



RUSHCLIFFE BOROUGH COUNCIL
Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG

Rushcliffe
Borough Council

NOTICE OF REFUSAL OF PLANNING PERMISSION

TOWN & COUNTRY PLANNING ACT 1990

Hallam Land Management Ltd
c/o Mr Darren Abbott
Freeths LLP
Cumberland Court
80 Mount Street
Nottingham
NG1 6HH

REFERENCE NO : 17/00970/COU
APPLICANT : Hallam Land Management Ltd
DEVELOPMENT : Change of use from agricultural land to public open space
LOCATION : Land Off Old Grantham Road Whatton Nottinghamshire

RUSHCLIFFE BOROUGH COUNCIL having considered an application, which was validly submitted on 2 May 2017, for the above development hereby in pursuance of their powers under the above-mentioned Act,

REFUSE PERMISSION

for the development described in the application for the reasons set out below:

1. The application site includes land which is identified as part of a positive open space (landscape) in the Whatton-in-the-Vale Conservation Area Townscape Appraisal. In the opinion of the Borough Council, features such as pedestrian/cycles routes and a formal children's play area shown on the illustrative masterplan would have an adverse impact on the rural character and appearance of the site and the adjacent part of the Conservation Area. The proposal is, therefore, contrary to the environmental role, one of the core planning principles and the objectives of Chapter 12 (Conserving and enhancing the historic environment) of the NPPF. The proposal is also contrary to the objectives of policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy, and contrary to policies GP1 (VIII) (Delivering sustainable development), GP2 h) (Design and amenity criteria), and EN2 a), & h) (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

2. The application site comprises Grade 2 and 3b agricultural land. The Council considers that the proposed public open space is significantly larger than would be necessary to serve a development of up to 90 dwellings, and consequently, that it would result in the unnecessary loss of best and most versatile agricultural land. The proposal is, therefore, contrary to the objectives paragraph 112 of the NPPF, and contrary to policy EN21 (Loss of agricultural land) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

3. The proposed development would result in loss of habitat within the site and on neighbouring land which would be likely to have an adverse impact on bats, birds, mammals and reptiles. Furthermore, the information submitted with the application is insufficiently detailed to enable a full assessment of the impact of the development on biodiversity, and whether the impact could be adequately mitigated. Therefore, in the opinion of the Borough Council, it has not been demonstrated that the proposed development would not result in an unacceptable impact on biodiversity. The proposal is, therefore, contrary to the environmental role, one of the core planning principles and the objectives of Chapter 11 (Conserving and enhancing the natural environment) of the NPPF. The proposal is also contrary to the objectives of policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy, and policies GP1 viii (Delivering sustainable development) and EN12 (Habitat protection) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

The application was subject to pre-application discussions. However, there are fundamental objections which, it is considered, cannot be resolved through further negotiation and a decision has, therefore, been made in order to avoid abortive costs to the applicant.

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on this application.


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Authorised Officer on behalf of Rushcliffe Borough Council
1st August 2017