plan is not sound in this respect.

If you require any further information, then do not hesitate to contact me. Please note that we would wish to participate in the Examination.

Yours faithfully

[Redacted Signature]

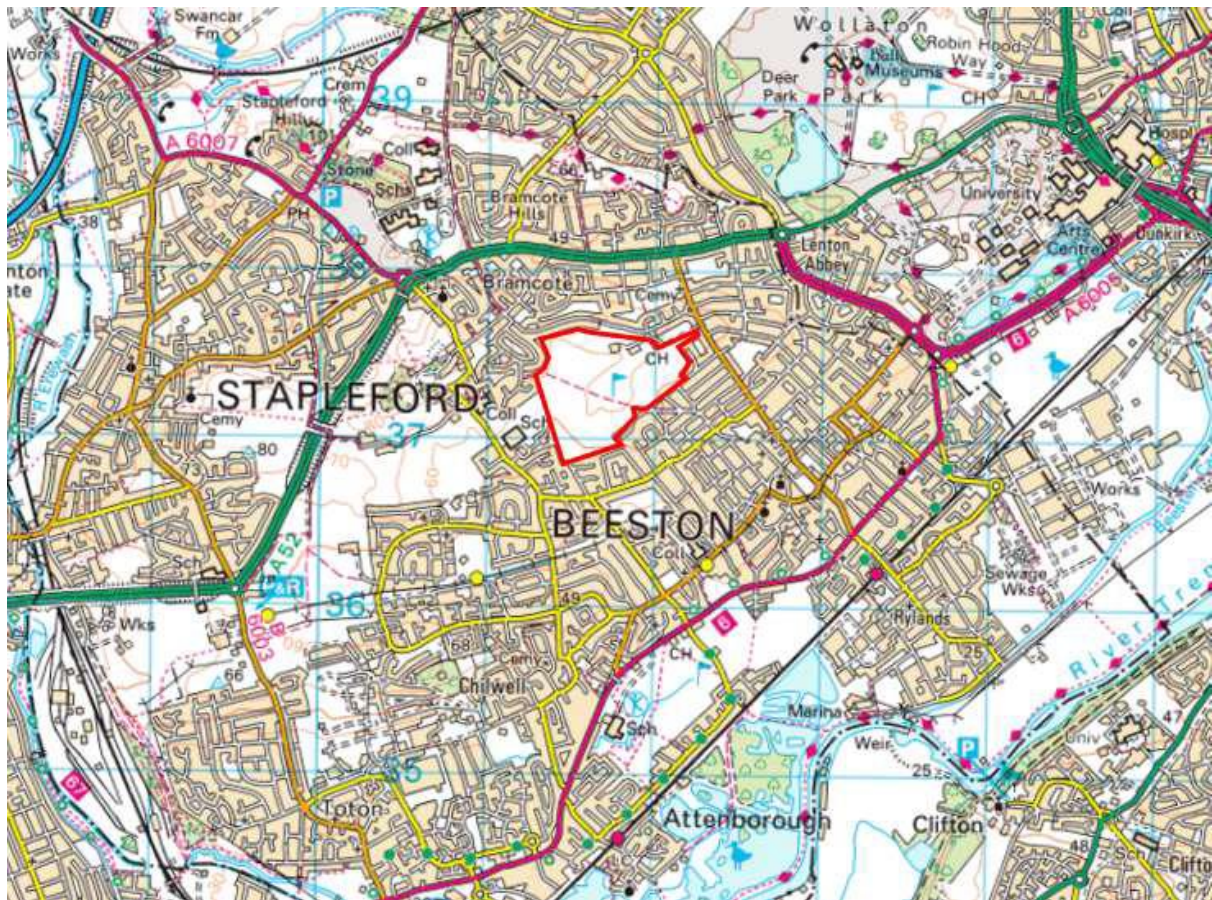
[Redacted Name]

[Redacted Address Line]

Enclosures

1. Plan 1 – Site Location
2. Grassland Assessment – RammSandersson Ecology Limited

PLAN 1 - SITE PLAN



**BEESTON FIELDS GOLF COURSE,
BEESTON**
Grassland Assessment



Client:

Stone Planning Services Ltd

Report Reference:

RSE 1290 01 V1

Issue Date:

October 2017

East Midlands:

██████████
 ██████████
 ████████████████████
 ████████
 ██████████
 ██████████
 ████████████████████
 ██████████

West Midlands:

██████████
 ████████████████████
 ██████████
 ████████
 ██████████
 ██████████
 ████████████████████

Contact:

████████████████████
 www.rammsanderson.com
 @rammsanderson

Project Details

Client: Stone Planning Services Ltd

Project: Beeston Fields, Golf Course

Reference RSE_1290_01-V1

Report Title NVC Grassland Assessment

DISCLOSURE:

The information provided within this report has been prepared and provided as true and in accordance with the Chartered Institute of Ecology and Environmental Management's (CIEEM) Code of Professional Conduct. It is intended for the sole use of the Client and their agents in accordance with the agreement under which our services were performed. Unauthorised communication, reproduction or usage of this report by any party other than the aforementioned is prohibited. No warranty, express or implied, is made as to the advice in this report or any other service provided by RammSanderson Ecology Ltd. This report has been prepared by an ecological specialist and does not purport to provide legal advice. RammSanderson is a trading name of RammSanderson Ecology Limited, as registered in England & Wales (Company No.: 8999992).

**Document Control**

Originated: **Rhia McBain** BSc (Hons) MCIEEM Senior Ecologist 30/10/2017

Technical Reviewed: **Oliver Ramm** BSc MCIEEM Director 31/10/2017

Issued to Client: **Oliver Ramm** BSc MCIEEM Director 01/11/2017

Revisions:

1 EXECUTIVE SUMMARY

1.1 Background

RammSanderson Ecology Ltd was instructed by Stone Planning Services Ltd to carry out a detailed grassland assessment of Beeston Fields Golf Club. This survey was carried out in order to assess the validity of the Local Wildlife Site (LWS) designation for Acidic Grassland Communities, currently in place to the west of the club, based on presence and abundance of LWS qualifying flora species within the site boundary.

ii The findings of the surveys are summarised below:

- A total of 25 quadrats were assessed throughout the grassland habitats within the site, with quadrats from each community analysed separately.
- An average of 5.4 species including an average of 1 LWS species were found in each quadrat from the acid grassland communities.
- An average of 5 species and 0 LWS species were found in the amenity grassland on/around the tees and fairways.
- A total of 6 LWS species within the golf club, all within the western area of the golf club, with 6 or more criteria species needed, this therefore meets the criteria for dry, acidic grassland LWS.

iii However, only small pockets of the acidic grassland community detailed in the LWS citation were found within the golf course, with the majority of grassland areas being very regularly, intensively managed, amenity grassland and therefore do not fall within the criteria for classification.

iv Therefore, as per the published Nottinghamshire LWS boundary rules, flexibility should be used to create a more accurate LWS boundary at the site. If a 1:3 ratio was used it could retain the specific areas in the north-western section of the golf course as LWS but leave the amenity areas of grassland and majority of the golf course site out of the designation making it much more logical. It would also assist the golf course to carry out targeted management on acid grassland areas identified to be of greater biological importance. The current designation incorporates large areas of amenity land, which leads to confusion and lack of suitable management of the acidic grassland. This would result in an area of approximately 8 hectares of LWS within the golf course boundary.

v Based on the current findings, it is recommended that the areas of acidic grassland are retained within the golf course and are managed in line with their specific requirements to increase their botanical interest.

CONTENTS

1	EXECUTIVE SUMMARY	3
1.1	BACKGROUND	3
2	INTRODUCTION AND BACKGROUND	6
2.1	PURPOSE AND SCOPE OF THIS REPORT	6
2.2	SITE CONTEXT AND LOCATION	7
3	LEGISLATION AND PLANNING POLICY	9
3.1	GENERAL & REGIONALLY SPECIFIC POLICIES	9
4	METHODOLOGY	10
4.1	NVC GRASSLAND ASSESSMENT	10
4.2	DESK BASED ASSESSMENT	10
4.3	LIMITATIONS	10
4.4	ACCURATE LIFESPAN OF ECOLOGICAL DATA	10
5	RESULTS	11
5.1	SURVEYORS	11
5.2	DESK STUDY	11
5.3	NVC GRASSLAND ASSESSMENT	13
6	DISCUSSION & RECOMMENDATIONS	15
7	REFERENCES	18

FIGURES

FIGURE 1: BEESTON FIELDS COMPARTMENT PLAN	6
FIGURE 2: SITE LOCATION PLAN	7
FIGURE 3: SITE CONTEXT PLAN	8
FIGURE 4: BEESTON FIELDS SITE AND LWS BOUNDARIES	12
FIGURE 5: QUADRAT LOCATIONS & LWS QUALIFYING SPECIES AT EACH LOCATION	14
FIGURE 6: RECOMMENDED BOUNDARY AMENDMENT FOR LWS	17

TABLES

TABLE 1: CONSULTED RESOURCES	10
TABLE 2: SUMMARY OF SURVEY CONDITIONS	11

APPENDICES

APPENDIX 1: SPECIES LIST	19
APPENDIX 2: NOTTINGHAMSHIRE LWS SELECTION CRITERIA	22

2 INTRODUCTION AND BACKGROUND

2.1 Purpose and Scope of this Report

- RammSanderson Ecology Ltd was commissioned by Stone Planning Services Ltd. to assess the grassland on the Beeston Fields Golf Club site in relation to the Local Wildlife Site (LWS) designation currently in place for acidic grassland on the western section of the site, and whether the grassland to the east differs from the west.
- ii The site boundary was defined by the boundary sent by the client and drawn from the Broxtowe Local Plan (<http://broxtowe.maps.arcgis.com/apps/webappviewer/index.html?id=2bc67a64432944a3918069616517bbd2> accessed 2017). However, for the purposes of the survey the site was split into the three sections (or compartments) of the golf course, on site the course is separated by a hedge and a PRoW (see Figure 1 below). These compartments were labelled; east, west 1 and west 2. All of compartments West 1 and West 2 are currently under LWS designation (see Figure 4) and are designated as a “golf course containing notable acidic grassland”.

Figure 1: Beeston Fields compartment plan



- iii As shown on the above plan, two areas of the site were not surveyed due to access restrictions at the time of survey. The walled garden contains, as expected, ornamental planting, fruit trees and mown, amenity grassland with greenhouses and assorted buildings. The area to the north of the East compartment were two horse grazing paddocks and were under separate ownership to the golf course and therefore not subject to survey at that time.
- iv This Appraisal is based on a review of the development proposals provided by the Client, desk study data (third party information) and a survey of the Site. The aims of this report are to:

- Discuss the results of an NVC methodology grassland survey of the golf course and the full species list of the site.
 - Evaluate the species diversity and composition present and compare results against the Nottinghamshire County Council Guidelines for the Selection of acid grassland Local Wildlife Sites.
 - Identify any specific ecologically valuable grassland areas to preserve /manage within the golf course.
 - Assess the differences between the species and habitats on the western and eastern section of the golf course.
- v This report pertains to these results only; recommendations included within this report are the professional opinion of an experienced ecologist and therefore the view of RammSanderson Ecology Ltd.
- vi The surveys and desk based assessments undertaken as part of this review and subsequent report are prepared in accordance with the British Standard for Biodiversity Code of Practice for Planning and Development (BS42020:2013).

2.2 Site Context and Location

The site comprises three compartments of a golf course (Beeston Fields Golf Club) which is approximately 43Ha of amenity grassland, semi-improved grassland, scattered trees, broadleaved and mixed woodland, ornamental planting including some ornamental heather beds, scattered scrub and tall ruderal. It lies between the residential areas of Beeston and Bramcote, the two western compartments are separated by a historic Public Right of Way (PRoW) which dates back to before the club house was built as a residential dwelling in 1837. The golf course itself was established in 1927 and therefore the amenity grassland has been in place for decades so has been improved for nearly a century. There is a mature hedgerow separating the eastern and western compartments.

Figure 2: Site Location Plan

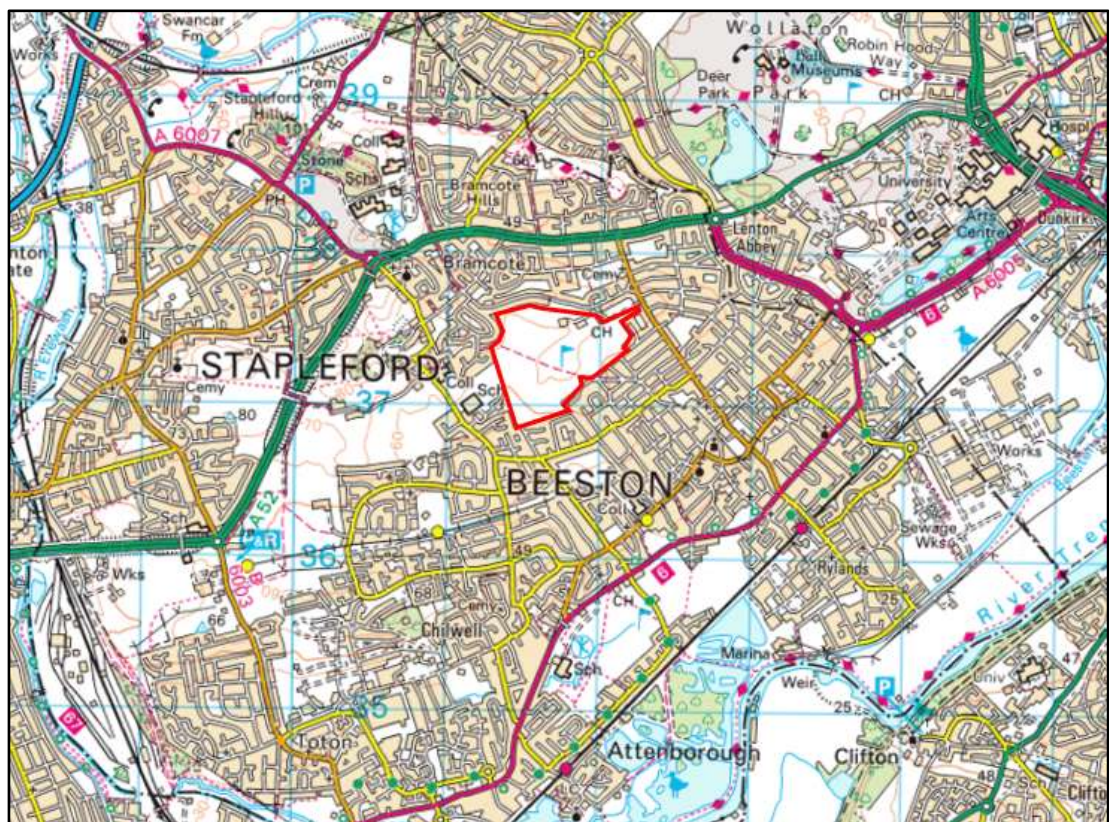


Figure 3: Site Context Plan



© Google 2015, Image reproduced under licence from Google EarthPro

3 LEGISLATION AND PLANNING POLICY

3.1 General & Regionally Specific Policies

Articles of British legislation, policy guidance and both Local Biodiversity Action Plans (BAPs) and the NERC Act 2006 are referred to throughout this report. Their context and application is explained in the relevant sections of this report. The relevant articles of legislation are:

- The National Planning Policy Framework (2012)
- ODPM Circular 06/2005 (retained as Technical Guidance on NPPF 2012)
- Local planning policies (Broxtowe Borough Council)
- The Conservation of Habitats and Species Regulations 2010 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- EC Council Directive on the Conservation of Wild Birds 79/409/EEC;
- National Parks and Access to the Countryside Act 1949;
- The Countryside and Rights of Way Act 2000;
- The Hedgerow Regulations 1997;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- Local Biodiversity Action Plan for Nottinghamshire.

4 METHODOLOGY

4.1 NVC Grassland assessment

The site (with the exception of the areas highlighted as no access) was subject to a full National Vegetation Classification (NVC) grassland survey. In this case a 2m x 2m quadrat was used for sampling, with all species within the quadrat and their relative abundances (%) recorded. A total of 25 quadrats were surveyed across the site, with quadrats taken at random as the site was walked. Care was taken to ensure a sampling of as many areas as possible however the site an actively used golf course and as such, fairways, tees and greens could only be sampled occasionally. In addition, a full grassland species list was taken during the site walkover.

4.2 Desk Based Assessment

Data regarding non-statutory designated sites, regarding Beeston Field in particular, was requested from the local ecological records centre and online resources, details of which are provided in Table 1 below.

Table 1: Consulted resources

Consultee/Resource	Data Sought	Search Radius from Boundary
Nottinghamshire Biological and Geological Record Centre	Non-Statutory Site Designations, protected/notable species records	1km

NB: Desk study data is third party controlled data, purchased or consulted for the purposes of this report only. RammSanderson Ecology Ltd cannot vouch for its accuracy and cannot be held liable for any error(s) in these data.

4.3 Limitations

- It should be noted that whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment.
- ii Botanical surveys during the period of October to April are generally less efficient than during the spring or summer, and it is possible that some plant species, especially fine leaved grass species and spring/early summer flowering herbaceous species may have been missed by the field survey. However, in view of the ecological character of the habitats recorded it is considered that the survey is adequate to make a robust assessment of habitats present and the sites likely nature conservation significance.

4.4 Accurate lifespan of ecological data

The majority of ecological data remain valid for only short periods due to the inherently transient nature of the subject. The survey results contained in this report are considered accurate for approximately 2 years, notwithstanding any considerable changes to the site conditions.

5 RESULTS

5.1 Surveyors

The survey was carried out by Rhia McBain BSc (Hons) MCIEEM and Amy Skuce BSc (Hons) GradCIEEM. Rhia has been completing botanical surveys for over 12 years and been an ecology professional for nearly 10 years. Amy has been undertaking botanical assessments for four years, with three years' experience as an ecological consultant. Both are appropriately qualified and experienced to carry out this type of survey.

Table 2: Summary of survey conditions

	Survey 1
Survey type	NVC grassland assessment
Date completed	25/10/17
Temperature	14°C
Wind speed (Beaufort Scale)	2
Cloud cover	3
Precipitation	0

5.2 Desk Study

Beeston Fields Golf Course is a non-statutorily designated site, having been designated as a Local Wildlife Site (LWS), previously Sites of Importance for Nature Conservation (SINCs), in 2010. The site was designated due to the golf course containing an area of notable acid grassland.

ii The site was designated with 9 Nottinghamshire LWS acid grassland criteria species identified as present:

- Early hair grass (*Aira praecox*)
- Sweet vernal grass (*Anthoxanthum odoratum*)
- Wavy hair grass (*Deschampsia flexuosa*)
- Sheep's fescue (*Festuca ovina*)
- Heath bedstraw (*Galium saxatile*)
- Mat-grass (*Nardus stricta*)
- Bird's foot (*Ornithopus perpusillus*)
- Sheep's sorrel (*Rumex acetosella* agg.)
- Slender trefoil (*Trifolium micranthum*)

Figure 4: Beeston Fields Site and LWS boundaries



5.3 NVC Grassland Assessment

The plan overleaf highlights where each quadrat was placed. A total of 25 grassland quadrats were assessed as part of the survey. A total of 6 LWS qualifying species were found, however only a maximum of 3 were ever found in any one quadrat. Therefore, it is considered that the quality of the acidic grassland is relatively poor. However, despite this the criteria are that 6 or more species are identified, this site has therefore met the criteria for dry, acid grassland in Nottinghamshire.

- ii Following NVC best practice, the quadrats were separated into different communities where these were apparent on the ground, preferably taking a minimum of 5 quadrats where possible per community and using a random sampling method. These formed three groups during this survey with the number of quadrats taken in brackets:
 - Amenity / semi-improved mesotrophic grassland community (15),
 - Acidic grassland community (8),
 - Heath community (2).
- iii A total of 14 quadrats found 0 LWS qualifying species across both western and eastern sections of the site.
- iv Only 5 quadrats were taken on the eastern compartment due to the lack of variation in habitats and the larger number of golfers active in this section. This compartment was analysed as MG7a (*Lolium perenne*-*Trifolium repens* leys), this was in keeping with what was apparent on the ground with evidence of low botanical diversity and high levels of amenity management.
- v Of the two western compartments, the northernmost portion of Western 1 compartment had the better quality acidic grassland, with the NVC classification resulting in a best fit of U2 (*Deschampsia flexuosa*, most likely to be U2a- *Deschampsia flexuosa* - *Festuca ovina*-*Agrostis capillaris* community).
- vi The majority of the two western compartments still mostly comprised MG7a community which was present throughout the pathways, fairways and tees.
- vii The heather areas, which were mostly planted beds with several ornamental varieties of *Calluna spp* and *Daboecia sp* also present in the western areas. Despite being ornamental planting these were also assessed under NVC and resulted in an H9d or H2a classification. The H2 classification is considered the most accurate definition due to the presence of gorse just outside the quadrat but within the habitat. The addition of further species after a spring or summer survey would be the best way to ensure a full NVC fit within this habitat type.

Figure 5: Quadrat locations & LWS qualifying species at each location



6 DISCUSSION & RECOMMENDATIONS

- The survey found that the eastern side of the golf course is comprised of amenity grassland (MG7) containing 0 LWS species. As such no further comments in relation to this compartment are made in this report.
- ii The results of the NVC assessment confirmed that there are areas of acidic grassland (NVC community U2) dominated by wavy hair grass (*Deschampsia flexuosa*) within the grounds of the Golf Course. However, these were isolated to small areas in the west 1 compartment, within the less intensively managed 'rough' areas of the golf course. A total of 6 LWS criteria species for lowland dry acidic grassland were identified within the site. A seventh species, sheep's fescue (*Festuca ovina*) was potentially identified, but not with certainty, due to its vegetative state at the time of survey. Therefore, it was considered that areas of the western side of the site meets the criteria for acid grassland LWS in Nottinghamshire based on the presence of 6 criteria species (with 6 or more required under the criteria).
- iii However, these 6 species were found in very small numbers spread across the western compartments. The highest number of LWS species found in any one quadrat was 3 (Q17, Q18, Q19 and Q21 as per Figure 5). The quadrats within the west 2 compartment to the south only contained 1 LWS criteria species, sweet vernal grass (*Anthoxanthum odoratum*) and whilst this is an LWS dry acid grassland species it is also a common species in a variety of grassland habitats along with the other species recorded in these quadrats. such as white clover (*Trifolium repens*) and common sorrel (*Rumex acetosa*).
- iv This result indicates that this is a relatively poor-quality acid grassland lacking in species diversity. Very few forb species were found at the time of the survey and whilst this is likely to be in part due to the time of year, where several acidic grassland species would now be either very difficult to find in such a habitat or would be dormant, it also points to a poor sward diversity as some species should still be apparent, vegetatively at this time of year and these were not observed. Given that the LWS criteria species previously found on the site and used to justify the designation also indicate a lack of forb diversity within the grassland. Whilst this is not uncommon in acidic grassland, the grassland species list is still less diverse than good examples of such a habitat where species such as *Potentilla* sp, heath milkwort (*Polygala serpyllifolia*) and wild thyme (*Thymus polytrichus*) would be present.
- v Whilst the U2 community in itself is not particularly rich in flowering species, under specific management it can be more diverse than that which was present at the time of survey or to transition it to a different acidic grassland community with a more diverse botanical assemblage.
- vi Based on the areas in which the better quality acidic grassland was found, it is recommended that the boundary of the LWS is much reduced, to become more realistic and less confusing to ensure correct management of the better-quality habitats.
- vii The recommended boundary changes are in line with the LWS boundary rules as per the Nottinghamshire Biological and Geological Record Centre (NBGRC) SINC selection criteria 2007 where flexibility should be applied. Excerpts from the boundary rules section can be found below;

"Below the 25% level we suggest the 1:3 ratio is maintained. This is a very crude rule of thumb, but it does put a sensible limit on the amount of associated LBAP habitat that could be brought into the SINC category. Any LBAP areas outside a SINC designated by these rules would of course be monitored in any event."

"There needs to be some flexibility as well. Where no obvious boundary is present on the ground it makes sense to recognise obvious edges to a site, the top of a rise, the boundary of a surrounding traditionally managed area, a local watershed etc. These will have to be justified site by site."

Traditionally/ Once-Traditionally- Managed Land Parcels

	% of parcel of SINC quality	minimum standard of remainder of parcel	area for SINC designation
1	>/=50%	altered/ re-sown/ species poor	all parcel notified as SINC
2	<50%	altered/ re-sown/ species poor	SINC area + 10m boundary in non-SINC remainder designated SINC
3	25-50%	remainder LBAP quality	all parcel notified
4	<25%	remainder LBAP quality	SINC area + up to 3x SINC area of LBAP habitat, + 10m boundary . Any remaining LBAP habitat monitored.

Table from NGBG SINC Criteria 2007 document.

- viii As per the boundary rules, if the area between the acid grassland areas were such that the whole current LWS area could be restored/habitat created to bring the LWS in its entirety into a good habitat, then a larger area would be logical. However, the golf course having been in place for 89 years and will never have anything but very high levels of management resulting in very short swards and a lack of species and structural diversity. If the designation is more sensibly delineated, it may lend to a more appropriate approach to conservation management of the acidic grassland areas. The current management of these 'rough' areas is evidently maintaining some of the key acidic grassland species but may have led to a decline in other LWS criteria species originally identified during the designation in 2010. As such some guidance on the management of this habitat type may be useful.
- ix Therefore, either applying the flexibility aspect of the boundary rulings or using the 1:3 ratio based on less than 25% of the area being of LWS criteria habitat (with the remaining habitat not being of LWS or LBAP quality), it is recommended that a more sensible boundary as per Figure 6 is applied to the site. This follows the longer term 'rough' areas and also is in line with the key LWS criteria areas. This allows for the landowners to target management in the correct areas and avoids confusion as to what areas are designated as acid grassland and why.

Figure 6: Recommended boundary amendment for LWS



- x Management of the above acidic grassland areas should include; cutting of the grassland areas to a height of 100-150cm in early June and another cut in late September, allowing for non-dominant species to come through and still allows the flowering and setting seed of key species. This management should be evaluated each year depending on species composition within the sward. All arisings must be removed, or the grassland sward will become nutrient rich and smothered. Use of any soil / grassland improvement product such as lime or sand, fertilisers, pesticides and/or herbicides should be avoided within the acid grassland areas without consulting an ecologist.

- BS 42020:2013 Biodiversity – Code of Practice for Planning and Development 2013: The British Standards Institution.
- ii Clements, D. & Tofts, R., 1992. Hedgerow Evaluation and Grading Systems (HEGS). s.l.:s.n.
 - iii Department of Communities & Local Government, 2012. National Planning Policy Framework, London: DCLG.
 - iv Institute of Ecology and Environmental Management, 2006. Guidelines for Ecological Impact Assessment in the UK. 2nd ed. Winchester: IEEM.
 - v Institute of Ecology and Environmental Management, 2012. Guidelines for Preliminary Ecological Appraisal. 2nd ed. Winchester: IEEM.
 - vi Institute of Environmental Assessment, 1995. Guidelines for Baseline Ecological Assessment. London: E & FN Spon.
 - vii Joint Nature Conservancy Council, 2010. Handbook for Phase 1 habitat survey. Peterborough: JNCC.
 - viii Local Plan Part 2: 2017-2028, Sept 2017. Broxtowe Borough Council.
 - ix <http://broxtowe.maps.arcgis.com/apps/webappviewer/index.html?id=2bc67a64432944a3918069616517bbd2> Accessed October 2017.
 - x Nottinghamshire Biological and Geological Record Centre, 2007. SINC Selection Criteria in Nottinghamshire
 - xi Office of the Deputy Prime Minister, 06/2005. Government Circular: Biodiversity and Geological Conservation - Statutory Obligations and their impact within the planning system. London: ODPM.
 - xii Rodwell, J.S. (ed.) 1991. British Plant Communities. Volume 2. Mires and heath. Cambridge University Press.
 - xiii Rodwell, J. S. (ed.) 1992. British Plant Communities. Volume 3. Grassland and montane communities. Cambridge University Press.
 - xiv Rodwell, J.S. (ed.) 2000. British plant communities. Volume 5. Maritime communities and vegetation of open habitats. Cambridge University Press.

Appendix 1: Species List

Common Name	Scientific Name
Sycamore	<i>Acer pseudoplatanus</i>
Yarrow	<i>Achillea millefolium</i>
Common bent	<i>Agrostis capilla</i>
Bent sp.	<i>Agrostis sp.</i>
Creeping bent	<i>Agrostis stolonifera</i>
Brown bent	<i>Agrostis vinealis</i>
Garlic mustard	<i>Alliaria petiolate</i>
Fly agaric	<i>Amanita muscaria</i>
Scarlet pimpernel	<i>Anagallis arvensis</i>
Cow parsley	<i>Anthiscus sylvestris</i>
Sweet vernal grass	<i>Anthoxanthum odoratum</i>
Daisy	<i>Bellis perennis</i>
Soft brome	<i>Bromus hordeaceus</i>
Brome sp.	<i>Bromus sp.</i>
Heather (ornamental 1)	<i>Calluna spp.</i>
Heather (ornamental 2)	<i>Calluna spp.</i>
Heather	<i>Calluna vulgaris</i>
Bittercress sp.	<i>Cardamine sp.</i>
Mouse ear	<i>Cerastium fontanum</i>
Rosebay willowherb	<i>Chamerion angustifolium</i>
Creeping thistle	<i>Cirsium arvense</i>
Yellow club fungi	<i>Clavuliopsis sp.</i>
Broom	<i>Cytisus scoparius</i>
Heather (ornamental 3)	<i>Daboecia sp</i>
Cock's foot	<i>Dactylis glomerate</i>
Wavy hair grass	<i>Deschampsia flexuosa</i>
Greater willowherb	<i>Epilobium hirsutum</i>
Willowherb sp.	<i>Epilobium sp.</i>

Red fescue	<i>Festuca rubra</i>
Fescue sp.	<i>Festuca sp.</i>
Ash	<i>Fraxinus excelsior</i>
Cleavers	<i>Galium aparine</i>
Heath bedstraw	<i>Galium saxatile</i>
Wood avens	<i>Geum urbanum</i>
Yorkshire fog	<i>Holcus lanatus</i>
Creeping soft grass	<i>Holcus mollis</i>
Holcus sp.	<i>Holcus sp.</i>
Feather moss sp.	<i>Hypnales sp.</i>
Cat's ear	<i>Hypochaeris radicata</i>
Narrow leaved everlasting pea	<i>Lathyrus sylvestris</i>
Hawkbit sp.	<i>Leontodon sp.</i>
Perennial rye grass	<i>Lolium perenne</i>
Wood rush sp.	<i>Luzula sp.</i>
Black medick	<i>Medicago lupulina</i>
Mat grass	<i>Nardus stricta</i>
Ribwort Plantain	<i>Plantago lanceolate</i>
Hoary plantain	<i>Plantago media</i>
Timothy grass	<i>Phleum pratense</i>
Annual meadow grass	<i>Poa annua</i>
Smooth meadow grass	<i>Poa pratensis</i>
Rough meadow grass	<i>Poa trivialis</i>
Self heal	<i>Prunella vulgaris</i>
Oak	<i>Quercus robur</i>
Creeping buttercup	<i>Ranunculus repens</i>
Common sorrel	<i>Rumex acetosa</i>
Sheep's sorrel	<i>Rumex acetosella</i>
Broad leaved dock	<i>Rumex obtusifolius</i>
Ragwort	<i>Senecio jacobaea</i>

Chickweed

Stellaria media

Dandelion

Taraxacum officinale agg.

White clover

Trifolium repens

Gorse (Ornamental)

Ulex sp.

Thyme leaved speedwell

Veronica serpyllifolia

Vetch sp.

Vicia sp.

Appendix 2: Nottinghamshire LWS Selection Criteria

xv Taken from <https://www.nottinghamcity.gov.uk/events-markets-parks-and-museums/parks-and-open-spaces/nottinghamshire-biological-and-geological-record-centre-nbgrc/> October 2017, LWS previously referred to as SINC (Sites of Importance for Nature Conservation).

Details

Agent	
Please provide your client's name	Beeston Fields Golf Club
Your Details	
Title	█
Name	██████████
Organisation (If responding on behalf of an organisation)	Beeston Fields Golf Club
Address	██████████ ██████████ ██████████ ██████████ ██████████
Telephone Number	██████████
Email Address	██████████████████
Would you like to be contacted regarding future planning policy consultations?	Yes
If you wish to comment on more than one issue you will need to submit a form for each representation.	

Policy relates to

Please specify what your comment relates to					
Policy number	Page number	Policy text/ Paragraph number	Policies Map	Sustainability Appraisal	Other (e.g. omission, evidence document etc.)
31: Biodiversity Assets		See attached			

Question 1: What does your comment relate to? Please specify exactly
--

Question 2

Question 2: What is the issue with the Local Plan?	
Do you consider this paragraph or policy of the Local Plan to be:	
2.1 Legally compliant	Yes
2.2 Compliant with the duty to co-operate	Yes
2.3 Sound	No

Question 3

Question 3: Why is the Local Plan unsound? Please only answer this question if you answered 'No' to 2.3 above	
If you think this paragraph or policy of the Plan is not sound, is this because:	
It is not justified	No
It is not effective	No
It is not positively prepared	No
It is not consistent with national policy	No

Additional details

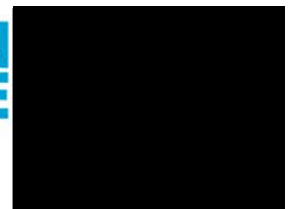
<p>Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound or does not comply with the duty to co-operate. Alternatively, if you wish to support any of these aspects please provide details.</p>	<p>See attached</p>
--	---------------------

Question 4

Question 4: Modifications sought	
<p>Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this modification will make the Local Plan legally compliant or sound.</p>	<p>To remove or reduce the Bio diversity designation on the Beeston Fields Golf Course to reflect the evidence.</p>

Question 5

Question 5: Public Examination Attendance	
<p>If your representation is seeking a modification, do you consider it necessary to participate at the public examination?</p>	<p>Yes</p>
<p>If you wish to participate at the public examination, please outline why you consider this to be necessary</p>	<p>To explain our client's case to the Inspector and challenge the Council's evidence regarding its designation.</p>



Planning Policy Team
Broxtowe Borough Council
Foster Avenue
Beeston
Nottingham
NG9 1AB

By Post & Email - policy@broxtowe.gov.uk

20809/A3/SN/ds

3rd November 2017

Dear Sir/Madam

PART 2 LOCAL PLAN 2017–2028 CONSULTATION – PUBLICATION VERSION – TOTON SIDINGS

On behalf of the Mr Sahota ('our Client') we write in response to the Broxtowe Borough Council Publication Version of the Part 2 Local Plan (which follows the Part 1 Local Plan, the Aligned Core Strategy). This document allocates specific sites to meet the development requirements set out in the Aligned Core Strategy and details further policies against which future planning applications will be assessed and is currently out for public consultation.

Our Client has interests in the land at Toton Sidings and residual land, as outlined by the plan that accompanies this representation. These representations are made wholly in respect of this land which, for the purpose of this representation, will be referred to as ('the Site').

1. The Soundness of the Plan

The National Planning Policy Framework ('the Framework'), in particular Paragraph 182, highlights that local planning authorities should submit a plan for examination which it considers is "*sound*"; namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Our Client fully supports the mixed-use allocation.



Registered in England
Number: OC342692

Barton Willmore LLP
Registered Office:
The Blade
Abbey Square
Reading
RG1 3BE
F/ +44 (0)118 943 0001

2. General Comments

We have previously made representations throughout the Core Strategy, attended the various sessions at the Examination in Public and been involved with the working group.

Throughout all these stages our Client has supported the release of the land at Toton for development with or without the HS2 station. The land comprises previously developed land, has had significant technical work demonstrating the suitability of the Site and has successfully opposed a Town and Village Green application.

With or without the HS2 station the line is suitable and deliverable to be released from the Green Belt for development to take place. Our Client supports the allocation and the opportunity to provide development within the area.

The Core Strategy Allocation

Our Client's site has been included in the Core Strategy as a mixed-use site (Land in the Vicinity of the Proposed HS2 Station at Toton (Broxtowe)). The location of the HS2 hub has been included in the Core Strategy to deliver a strategic location for growth, comprising a minimum area of 73 hectares and set parameters of development, including:

- 500 homes;
- 18,000 square metres of employment land;
- 16 hectares of open space;
- Safeguarded land for the NET extension and vehicular access to the HS2 station;
- Local education provision; and
- Local retail provision.

3. Site Specific Representations

The remainder of this letter identifies and comments on specific elements of Part 2 of the Local Plan, with reference to Policy 3.2 Toton Strategic Location for Growth and the other land within our clients control, as shown on the accompanying plan to this representation.

TOTON SIDINGS MIXED USE ALLOCATION	
Ward	Toton and Chilwell Meadows Ward
Site Reference	Policy 3.2 Toton Strategic Location for Growth
Promoter of the Site	Tej Properties
Status in the Local Plan Part 2	Mixed Use Allocation
Policy 3: Main Built up Area Site Allocations Policy 3.2: Toton 500 Homes - Land in the vicinity of the HS2 Station at Toton (Strategic Location for Growth) Key Development Requirements within the Plan period: <ul style="list-style-type: none"> • 500 Homes of a minimum net density of 40 dwellings to the hectare and associated infrastructure to deliver this; and • Limited local retail provision of a scale that does not compete with the retail offer in nearby centres including Long Eaton, Stapleford and Sandiacre. 	

Key Development Requirements beyond the Plan period:

- **The development of an innovation village comprising the following minimum and to be confirmed as part of the review of the Greater Nottingham Aligned Core Strategies:**
- **Minimum of 18,000 square metres of B class employment space towards the western side of the site around the hub station. This development will be provided as part of a mix of uses including tall buildings along the key north/south gateway between the HS2 Station and Stapleford; and**
- **Minimum of 16ha Open Space, to incorporate Green Infrastructure of sufficient width and quality to provide attractive and usable links between Hobgoblin Wood in the east and Toton Fields Local Wildlife Site in the west and the Erewash Canal, which will blend with a high quality built environment;**
- **An integrated local transport system that facilitates access enhancements to the station from the two gateway towns of Long Eaton to the south (in Erewash Borough) and Stapleford to the north;**
- **Safeguarded route for a NET tram extension and vehicular access to the HS2 station (including access from the A52);**
- **Tram extension to terminate at a level which facilitates the future tram extension beyond the station;**
- **An integrated traffic system that flows well including proper consideration of access both from Long Eaton and Stapleford; and**
- **Additional land for community facilities including education and the provision of a Leisure Centre (if required).**

Our Client wholly supports the proposed allocation for mixed use development on this site and the wider area, however, it is considered that a full masterplan should be considered prior to exact details being identified. The whole area is required and provides a one-off opportunity for development and should not prejudice the ability to deliver on this important regional site.

Our Client's land abuts the proposed station and offers opportunities for development, whilst also owning nearby land in Erewash and land retained in the Green Belt, which could be enhanced for open space and biodiversity.

On this basis, our Client objects to any site specific requirements that may prejudice development of their site and reserves the right to comment later and be involved in any masterplanning exercises.

Policy 28 Green Infrastructure Assets

1. Development proposals which are likely to lead to increased use of any of the Green Infrastructure Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Asset(s). These Green Infrastructure Assets are:

- a) Green Infrastructure Corridors (not shown on the Policies Map);**
- b) Playing Pitches;**
- c) Informal Open Spaces i.e. 'natural and semi-natural green space' and 'amenity green space';**
- d) Allotments; e) Recreational Routes; and**
- f) Nature Reserves.**

2. In all cases listed in part 1, and in the case of school playing fields, permission will not be granted for development that results in any harm to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm.

In this case, the relevant parts of this policy are:

- 28b: Playing Pitches (Manor Farm Recreation ground)**
- 28c: Informal Open Space (Manor Farm Recreation ground)**
- 28f: Local nature Reserves (Toton Fields)**

Our Client objects to the inclusion of land in the vicinity of the HS2 station being restricted via a policy at this time as opportunities for management and enhancement in accordance with a wider masterplan may be available.

Further to this the wording requires improvement of the asset itself, however, there may be opportunities for off-site improvements or contributions that could be made to other areas in lieu of onsite improvements. On this basis the policy should offer more flexibility to enable this to be discussed at any future planning application stage.

Policy 31.1a – Local Wildlife Sites: Toton Erewash Channel

1. Development proposals which are likely to lead to the increased use of any of the Biodiversity Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Asset(s). These Biodiversity Asset(s) are;

- a) Sites of Special Scientific Interest, Local Wildlife Sites or Local Geological Sites (as listed in Appendices 2, 3, 4 and shown on the Policies Map);**

2. In all cases permission will not be granted for development that results in any harm to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm.

Our Client objects to the inclusion of land in the vicinity of the HS2 station being restricted via a policy at this time as opportunities for management and enhancement in accordance with a wider masterplan may be available.

Whilst section 2 is welcomed, whereby benefits can be considered to outweigh any harm, again there may be opportunities for off-site improvements or contributions that could be made to other areas in lieu of onsite improvements. On this basis the policy should offer more flexibility to enable this to be discussed at any future planning application stage.

4. Green Belt Release

Our Client fully supports the Green Belt release for the site and acknowledges the exceptional circumstances that the Site fulfils that support the Site's release from the Green Belt.

The Council have an adopted Local Plan, which identifies the level of homes required over the plan period and identified that insufficient land existed outside of the Green Belt to deliver those homes. This, together with the needs of the district and the benefit of new homes, demonstrate the exceptional circumstances to release land from the Green Belt.

Furthermore, there are exceptional circumstances that are listed within the Site Selection Document, Main Report (September 2017) as follows:

- The Inspector into the ACS was content that the exceptional circumstances had been demonstrated as was the High Court Judge (Judge Jay) in ruling on the legal challenge into the ACS. There has been no change of circumstances since this time to justify a different view being taken.

In accordance with the Core Strategy, Amendments to the Green Belt will be undertaken as part of the Broxtowe's part 2 Local Plan to reflect the site's Green Belt release and this is supported.

5. Conclusions and Recommendations

These representations have been prepared on behalf of Mr Sahota and set out his comments in relation to the Broxtowe Borough Council Publication Version of the Part 2 Local Plan with a particular focus on the mixed-use allocation at Toton Sidings.

Our Client has a keen interest in the development of the Site and is grateful for this opportunity to engage in the forward planning process. They are committed to ensuring the latest emerging Local Plan is prepared on a sound and robust basis which meets the tests of paragraph 182 of the Framework.

It has been demonstrated throughout the emerging Allocations process that our Client's site is suitable, available, and achievable and is a deliverable site that should be allocated within the Part 2 of the local Plan. Our Client therefore supports the proposal to allocate the Site for mixed-use development but objects against the potential restrictions placed on the site in advance of a detailed masterplan and also policy requirements that do not offer flexibility and could prejudice delivery of parts of the strategic site.

We trust the above information is of assistance to Broxtowe Borough Council in progressing with the emerging Part 2 of the Local Plan, but should you require any further information or have any queries in connection with this site then please do not hesitate to contact us.

Notwithstanding the above, our Client reserves the right to comment further at the EiP Hearing sessions.

Yours sincerely

A large black rectangular redaction box covering the signature of the Director.
Director

Enc. Plan of the Site

