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Sent via email to  
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28 February 2025

Dear Sir/Madam,

**Ref: V/2025/0073 Construction of 1no. B2 Industrial Unit. Ground Floor, Unit 1 Store First, Observatory Way, Kirkby in Ashfield, Nottinghamshire, NG17 7RD**

Thank you for your email dated 14 February 2025 requesting strategic planning observations on the above planning application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities there are a number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications these include Minerals and Waste, Education, Transport and Public Health. Where necessary, the Council will request developer contributions towards its services in accordance with its adopted [Developer Contributions Strategy](#), which is available to view online.

### **Highways and Flood Risk Management**

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

Should further information on the highway and flood risk elements be required contact should be made directly with the Highway Development Control Team and the Flood Risk Management Team to discuss this matter further with the relevant officers dealing with the application.

### **Minerals and Waste**

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the adopted Nottinghamshire Minerals Local Plan (adopted March 2021), form part of the development plan for the area.

The County Council is also jointly working with Nottingham City Council on a new Waste Local Plan which will, once adopted, replace both the saved policies of the Waste Local Plan and the Waste Core Strategy. The new Waste Local Plan is currently undergoing examination, with hearing sessions held in October 2024 and the Councils now consulting on main modifications to the Plan. The Plan is therefore at an advanced stage and should be given weight as a material consideration. As detailed in our Local Development Scheme (January 2025), it is anticipated that the Plan will be adopted in July 2025. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, these should be considered, where proposals for non-minerals development fall within them.

## Minerals

The proposed site is not within a Mineral Safeguarding and Consultation Area, or near to any existing minerals extraction sites. The County Council therefore raises no concern in terms of mineral safeguarding.

## Waste

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

As set out in Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.' In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

## Note

Attention should be drawn to an area to which the proposed site would cover, which records indicate to have been an historic landfill site. The site reference EAHL22151 Low Moor Road. Further information regarding this historic landfill site, should that be deemed necessary should be sought via the Environment Agency.

## Public Transport

### General Observations and Accessibility

The planning application covers an area of land to the North of Observatory Way in the town of Kirkby in Ashfield and is for industrial unit development of 1392.30m<sup>2</sup>. Site access appears to be via an existing access on to Observatory Way with the closest bus stops being approximately 170 metres / 315 metres from the centre of the site.

### Bus Service Support

Nottinghamshire County Council's Highway Design Guidance<sup>1</sup> (Part 3.1) states that walking distances to bus stops in urban areas should be located within a maximum of distance of 400 metres. The closest existing bus stops are located on Low Moor Road within 300 metres of the centre of the site and are served by frequent services operated by trentbarton which offer daytime, evening and Sunday access to Nottingham, Mansfield, Sutton-Ashfield, Kirkby-in-Ashfield and towards Ripley (not Sundays). Sutton Parkway Rail Station is within 400 metres of the site with daily rail connections towards Mansfield, Worksop and Nottingham. A summary of the current services that serve the closest stop(s) is provided below:

Service No. & Operator	Route	Service Frequency & Operating Times			Route Funding
		Weekday	Weekend		
		Mon - Fri	Sat	Sun	
3C trentbarton	Nottingham - Mansfield	05:26 to 00:08 up to every 30 minutes	07:57 to 00:08 up to every 30 minutes	Hourly 06:14 to 18:49 up to every 60minutes	Commercial
33 trentbarton	Ilkeston - Heanor - Sherwood Business Park - Kirkby - Sutton - Mansfield	05:30 to 19:43 up to every 60minutes	05:30 to 19:33 up to every 60minutes	No Service	Commercial

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90 trentbarton	Mansfield - Kirkby - Selston - Jacksdale - Ripley	06:25 to 20:17 up to every 60 minutes	07:35 to 20:17 up to every 60 minutes	No Service	Multi-funded Service
A1 Stagecoach	Kirkby in Ashfield - Glenair	06:55 to 19:05 Two trips Daily	06:55 to 19:05 Two trips Daily	06:55 to 19:05 Two trips Daily	

At this time, it is not envisaged that contributions towards local bus service provision will be sought.

### **Bus Stop Infrastructure**

The current infrastructure observations from Transport & Travel Services records are as follows:

AS0318 Lowmoor Business Park – bus stop pole and flag, raised boarding kerbs.

AS0319 Rail Station – Real time information display, raised boarding kerbs, polycarbonate shelter, unenforceable clearway.

### **The Council request that a Planning Obligation be added to state:**

A bus stop infrastructure contribution of **£3,600** is paid to provide improvements to the bus stop on Low Moor Road denoted AS0319 Rail Station.

Justification: Bus stops should be provided that meet the access standards set out in the Council's Highway Design Guide <sup>1</sup> with bus stop facilities that meet the standard set out in the Appendix to the Council's Public Transport Planning Obligations Funding Guidance <sup>2</sup>. The level of funding requested would provide the following improvements:

AS0319 Rail Station – Traffic Regulation Order (TRO) for clearway, clearway re-lining or other enhancements as required.

The closest stop to the development - AS0319 Rail Station - has been identified as a boarding stop and generally meets the council's current infrastructure standard. A re-lining of the clearway is specified together with the cost of making a TRO to make the clearway enforceable to support access for passengers including employees and visitors.

The specified improvements are consistent with the standard set out in the Council's Public Transport Obligations Funding Guidance <sup>2</sup> and the Developer Contributions Strategy <sup>3</sup> and has included consideration of other sustainable travel options including cycling & walking facilities serving the site.

### **Sustainable Travel**

Transport and Travel Services expect all employees to have free introductory bus travel made available to them on occupation to encourage use of sustainable modes of travel.

Payment Triggers – In the event that the funding request is supported the preferred trigger for payment is prior to occupation.

The improvements would be at one of the closest bus stops to the site so is directly related to the development, fair and reasonably related in scale and kind to the development and necessary to make the development acceptable in planning terms (employment development).

The Council reserves the right to re-assess its contribution requirements if other information relevant to the content of this response is submitted by the applicant or if, after six months, a decision on the application is still awaited or the s106 agreement has not been completed. If a road closure is required in connection with the development, then a developer will be required to provide any funding for replacement alternatives needed to maintain service levels.

Further information can be supplied through developer contact with the County Council Transport & Travel Services team at [ptdc@nottscc.gov.uk](mailto:ptdc@nottscc.gov.uk) Tel. 0115 977 4520

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## **Built Heritage**

This site is close to (directly opposite) the C19th railway 'bridge off Low Moor Road' which is recorded as a Non-designated Heritage Asset by ADC and on the Notts HER (M17869). The area of the proposal is characterised by C20th industrial units of the same type as proposed. It is unlikely that the proposals would cause a harmful impact on the setting of the NDHA.

## **Archaeology**

The application site is in close proximity to the medieval site, and associated landscape, of Kirkby Hardwick Hall. However, the historic mapping shows that this area was formerly extracted as part of a sand pit. As such no archaeological input is recommended for the application as detailed.

## **Cycling and Walking Provision**

No comments or recommendations to offer.

## **Conclusion**

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site. Should the County Council's request for developer contributions be agreed, the Council expects to be included as a signatory to the relevant legal agreement arising from the determination of the application.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Tania Krasteva  
Planning Officer  
Nottinghamshire County Council

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