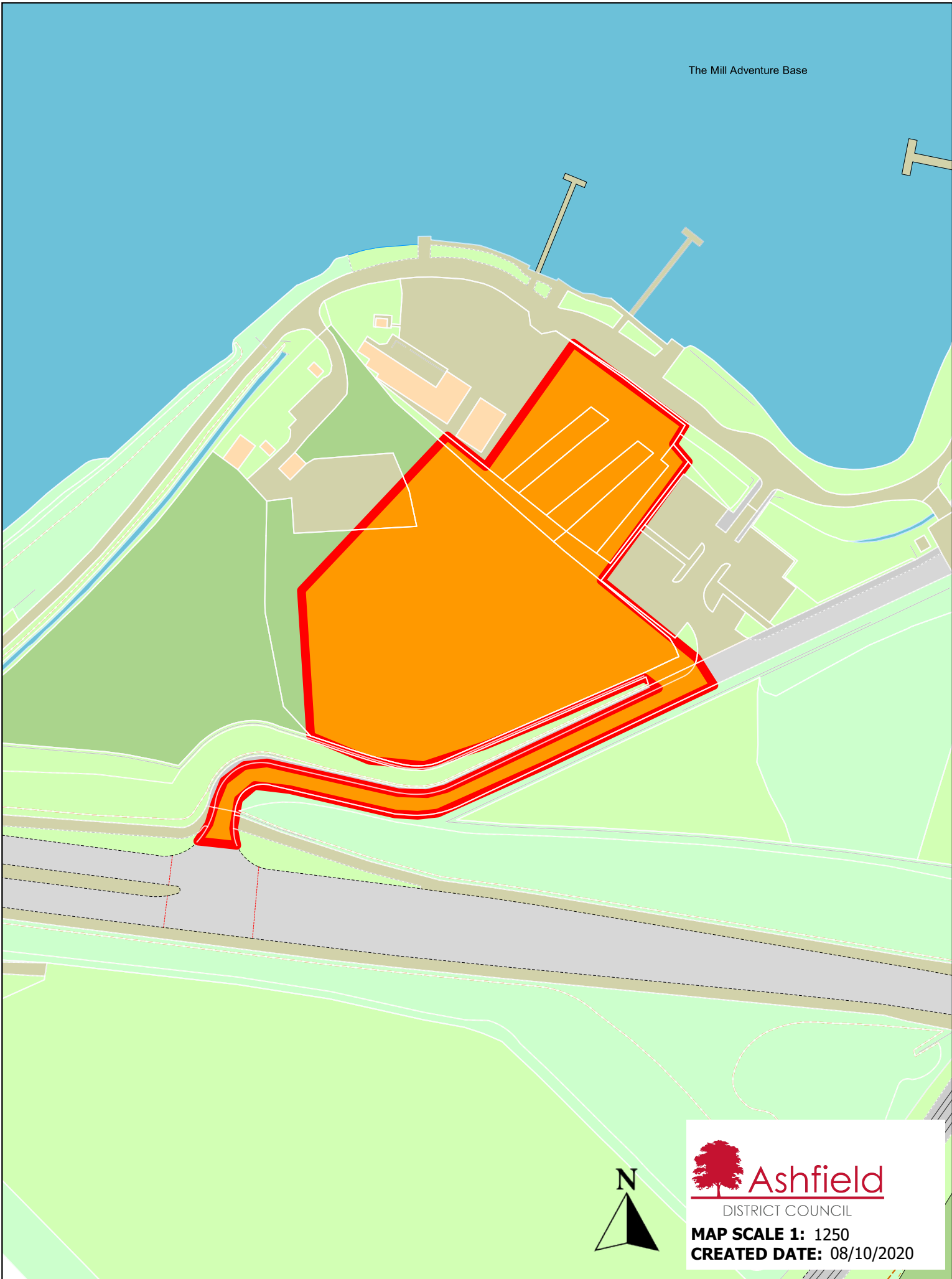


The Mill Adventure Base



**COMMITTEE DATE** 27/01/2021      **WARD** Sutton Junction and Harlow Wood

**APP REF** V/2020/0571

**APPLICANT** Ashfield District Council

**PROPOSAL** Car Park Extension

**LOCATION** Kingsmill Reservoir, Sherwood Way South, Sutton in Ashfield, Nottinghamshire, NG17 4PA

**WEB-LINK** <https://www.google.co.uk/maps/@53.1312379,-1.2332496,16z>

**BACKGROUND PAPERS** A, C, D, K

App Registered: 08/09/2020

Expiry Date: 08/12/2020

*Consideration has been given to the Equalities Act 2010 in processing this application.*

*This application has been referred to Planning Committee as the Council are the applicants.*

### **The Application**

This is an application which seeks planning consent for a car park extension to the existing car parking facility at Kingsmill Reservoir, Sutton in Ashfield, which is also known locally as Mill Waters.

At present the facility has the provision of 77 car parking spaces for recreational visitors. As part of this proposal, the parking provision available to visitors will be increased by a further 183 parking spaces, including four additional disabled bays, taking the total number of parking spaces at Kingsmill Reservoir to 260. The proposed extension will expand to the south-west and north-west of the existing car parking provision.

The scheme also seeks minor improvement works to the site, including the installation of new boundary treatments and new tree and hedgerow planting along the sites boundaries, and within the proposed car park extension.

### **Consultations**

A site notice has been posted together with individual notification to surrounding residents.

The following responses have been received:

**Resident Comments:**

55x Letters of objection have been received from local residents and a sailing organisation raising the following:

- Impact on community assets/groups, including the sailing club:
  - o Loss of community groups
    - Impossible to retain the sailing group if the development goes ahead – unviable
    - Site also support Mansfield Sea Cadets, Kingsmill Model Boat Club, Mansfield Scuba Diving Club and the Seaforth Highlanders Pipe Band
    - Youth's will have nowhere else to go – increased anti-social behaviour and vandalism across District
  - o Loss of water sport activities (only provider of these sports on the reservoir)
    - Contrary to the aims of encouraging health and well-being
  - o Prevent the expansion of the club
  - o Loss of equipment and storage space – need additional space
  - o Reduced membership
  - o Reduced opportunities for members of the local community
  - o New site set-up would be unsafe for families
  - o Increased risk of injury to users
  - o Increased rent
  - o Detrimental to the park café
- Not in the interest of the local community:
  - o Will not enhance the experience of users of the reservoir
  - o Will increase anti-social behaviour on site
  - o Waste of taxpayers money – focus should be on regenerating town centres and encouraging new businesses
  - o Council only want the development to gain extra revenue through parking fees
  - o Council should inject funds into the sailing club to make the area more appealing and to provide increased activities
  - o Impact on disadvantaged members of the community
    - Regard should be had to the Equalities Act 2010 – decision should be proportionate to the potential impact
    - Equality Impact Assessment should be required
- Impact on the visual amenity of the area
- Environmental impacts:
  - o Result in a damaging impact on the local environment and green space
  - o Loss of flora and fauna – including protected species such as bats
  - o Alternative site should be found
  - o Increased litter and waste
  - o Increased fumes and emissions of users travelling elsewhere to benefit from activities currently provided at the reservoir
  - o Environmental Impact Assessment should be required

- Highway impacts:
  - o Additional parking is unnecessary – current car park does not operate at capacity
  - o Increased traffic and congestion
  - o Traffic should be discouraged from this area
  - o Use of public transport to the site should be encouraged – on a bus route
- Works have already started on site without permission

***Ashfield District Council Landscaping:***

Previous concerns and questions raised in respect of the layout/design of the car park extension to the south-west of the site, tree and hedgerow planting, boundary treatments and surfacing materials have been adequately addressed. No further comments to make on the application.

***Nottinghamshire Highway Authority:***

A Technical Note has been submitted to address the Highway Authority concerns regarding the increased number of vehicles which are likely to use the junction with the A617. A Junctions 9 assessment has been carried out using trip generation based on pro rata usage of the existing car park against count data from an adjacent junction and fixed site counter, provided by NCC.

The results of the assessment show that the junction still operates with capacity to spare and minimal queuing predicted. The note identifies that queues were likely to be longer than predicted due to the platooning effect of the adjacent traffic signals. However, in terms of queues on the A617, the length of the existing ghost island right turn will accommodate approximately 10 vehicles with a section of hatching on the lead up, which would accommodate even more vehicles, and therefore the risk of shunt accidents on the A617 is unlikely. The car park access arm is predicted to have delays but these are unlikely to lead to driver frustration.

In consideration of the above, the Highway Authority have no objections to the proposed development.

***Nottinghamshire Rights of Way:***

No rights of way are to be affected by the proposal. As such, the Rights of Way team have no objections to the proposed development.

***Nottinghamshire Wildlife Trust:***

Largely pleased with the methodologies and conclusions made within the Ecological Report. A section of hedgerow adjacent to the existing car park has been removed. The removed section of hedgerow formed part of a larger remnant hedgerow, which has been recommended to be retained due to its potential importance to nesting and foraging wildlife and providing habitat connectivity. Notts Wildlife Trust support the retention of the hedgerow. Also fully support the mitigations outlined in the report, as

well as the site enhancements recommended, which should be secured through suitably worded planning conditions

***Natural England:***

No comments to make on the application.

***Sport England:***

The proposed car park, seeks to support an increase in visitors to benefit from the reservoir, wider facilities and environs. This includes active recreation in a number of ways including running, walking, cycling, The Mill Adventure base and other activities on the reservoir and it supports the café use. The current wider Sport England Strategy seeks to support measures to encourage the inactive to become active and those already active to become more active. Sport England therefore in principle support this initiative.

It has been confirmed that the parcel of land shown on the amended plan for the replacement sailing club boat storage does not currently form part of their lease, and the storage containers upon it are to be removed. Whilst the replacement boat storage area proposed may not be the same as it now, it will provide an alternative arrangement for the sailing club. This along with the option of a separate storage area for use by the sea cadets, provides a solution which both delivers the proposals and the benefits outlined but also retains the facilities needed to support the continuation of the Sailing Club at the site.

**Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

**National Planning Policy Framework (NPPF) 2019**

- Part 2 – Achieving Sustainable Development
- Part 8 – Promoting Healthy and Safe Communities
- Part 9 – Promoting Sustainable Transport
- Part 11 – Making Effective Use of Land
- Part 12 – Achieving Well Designed Places
- Part 15 – Conserving and Enhancing the Natural Environment

**Ashfield Local Plan Review (ALPR) 2002**

- ST1 – Development
- ST4 – Remainder of the District
- EV2 – Countryside
- EV4 – Mature Landscape Areas
- EV6 – Local Nature Reserves & Sites of Importance for Conservation & Geological Significance

## **Relevant Planning History**

### **V/2006/1001**

Details: Vehicle height barriers; bollards; & boulders to car park.

Decision: Conditional consent

### **V/2007/0445**

Details: Installation of geothermal scheme to provide heat exchange for Kings Mill Hospital.

Decision: Conditional consent

### **V/2015/0273**

Details: Remove condition 1 of Planning Permission V/2007/0445.

Decision: Conditional consent

### **V/2015/0433**

Details: Discharge of condition 1 of Planning Permission V/2015/0273.

Decision: Conditional discharge

### **V/2018/0035**

Details: Construction of 34 space car parking spaces including 2 dedicated disabled parking spaces. Construction of weir within reservoir, selective dredging of sediment and creation of wetlands receptors to deposit dredged material.

Decision: Conditional consent

### **V/2019/0396**

Details: Non-Material Amendment to Planning Permission V/2018/0035 - Reduce/change the locations where the sediment is to be distributed and amendment to the type of sediment barrier from weir construction to sediment islands.

Decision: Conditional consent

## **Comment:**

The site is situated to the east of Sutton in Ashfield on the border with Mansfield District. Primary vehicular access to the site is from Sherwood Way South providing a wide carriageway with a designated turning lane into the site for the north-west bound traffic. The entrance provides good visibility for vehicles entering and leaving the site. There is a secondary vehicular access point to the north east of the site off Kings Mill Lane, however this is a farm access only.

The site benefits from a tarmac car park comprising of 43 parking spaces for visitors to the site, as well as a newly constructed stone based car park to the south-west of the original provision, comprising of a further 34 parking spaces, which was granted planning consent under planning reference V/2018/0035.

The applicant proposes the creation of two new parking areas which will form extensions to the existing provision. One of the parking areas is proposed to be

constructed to the north-west of the existing provision, on an area presently utilised for boat storage by Sutton in Ashfield Sailing Club. This area will comprise of 47 parking spaces. A larger extension to the existing provision is also proposed to the south-west of the site, which will comprise of a further 136 parking space, which will be located on grazing land.

The application site is located in an area identified as Countryside and a Mature Landscape Area. Land to the north and west of the site, but not the site itself, is a designated nature reserve supporting a diverse range of wildlife including flora and fauna species. The reservoir comprises the main waterbody (approx. 22ha) which is fed by, and drains to, the River Maun. Habitats surrounding the waterbody include woodland, scrub, tall ruderal and grassland. To the south of the lake is the existing visitor centre and associated infrastructure which provides further recreation facilities to members of the public. The Hermitage Ponds are situated downstream of the reservoir, beyond the viaduct. The ponds are surrounded by woodland and are bisected by an active railway line.

In the determination of the application, the main planning considerations include the principle of the development; visual amenity; impact on ecology; impact on local amenity; and highway safety. These are considered below.

***Principle of Development:***

The proposed development site is located outside of the districts main urban areas and named settlements, in an area designated as countryside, as identified by policy ST4 of the ALPR 2002. Under this policy, permission will only be granted for development appropriate in the countryside.

Policy EV2 of the ALPR 2002 stipulates that permission will only be granted for appropriate development in the countryside, and the development must be located and designed so as not to adversely affect the character of the countryside, in particular its openness. The policy also outlines types of appropriate development in the countryside, which amongst other things, includes facilities for outdoor sport, outdoor recreational and tourism uses.

The car park extension proposed will subsequently provide increased parking provision for visitors accessing the recreational facilities at Kingsmill Reservoir, and therefore is deemed to be in accordance with policy EV2 of the ALPR 2002. The principle of the proposed development is therefore considered acceptable provided all other material planning considerations can be appropriately satisfied.

***Visual Amenity:***

Details submitted with the application indicate that the existing parking provision, accessed off Sherwood Way South, regularly reaches capacity and is currently operating at 98% capacity at peak hours which contributes to congestion on the access road and displacement of vehicles on and around Kings Mill Lane to the north-east of the reservoir. In addition, further investment and promotion of the site

will mean that the site is unable to cater for increasing visitor numbers which may impact upon surrounding infrastructure and residential areas.

The proposed development is split into two sections: an extension to the existing car parking provision to the north-west of the site on an area currently utilised for boat storage, and an extension to the south-west of the existing car parking provision on grazing land.

Works to the north-west of the site are proposed to consist of the laying crushed stone surface and the creation of a new vehicular access from the existing parking provision along the eastern boundary to facilitate the creation of 47 new car parking spaces, of which four will be designated disabled bays which will be demarked by thermoplastic yellow hatching. Pin kerbs are to be installed to demark the remainder of the parking bays. The existing green heras fencing along the western boundary of the current parking provision is to be relocated to the west of the car park extension, adjacent to the sailing club. A new entrance to the sailing club is proposed to be created from the extended car parking facility. A timber post and rail fence is to be installed along the northern boundary of the car park extension – between the car park and the reservoir – and this boundary is also to be planted with 11 heavy standard trees, including Maple, Rowan and Birch species, whilst additional hedgerow planting is also proposed.

Works proposed to the south-west of the site comprise of the laying of a crushed stone surface to facilitate the creation of a further extension to the existing provision, comprising of 134 additional parking spaces. Vehicular access will be taken via a former field entrance, which has been widened to 6.5m and has received a tarmac 'wearing' finish as part of the 2018 application. Similarly to the car park extension to the north-west, parking spaces are to be delineated through the installation of pin kerbs. Existing hedgerow boundaries to the north, east and south are to be retained. Extensive tree and hedgerow planting is proposed around the perimeter of the extended parking provision to the west, including 22 new heavy standard trees. Additional tree and hedgerow planting is also proposed within the parking provision to demarcate parking rows and to improve the aesthetics and help embed the proposed car park into the natural setting. A timber post and rail fence is also proposed to be installed around the perimeter of the extended car park.

The car park constructions have a permeable surface to prevent surface water runoff from impacting the drainage ditches to the north, south and east of the proposed carpark.

As per the 2018 application, the balance of the grazing land to the south west up to the site boundary has received a significant amount of tree planting and has been interspersed with native wildflower zones. A new linking footpath route has also been provided. These works are to be unaffected by the proposed car park extension. Storage sheds and containers previously occupying land to the west have also been removed from the land.



Whilst the provision of the car park extension to the south-west will have an impact in the visual amenity of the area as it replaces open grazing land, it is considered that the proposed car park extension ensures a sympathetic approach to the development of the site through the retention, management and supplementation of hedgerows; extensive additional tree planting within and along the boundaries of the car park extensions; and the use of existing accesses into the site. Notwithstanding, without this provision, the opportunity for increasing visitor numbers to the facility will be curtailed and there will be increased pressure on surrounding streets with on-street parking. On balance therefore, it is considered that the significant benefits will outweigh the marginal loss of visual amenity in the short term and the proposed tree and hedgerow planting around the car park will further mitigate against this impact, whilst providing longer term benefits.

In addition to the above, due to the raised height of the surrounding land to the south of the site and the extensive tree and hedgerow planting around the perimeter of the wider grazing land, it is considered that the proposed development would not be highly visible within the surrounding landscape, resulting in no significant detriment to the Mature Landscape Area or on the surrounding landscape character.

Accordingly, the development is considered to meet the policy requirements of the National Planning Policy Framework and the current local development plan.

***Ecology:***

The area to the north and west of the site is a designated nature reserve supporting a diverse range of wildlife including flora and fauna species as described above in the description of the site and its surroundings.

Ecology has been addressed within the application, which is supported by the following surveys:

- Ecological Impact Assessment – dated November 2020;
- Ecological Surveys & Recommendations – dated November 2017;
- Interim Water Vole Survey – dated August 2020.

Following initial concern over the age of the 2017 Ecological Survey, a new Ecological Impact Assessment was undertaken for the site and subsequently submitted.

Nottinghamshire Wildlife Trust have assessed the submitted documentation and have confirmed that the standard practices have been adhered to and agree with the methodologies and conclusions made within the most recent report (dated November 2020). The report summarises that the habitats on site are of limited ecological value with much of the site either consisting of bare ground or hard standing with small areas of scrub, ruderal vegetation and improved grassland as well as a section of remnant hawthorn hedge. Subsequently no further surveys are

recommended. The only ecological aspect requiring further consideration is sensitive clearance of very small areas of vegetation. Nottinghamshire Wildlife Trust have raised no objections to the proposal on the proviso that all mitigation and enhancement measures contained within parts 6 and 7 of the report are secured through a suitably worded condition and adhered to.

Nottinghamshire Wildlife Trust have raised concerns regarding the removal of a section of hedgerow to the south of the original parking provision which formed part of a larger remnant hedgerow between the sailing club and areas of bare ground. Following an investigation, it has transpired that consent was granted under the 2018 application for the removal of a small portion of the hedgerow to facilitate a new pedestrian walkway from the original parking provision to the car park extension. The remainder of the hedgerow along the south-western boundary of the car park has been cut back due to the hedge being very overgrown and top heavy, as per the previous permission. The main hedge base will however start to reinvigorate from the new growing season, allowing the hedgerow to grow back. A large proportion of the remaining hedgerow is proposed to be retained as part of the proposed development.

Whilst it is acknowledged that there may be elements of the proposed development that involve temporary disruption to local ecology, the mitigation, compensation and enhancement measures identified will ensure that the resultant impact is marginal and that the completed works will bring enhancement and preservation of habitats.

A local resident has raised that works to the proposed development have already started through the partial removal and cut back of the hedgerow. As stated above, the works undertaken on site relate solely to the development permissioned under V/2018/0035.

***Local Amenity:***

The reservoir forms part of a valuable green corridor separating Ashfield and Mansfield. The site offers multiple opportunities for resident, community groups and the education sector to experience outdoor activities. The proposed car park extension seeks to support an increase in visitors to the site, which is envisaged to be generated through further investment and promotion at the site, to benefit from the reservoir, its wider facilities and its environs. This includes active recreation in a number of ways including running, walking and cycling, as well as other activities on the reservoir. The proposed car park expansion will also help to support the Mill Adventure Base and the on-site café.

The current wider Sport England Strategy seeks to support measures to encourage the inactive to become active, and those already active to become more active. Sport England does therefore in principle support this initiative.

Significant objection has been received in regards to the proposed development and its implications on the retention of Sutton in Ashfield Sailing Club, and other

community groups, such as the Mansfield Sea Cadets, Kingsmill Model Boat Club, Mansfield Scuba Diving Club and the Seaforth Highlanders Pipe Band, all of which are understood to use the sailing clubs facilities to operate. It is suggested that the knock on impact of the proposed development would be the loss of all the aforementioned groups, and the subsequent loss of all water sport activities at the reservoir resulting in a decline in recreational activities for members of the local community, contrary to the Government's aims of encouraging increased participation and health and well-being. However as previously discussed, part of the proposed car park expansion is to be located to the north-west of the site on a parcel of land currently utilised for boat storage in association with the sailing club and other community groups. This storage facility provides storage for between 50-60 boats, of which 17 are owned by the Sea Cadets. At present the sailing club stores boats at ground level in an open formation at the east end of the existing sailing club compound, leaving open space of approximately 1,200sqm to the front of the sailing club building. It is predominantly this loss of land which members of the public state will result in the loss of the community groups and water sport offering at the site.

The applicant however has offered alternative boat storage space at the west end of the sailing club, in an area previously occupied by storage sheds and containers which have since been removed from site. The alternative storage area can accommodate up to 36 boats at ground level in accordance with the guidelines set out by the Royal Yachting Association. The remaining space fronting the sailing club buildings is considered suitable for flexible uses to continue supporting the clubs activities, including further storage of up to 45 boats, club equipment, vehicles and activities. The applicant has also allocated separate space for the storage of the 17 Sea Cadet boats and equipment, which will free up further capacity for sailing club boats.

Sport England have confirmed that whilst the replacement boat storage area proposed may not be as it is now, it provides the sailing club with a suitable area for boat storage. This along with the option of a separate storage area for use by the Sea Cadets provides a solution which both delivers the proposals and the benefits outlined for the wider Kingsmill Reservoir facility but also retains the facilities needed to support the continuation of the sailing club and other community groups at the site, allowing for continued opportunities for all members of the local community to access the recreational activities offered by the various community groups.

It is therefore considered that the proposed development would not result in any loss of existing recreational facilities or activities currently offered at Kingsmill Reservoir, subsequently resulting in no significant detrimental impact upon the local community.

Although concerns have been raised in respect of the alternative arrangements these issues do not form a material planning consideration. In land use planning terms suitable alternative arrangements for the local community groups have been provided for. Any legal claims are civil matters and not for consideration in determining this planning application.

**Highway Safety:**

A Technical Note has been submitted by the applicant to address the Highway Authority's initial concerns regarding the increased number of vehicles which are likely to use the junction with Sherwood Way South (A617) as a result of the proposed development.

The results of the assessment show that the junction with the A617 will still continue to operate with capacity to spare and minimal queuing is predicted. Whilst queues are likely to be longer than predicted due to the platooning effect of the adjacent traffic signals, in terms of queues on the A617, the length of the existing ghost island right turn will accommodate approximately 10 vehicles with a section of hatching on the lead up which would accommodate even more vehicles, and therefore the risk of shunt accidents on the A617 is unlikely.

Furthermore, although the car park access arm is predicted to have delays, this is unlikely to lead to driver frustration (which can lead to subsequent risk-taking behaviour resulting in road safety issues).

The proposal subsequently does not raise any concerns in regards to highway capacity or safety, and as such, based on the junction assessment submitted, the Highway Authority have confirmed that they have no objections to the proposed development.

In addition to the above, the proposed development is also considered to result in highway safety gains within the wider recreation provision at Kingsmill Reservoir. At present the sailing clubs vehicular and pedestrian access is via the front of the sailing club, along a footpath between the sailing club and the reservoir. A new access point will be created on the east elevation of the sailing club compound, creating access directly from the proposed car park into the compound. Moving the access point will consequently remove the current health and safety risk of cars accessing the sailing club by driving along the pedestrian footpath which is heavily used by walkers and cyclist, reducing the likelihood of incidences of vehicular and pedestrian conflict in this location.

Whilst vehicular access into the sailing club compound will still be possible for members and visitors, the applicant has confirmed that parking permits will nevertheless be made available to sailing club members to allow for continued access to the sailing facilities. The management of the car park is not a land use planning issue, and therefore the provision of parking permits cannot be conditioned.

**Conclusion:**

The reservoir site provides a valuable green space resource contributing to healthier, more engaged communities. The proposed car park extension at the site will result in the addition of a further 183 off-street parking spaces at Kingsmill Reservoir. The expansion of the car park will seek to support a growth in visitor numbers at the site

which will have added benefits through supporting the visitors centre and engagement in onsite volunteering activities, whilst reducing incidences of on-street parking within the vicinity of the site.

The proposal is considered to comprise of appropriate development within a countryside setting without having any significant detriment to the character and appearance of local area, and any impact on local ecology can be appropriately mitigated against, providing long term enhancement and preservation of surrounding habitats.

Although the proposed scheme will result in the loss of an existing boat storage space, additional land to the west of the existing provision has been identified and offered to the club for storage purposes. The proposal will therefore not result in any loss of existing recreational facilities or activities currently offered at Kingsmill Reservoir and subsequently the proposal will not result in a detrimental impact upon the local community.

The proposed development does not raise any significant concerns in respect of highway capacity in this location, nor does it give rise to any undue detriment on highway safety within the locality.

In conclusion, it is therefore recommended that this application be approved, subject to the planning conditions listed below:

**Recommendation: Full Application – Conditional Consent**

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. This permission shall be read in accordance with the following plans:**
  - Site Location Plan, Drawing No. 20(001) Rev A, Received 07/09/20;**
  - Proposed Site Layout, Drawing No. (08)003 Rev B, Received 30/11/20.**

**The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.**

- 3. The development hereby permitted shall be carried out in accordance with the mitigation measures and compensatory and site enhancement recommendations detailed within Sections 6 and 7 of the submitted Ecological Impact Assessment (dated November 2020), unless written agreement is given by the Local Planning Authority for any variation.**

4. **No external lighting, including the provision of streetlights or security lights, shall be installed on site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for external lighting. The external lighting shall thereafter be installed in accordance with the approved scheme, unless written agreement is given by the Local Planning Authority for any variation.**

## **REASONS**

1. **To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.**
2. **To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.**
3. **In the interests of ecology.**
4. **In the interests of ecology and to ensure that the development does not appear as an unduly prominent feature within the in area, in the interests of amenity.**

## **INFORMATIVE**

1. **The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).**
2. **It is advisable that the provision of land to the west of the site, as depicted on the site layout plan, is offered to the sailing club prior to the commencement of the development to ensure that adequate facilities for the sailing club exist to allow the club to continue operating and providing a recreation facility to its paying members and other members of the local community.**
3. **The applicant/developer should compose a car parking management scheme for the delivery of parking permits to members of the sailing club to allow for continued access to the sailing facilities.**