



CHAPTER 4 - ENVIRONMENT

4.1 Introduction

4.1.1 Public awareness of environmental issues has increased markedly in recent years. There is now widespread concern about the quality of the urban environment and countryside and about the need to reduce the use of scarce natural resources. The District Council has, along with others, a responsibility for the care of the environment and is currently undertaking a range of initiatives to improve it. This Local Plan can only reflect those initiatives which have land use implications and this chapter includes policies covering the built and natural environment.

4.1.2 Recent legislation, circulars and Government advice such as the UK Biodiversity Action Plan have introduced the concept of sustainability into the planning process. This seeks to achieve a balance between economic growth, technological development and environmental considerations. Sustainable development is development which does not exceed levels or take forms that cannot be sustained without detriment to key environmental assets, capacities or thresholds. As stated in PPG 15, concepts of sustainability have particular relevance to the preservation of the historic environment, which by its nature is irreplaceable, as well as the preservation of the natural environment. The Government's White Paper "This Common Inheritance" recognises that economic growth has to respect the environment as well as being soundly based. Thus in meeting the District's undoubted economic development requirements the future well being of Mansfield's environment should not be prejudiced nor sacrificed for short term gains.

BUILT ENVIRONMENT

4.2 Background

4.2.1 Mansfield District contains a surprisingly rich diversity of historic buildings, structures and archaeological remains. This heritage provides a sense of continuity and historic development which contributes greatly to Mansfield's attractiveness as a place to work, live and visit.

4.2.2 Buildings, civic structures and monuments are part of Mansfield's heritage, adding historic interest and a unique character to the District's urban area and countryside.

4.2.3 Local economic development is essential if Mansfield's community is to thrive. However the historic character provided by past development phases in the District and within its settlements is vitally important. Great care must be taken to preserve townscapes, buildings, civic structures, spaces and views which contribute to this character and to the District's sense of history and place. Further change and development will contribute to the District's future history.

4.2.4 The District Council attaches great importance to the enhancement of the built environment, both as an end in itself and as a means to encourage regeneration and investment in Mansfield. The Council can seek to achieve this through:-

- its statutory role and influence as planning authority;
- its responsibilities as landowner and developer;
- the undertaking of improvement projects, either on its own or with other agencies;

- awarding grants (e.g., Town Schemes, Facelift) for improvement and refurbishment schemes;
- affording additional protection to areas (e.g., conservation areas) or buildings (e.g., building preservation notices).

4.3 **Objectives**

- 4.3.1 Enhance the quality of Mansfield's built environment.
- 4.3.2 Ensure new developments, including alterations and extensions, are designed sensitively and to a high standard, using appropriate materials.
- 4.3.3 Protect and enhance buildings of architectural or historic interest and their settings, ancient monuments and archaeological features.
- 4.3.4 Protect and enhance conservation areas and other areas of special character.
- 4.3.5 Secure improvements to those areas with a poorer quality environment.
- 4.3.6 Encourage the effective use of hard and soft landscaping to enhance the built environment

POLICIES AND PROPOSALS

4.4 **New Development**

- 4.4.1 The District Council attaches great importance to a high standard of visual appearance for all development. This applies to all areas but is of particular significance in those areas of historic, architectural or landscape value.

BE1 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENTS WHICH ACHIEVE A HIGH STANDARD OF DESIGN PROVIDED THEY MEET ALL OF THE FOLLOWING CRITERIA:-

- 1) **THE SCALE, DENSITY, MASSING, HEIGHT, LAYOUT AND ACCESS RELATE WELL TO NEIGHBOURING BUILDINGS AND THE LOCAL AREA GENERALLY;**
- 2) **THE MATERIALS USED ARE IN KEEPING WITH THE SITE'S SURROUNDINGS;**
- 3) **THE LEVEL OF HARD AND SOFT LANDSCAPING IS CONSISTENT WITH THE TYPE AND DESIGN OF THE DEVELOPMENT AND ITS SETTING;**
- 4) **THE PROPOSAL INTEGRATES EXISTING LANDSCAPE AND NATURE CONSERVATION FEATURES.**

- 4.4.2 The Council will execute its development control and other responsibilities in a firm and positive way to achieve a high standard of development and design which complements the existing character of the District and allows for new design solutions where appropriate.

4.4.3 Development proposals of all kinds can benefit from a well designed setting, incorporating hard and soft landscaping. The wider environment can also benefit from the incorporation of existing features within the development proposals such as trees, walls, paving etc.

4.4.4 The District Council will encourage developers to have discussions with the Police Architectural Liaison Officer to try to ensure that new developments of all types will create secure environments which lessen the risk of crime.

4.5 **Listed Buildings**

4.5.1 There are presently 243 buildings listed as being of special architectural or historic interest within the District (details outlined in Appendix 2a). These buildings represent the best of this country's heritage and they form an important part of the local urban fabric.

BE2 PLANNING AND RELATED APPLICATIONS FOR LISTED BUILDING CONSENT WILL NOT BE GRANTED FOR DEVELOPMENT PROPOSALS WHICH INVOLVE DEMOLITION OF A LISTED BUILDING OTHER THAN IN EXCEPTIONAL CIRCUMSTANCES. APPLICATIONS WILL BE JUDGED AGAINST THE FOLLOWING CRITERIA:-

- 1) **THE IMPORTANCE OF THE BUILDING, ITS INTRINSIC ARCHITECTURAL AND HISTORIC INTEREST AND RARITY, IN BOTH NATIONAL AND LOCAL TERMS;**
- 2) **THE PARTICULAR PHYSICAL FEATURES OF THE BUILDING WHICH JUSTIFY ITS INCLUSION ON THE STATUTORY OR LOCAL LISTS;**
- 3) **THE BUILDING'S SETTING AND ITS CONTRIBUTION TO THE LOCAL SCENE;**
- 4) **THE EXTENT TO WHICH THE PROPOSED WORKS WILL BRING SUBSTANTIAL BENEFITS TO THE COMMUNITY, IN PARTICULAR BY CONTRIBUTING TO THE ECONOMIC REGENERATION OF THE AREA OR THE ENHANCEMENT OF ITS ENVIRONMENT.**

4.5.2 Demolition of a listed building is seldom justified and Government advice in Circular 8/87 indicates that there is a presumption in favour of preserving listed buildings. The District Council will not, therefore, be prepared to grant consent unless every effort has been made to continue the current use or to find a suitable alternative use. Evidence should be provided that the building has been offered for sale on the open market, as should details of the condition of the building. Permission is required from the District Council's Building Control Services for the demolition of any building in the District. When the local authority is considering an application for listed building consent, it does not have a statutory duty to have regard to the development plan, unlike the duty that is placed on it when dealing with applications for planning permission. Nevertheless, the Local Authority does have a statutory duty to have a special regard to the desirability of preserving any listed building or its setting, or any features of special architectural or historic interest which the listed buildings possess. Policies relating to listed buildings need to be included in local plans as there is often a close link between considerations relating to applications for listed building consent and to planning applications, the local plan is the correct place in which to specify the approach that the authority will take when dealing with such applications.

BE3 LISTED BUILDING CONSENT AND/OR PLANNING PERMISSION WILL ONLY BE GRANTED FOR ALTERATIONS/ADDITIONS/CHANGES OF USE OF A LISTED BUILDING OR STRUCTURE WHERE THIS WOULD NOT ADVERSELY AFFECT ITS CHARACTER, ITS ARCHITECTURAL MERIT OR HISTORICAL INTEREST.

4.5.3 The alteration or extension of listed buildings requires skill and care in order to preserve the architectural or historic character of the building. Depending on the nature of any alterations, planning permission may be required as well as listed building consent. Any internal or external alterations should be in keeping with other parts of the building and should harmonise with the buildings surroundings. The District Council administers various grant schemes in certain areas to help owners meet the additional costs which may arise with repairs to listed buildings because of the need to restore particular detailing or to use specialist materials or skills. This policy is intended to apply in cases when, any proposals, which require both listed building consent and planning permission, have the potential to have an impact on the character of a listed building. This will also apply in cases where proposals require only listed building consent.

BE4 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD HAVE AN ADVERSE IMPACT ON THE SETTING OF A LISTED BUILDING. APPLICATIONS WILL BE JUDGED AGAINST THE FOLLOWING CRITERIA:-

- 1) **WHETHER THE SETTING OF THE LISTED BUILDING WOULD BE PRESERVED OR ENHANCED;**
- 2) **WHETHER THE DESIGN OF THE PROPOSED DEVELOPMENT WOULD BE IN KEEPING WITH THE SETTING OF THE LISTED BUILDING;**
- 3) **WHETHER EXISTING LANDSCAPE FEATURES WHICH CONTRIBUTE TO THE SETTING OF THE BUILDING WOULD BE RETAINED OR ENHANCED;**

4.5.4 The setting of a listed building is often an integral part of its character and value which development may alter. The District Council will therefore, carefully consider the effect that proposed developments may have on the setting of listed buildings and will closely monitor the use of adjoining premises and land. It will also seek to enhance their setting by appropriate measures such as the control of design, traffic, tree planting and the preservation of existing trees and other landscape features. When planning applications are made, the applicant will be expected to provide detailed evidence that they satisfy all of the policy criteria.

BE5 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENTS WHICH WOULD INVOLVE THE BENEFICIAL RE-USE OF LISTED BUILDINGS.

4.5.5 The continued use of a listed building is the most positive means of securing its adequate maintenance and ensuring its long term future. The best use for a listed building is that for which it was designed and wherever possible the original use should continue or be resumed. This policy is directed at ensuring that buildings are not neglected because the owners cannot find a use for them. However, changes of use which would have a detrimental effect on the appearance and character of the listed building will not be permitted.

4.6 Conservation Areas

4.6.1 There are now ten conservation areas within the District (listed in Appendix 2b):-

Bridge Street (Mansfield town centre)
Market Place (Mansfield town centre)
West Gate (Mansfield town centre)
The Park (Mansfield)
Nottingham Road (Mansfield)
Crow Hill Drive (Mansfield)
Mansfield Woodhouse centre
Pleasley Vale
Market Warsop centre
Church Warsop

4.6.2 The Planning (Listed Buildings and Conservation Areas) Act, 1990, places a duty on local authorities to review existing conservation areas and to consider the designation of new ones. As part of the preparation of the Plan the Council has reviewed the conservation areas within the District. This has resulted in the declaration of four new conservation areas at Nottingham Road, Crow Hill Drive, Church Warsop and Market Warsop. These were declared by the District Council in September, 1994.



The boundaries of the existing conservation areas were also reviewed at the same time and extensions were made to the Bridge Street Conservation Area (Midworth and Dame Flogan Streets), Market Place Conservation Area (Leeming Street) and West Gate Conservation Area (St John Street and Wood Street).

BE6 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENTS WITHIN CONSERVATION AREAS PROVIDED THAT THEY WOULD MEET ALL OF THE FOLLOWING CRITERIA:-

- 1) RESPECT THE SPECIAL CHARACTER OF THE CONSERVATION AREA;**
- 2) BE DESIGNED TO RESPECT AND INTEGRATE WITH THE SURROUNDINGS. PARTICULAR ATTENTION SHOULD BE GIVEN TO THE MASS, FORM AND SCALE OF DEVELOPMENT AND ITS IMPACT ON THE SURROUNDING ENVIRONMENT;**

- 3) **USE MATERIALS WHICH ARE OF GOOD QUALITY, AND REFLECT THE DESIGN OF THE BUILDING(S) AS A WHOLE. INFILL DEVELOPMENTS SHOULD USE MATERIALS WHICH ARE SYMPATHETIC TO THEIR SURROUNDINGS AND WHICH COMPLEMENT MATERIALS USED IN ADJACENT AND PROMINENT BUILDINGS IN THE STREET SCENE. EXTENSIONS TO OR ALTERATIONS TO BUILDINGS SHOULD USE MATERIALS WHICH MATCH OR ARE COMPATIBLE WITH THE ORIGINAL BUILDING;**
- 4) **NOT HAVE A DETRIMENTAL EFFECT ON THE CHARACTER OR AMENITY OF THE SURROUNDING AREA BY WAY OF VISUAL IMPACT, NOISE, TRAFFIC GENERATION OR OTHER FACTORS;**
- 5) **NOT SPOIL OR DESTROY ATTRACTIVE VIEWS AND VISTAS INTO, WITHIN OR OUT OF THE CONSERVATION AREA WHERE THESE ARE IMPORTANT TO THE CHARACTER OF THE AREA.**

4.6.3 The District Council is anxious to ensure that new development or any alteration in a conservation area is well designed and respects the character of the area. Particular attention will need to be given to the scale, form and detailing of proposals as outlined in PPG 15. For these reasons it is not usually appropriate to consider applications for development in outline form only.

4.6.4 Conservation area designation is not a mechanism for prohibiting change, but rather it ensures that change is carried out sensitively and in a manner sympathetic to the character of the area. The District Council is committed to ensuring that development within conservation areas is to the benefit of the local environment. It will use its development control and other powers in a firm but positive way to ensure a high standard of design and development in all conservation areas.

BE7 PLANNING PERMISSION AND RELATED APPLICATIONS FOR CONSERVATION AREA CONSENT WILL NOT BE GRANTED FOR DEVELOPMENT PROPOSALS WHICH INVOLVE DEMOLITION IN CONSERVATION AREAS OTHER THAN IN EXCEPTIONAL CIRCUMSTANCES. APPLICATIONS WILL BE JUDGED AGAINST THE FOLLOWING CRITERIA:-

- 1) **THE PART PLAYED BY THE BUILDING IN THE ARCHITECTURAL OR HISTORIC INTEREST OF THE AREA;**
- 2) **THE CONDITION OF THE BUILDING AND THE VIABILITY OF ITS RETENTION AND CONTINUED OCCUPATION;**
- 3) **THE WIDER EFFECTS OF DEMOLITION ON THE SURROUNDINGS AND ON THE CONSERVATION AREA AS A WHOLE;**
- 4) **WHETHER THE REPLACEMENT SCHEME WILL MAKE A POSITIVE CONTRIBUTION TO THE APPEARANCE OR CHARACTER OF THE AREA OR BRING OTHER SUBSTANTIAL BENEFITS TO THE COMMUNITY THAT OUTWEIGH THE HARM CAUSED BY THE LOSS OF THE BUILDINGS. IN SUCH CASES, CONSENT WILL ONLY BE GRANTED WHERE THERE ARE ACCEPTABLE DETAILED PROPOSALS FOR THE REDEVELOPMENT OF THE SITE.**

- 4.6.5 When the Local Authority is considering an application for conservation area consent it does not have a statutory duty to have regard to the development plan, unlike the duty that is placed on it when dealing with applications for planning permission. Nevertheless the local authority does have regard to the desirability of preserving or enhancing the character or appearance of any conservation area in exercising their development control functions (Planning, Listed Buildings and Conservation Areas Act 1990 s72(1)). It is the view of the District Council that, although it does not have a statutory duty to have regard to this Plan when considering applications for conservation consent, conservation policies should be included in development plans as there is often a close link between considerations relating to applications for conservation area consent and planning permission.
- 4.6.6 This policy is also designed to prevent the appearance of unsightly gaps in conservation areas following premature demolition. Therefore even when a case for demolition has been made, consent will only normally be given where there are acceptable and detailed plans for redevelopment.
- 4.6.7 The cumulative effect of minor alterations to some residential buildings in conservation areas can lead to a dramatic erosion of character in historic areas and the District Council will consider the use of Article 4 Directions to control “permitted development” rights where necessary.
- BE8 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS ADJACENT TO CONSERVATION AREAS IF THEY WOULD ADVERSELY AFFECT THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.**
- 4.6.8 Development of land and buildings adjoining conservation areas can often have a significant impact on the character of these areas. This policy is aimed at ensuring the proper consideration of such factors in the development process.
- BE9 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD LEAD TO THE REMOVAL OF FEATURES IN CONSERVATION AREAS SUCH AS WALLS, TREES, HEDGES, OPEN SPACES AND FENCES WHERE SUCH FEATURES CONTRIBUTE TOWARDS THE CHARACTER OF THE AREA.**
- 4.6.9 The character of conservation areas can often be due as much to the existence of trees, walls, fences, open spaces etc. as the buildings themselves. Therefore the District Council will seek to retain such features where their existence contributes to the character of the area.
- BE10 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENTS THAT WOULD ENABLE THE IMPLEMENTATION OF ENVIRONMENTAL IMPROVEMENTS IN CONSERVATION AREAS.**
- 4.6.10 The District Council will in association with landowners and other interested parties, seek to improve the appearance of conservation areas by appropriate environmental improvement schemes. Improvements could include repaving, tree planting and the provision of street furniture.

4.7 **Town Centre Conservation Areas**

- 4.7.1 There is no single building style predominant in Mansfield's town centre conservation areas. Many of the oldest buildings are constructed of Mansfield stone with British slate or clay pantile roofs. In other areas nineteenth and early twentieth century brick buildings predominate. The different styles all contribute to Mansfield's character and are indicative of the town's dynamic past. In recognition of the many historic listed buildings in Mansfield centre, three conservation areas have been declared, centred around the Market Place, Bridge Street and upper Westgate. Future developments should respect and grow out of this character and maintain or improve upon the existing situation by the use of sympathetic design and where appropriate, traditional materials such as British slate, brick, clay pantiles and locally quarried sandstone or limestone.
- 4.7.2 Attention will be paid to how proposed developments, whether within or on the edge of the conservation area, affect important views, streetscapes and skylines.

4.8 **The Park**

- 4.8.1 The Park and Park Avenue have a unique character. Large detached Victorian houses stand in extensive grounds along tree lined streets, beside impressive terraced and semi-detached houses. Many houses are built from local Mansfield stone, with others built from red brick. Most have slate roofs. A notable feature of the area is the presence of stone walls, in particular along Windmill Lane. The fields running down from Windmill Lane to the River Maun give an open aspect to the area and extend the countryside to within half a mile of the town centre. Carr Bank Park is one of Mansfield's formal parks and forms an attractive setting for the listed Carr Bank House.
- 4.8.2 Special attention will be paid to materials when new development is proposed. Traditional building materials such as Mansfield stone, Midland Imperial red bricks and British slate will usually be required. Traditional design and detailing of windows, doors, gables, eaves and roofs will be encouraged for all new developments. Similar criteria will be used when considering appropriate boundary treatments.
- 4.8.3 Development affecting trees, important open spaces and views, particularly in respect of the open countryside and Carr Bank Park, will be given particularly careful consideration.

4.9 **Nottingham Road (Mansfield)**

- 4.9.1 The area contains important groups of listed buildings. There are two important churches together with their associated almshouses. A very significant late Victorian terrace fronts Nottingham Road and gives the area its character. Originally built as large town houses, these now contain offices. All of these buildings are finely detailed and, in the main, are constructed from locally quarried stone, together with British slate roofs. This area is located along an important gateway into Mansfield. Conservation area status protects this significant collection of substantial and historically important buildings adjacent to Titchfield Park. Future developments should respect and reflect this character and maintain or improve upon the existing situation by the use of sympathetic design and, where appropriate, traditional materials such as British slate, brick, clay pantiles and locally quarried sandstone or limestone.

4.10 **Crow Hill (Mansfield)**

- 4.10.1 This area has an open character with large finely detailed Victorian homes constructed from stone and brick, which stand in attractive grounds with many trees. Stone walls are a prominent feature. The former Queen Elizabeth's Girls school and grounds also contribute to the area's character. Stone Cross Lane has a distinctive character and is bounded by stone walls, trees and open spaces. Its narrowness and lack of kerbs lends it a semi-rural appearance. Future developments should respect and reflect this character and maintain or improve upon the existing situation by the use of sympathetic design and where appropriate traditional materials such as British slate, brick, clay pantiles and locally quarried sandstone or limestone.

4.11 **Mansfield Woodhouse**

- 4.11.1 Historic Woodhouse is centred on the High Street, Station Street and Church Street. It contains many fine vernacular buildings constructed in local Woodhouse stone. Some are in residential and some in commercial use. The village is recognised as one of the finest stone built centres in Nottinghamshire. There are attractive court developments and open spaces often enclosed by stone walls. It is this layout of contrasting enclosure and open spaces as well as the design and materials of the buildings that give this part of Woodhouse its character. Unfortunately many of the individual and groups of buildings are in need of renovation and repair. For this reason Conservation Area Partnership and Facelift Grant Schemes have been approved for the financial years 1995-98. Mansfield Woodhouse conservation area has great potential for enhancement. Close attention will be paid to planned new developments which will be expected to make use of local traditional building materials such as Mansfield Woodhouse limestone or Mansfield sandstone, British slate and clay pantiles. Local traditional design and detailing of windows, doors, gables, eaves and roofs will also be encouraged. Similar criteria will be used when considering appropriate boundary treatments.

- 4.11.2 The use of rough cast reconstituted stone will not usually be acceptable. The use of smooth (Ashlar) recast stone, which matches the local stone in colour and texture may be considered in particular circumstances.

4.12 **Pleasley Vale**

- 4.12.1 The area contained within the conservation area has a specific topographical character of woods, open spaces and rock outcrops, which is closely associated with the Pleasley Mills complex and its estate houses and village buildings which include a fine church. All of these features are set in the valley of the River Meden.
- 4.12.2 Any new development within the Vale will be required to use local traditional building materials including Mansfield Woodhouse limestone or Mansfield sandstone, British slate and clay pantiles. Local traditional design and detailing of the windows, doors, gables, eaves and roofs will also be encouraged. Similar criteria will be used when considering appropriate boundary treatments.

4.13 **Market Warsop**

- 4.13.1 This settlement's medieval layout is still clearly identifiable. There are a number of buildings of late 17th Century and 18th Century which testify to a considerable period of rebuilding in the village during that period. Many still retain their long narrow plots. The

village is full of character with its own distinctive feel. Future developments should respect and reflect this character and maintain or improve upon the existing situation by the use of sympathetic design and, where appropriate, traditional materials such as British slate, brick, clay pantiles and locally quarried sandstone or limestone.

4.14 **Church Warsop**

- 4.14.1 Church Warsop is a fine settlement of stone houses and farms centred on the church of St Peter and St Paul, parts of which date back to the 14th century. Included within the conservation area are the remains of a mill and mill pond on the edge of an attractive open park, known as “The Carrs”. Moorfield and Manor Farms are included, together with their surrounding stone barns and outbuildings. Close attention will be paid to planned new developments which will be expected to make use of local traditional building materials such as Mansfield Woodhouse limestone or Mansfield sandstone, British slate and clay pantiles. Local traditional design and detailing of windows, doors, gables, eaves and roofs will also be encouraged. Similar criteria will be used when considering appropriate boundary treatments.

4.15 **Sites of Archaeological Importance**

- 4.15.1 The history of human settlement in the District has left a legacy of sites of archaeological importance. The most significant of these are formally scheduled as ancient monuments and there are currently four of these in the District. In addition to these sites there are numerous others of more local importance. Government advice in PPG 16 “Archaeology and Planning” states that such remains are part of our essential national identity and are valuable both for their own sake and for their role in education, leisure and tourism.

BE11 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD DAMAGE OR ADVERSELY AFFECT SCHEDULED ANCIENT MONUMENTS AND THEIR SETTINGS.

- 4.15.2 Where nationally important archaeological remains, whether scheduled or not, and their setting, are affected by proposed development there should be a presumption in favour of their physical preservation. There are four scheduled ancient monuments within the District as shown on the Proposals Map (further details outlined in Appendix 2c) at Kings Mill Viaduct; Roman Villa off Common Lane, Mansfield Woodhouse; Village Cross, Mansfield Woodhouse; Beeston Lodge, Mansfield Woodhouse. Such monuments have statutory protection and certain defined works which affect them require the consent of the Secretary of State for Culture, Media and Sport. The District Council will seek the preservation in situ of all nationally important archaeological remains and planning permission will not normally be granted for developments which would adversely affect them or their setting.

BE12 WHERE PLANNING APPLICATIONS ARE SUBMITTED WHICH MAY AFFECT SITES OF KNOWN OR POSSIBLE ARCHAEOLOGICAL INTEREST THE DISTRICT COUNCIL MAY REQUIRE AN ARCHAEOLOGICAL ASSESSMENT OF THE SITE, COMPRISING A DESKTOP EVALUATION AND, WHERE APPROPRIATE, A FIELD EVALUATION TO DETERMINE THE EXTENT AND LEVEL OF SUCH INTEREST AND THE IMPACT OF THE PROPOSED DEVELOPMENT. THE DISTRICT COUNCIL MAY ALSO REQUIRE A SCHEME OF TREATMENT FOR THE ARCHAEOLOGICAL REMAINS PRIOR TO DETERMINING THE APPLICATION.

- 4.15.3 There are many sites of archaeological interest in the District which are not scheduled. Details of the likely archaeological potential of a site can be obtained from the County Sites and Monument Records. In considering planning applications the District Council will consider the effects of development on sites of known archaeological interest. Where development is likely to disturb or destroy remains the Council may request that an archaeological evaluation be undertaken prior to determining the planning application. Such an evaluation will normally assess the potential importance of the site and the impact of the proposed development. Where such interest does exist the Council will then determine whether it is necessary to impose any conditions with regard to archaeological treatment of the site.

BE13 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS ON SITES OF ARCHAEOLOGICAL SIGNIFICANCE UNLESS THEY MAKE PROVISION FOR AN APPROPRIATE SCHEME FOR THE TREATMENT OF REMAINS. IN DETERMINING A PLANNING APPLICATION, THE COUNCIL WILL WEIGH THE IMPORTANCE OF REMAINS AGAINST THE NEED FOR DEVELOPMENT AND OTHER MATERIAL CONSIDERATIONS.

- 4.15.4 In the few cases where development may be acceptable on sites of archaeological significance, the District Council will prefer that the remains are preserved in-situ. Where it can be demonstrated that this is not possible and it is considered acceptable for the remains to be destroyed then detailed records will need to be made before development commences.

4.16 **Shopfronts and Advertisements**

- 4.16.1 Insensitively designed shopfronts and overbearing advertisements can have a damaging effect both on individual buildings and on the street scene in general. This can be especially true in conservation areas and with regard to listed buildings.

BE14 PLANNING PERMISSION WILL BE GRANTED FOR THE DEVELOPMENT OF, OR ALTERATIONS TO, SHOP FRONTS AND CONSENT GRANTED TO DISPLAY ADVERTISEMENTS ON SHOP FRONTS PROVIDED THAT THEY WOULD MEET ALL OF THE FOLLOWING CRITERIA:-

- 1) NOT HAVE A DETRIMENTAL EFFECT ON THE CHARACTER OR APPEARANCE OF THE BUILDING AND SURROUNDING AREA;**
- 2) HAVE REGARD TO EXISTING ARCHITECTURAL AND DECORATIVE FEATURES;**
- 3) HAVE REGARD TO THE SECURITY OF THE PROPERTY AND THE SURROUNDING AREA;**
- 4) HAVE REGARD TO ACCESSIBILITY.**

- 4.16.2 The District Council is keen to ensure that schemes to develop/extend/refurbish shopping facilities are well designed. Schemes should ensure compatibility between shop fronts and their immediate surroundings, including the upper floors of the building within which they are to be installed. The design of advertisements should follow the same principles.

- 4.16.3 To avoid the later installation of roller shutters and other visually obstructive security measures, consideration needs to be given to safety in the design of any new shop fronts. The District Council has prepared guidance notes covering shopfronts and shop security issues.

BE15 CONSENT FOR POSTER ADVERTISEMENT HOARDINGS WILL BE GRANTED PROVIDED THAT THEY WOULD MEET ALL OF THE FOLLOWING CRITERIA:-

- 1) NOT RESULT IN LOSS OF AMENITY;**
- 2) NOT CREATE A TRAFFIC SAFETY HAZARD;**
- 3) RELATE IN SCALE AND DESIGN TO THEIR SURROUNDINGS.**

THE DISTRICT COUNCIL WILL NOT RENEW TEMPORARY PLANNING PERMISSIONS FOR ADVERTISEMENT HOARDINGS IF THEY DO NOT SATISFY ALL THE ABOVE REQUIREMENTS. POSTER ADVERTISEMENTS ARE NOT APPROPRIATE IN CONSERVATION AREAS.

4.16.4 This policy aims to ensure that buildings, streets and open land are not disfigured by unsightly advertising. If not properly controlled large advertisement hoardings can dominate their surroundings. Where possible the Council will encourage the removal of large poster advertisements either through its development control powers or by seeking the early redevelopment of vacant sites.

4.17 Derelict Land

4.17.1 The District Council will give a high priority to the reclamation of derelict and underused land.

4.18 Environmental Improvements

4.18.1 Environmental improvements can not only help to enhance the quality of the environment but can also enhance the image of the District. This in turn can encourage more people to come into the area and can foster investment and trade. The Council has in the last few years (in association with others such as the County Council) embarked on a variety of improvements throughout the District utilising a variety of sources of finance. The Council will continue to undertake such improvements and will also encourage others to do so. Parts of the Plan area suffer from a poor quality environment ranging from small derelict sites to major areas spoiled by the coal industry.

4.18.2 The District Council will continue to promote and to initiate schemes which result in the reclamation and reuse of derelict and despoiled land. It will continue to use derelict land grant funds and other funding to secure this aim.



BE16 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS THAT WOULD PREVENT IMPLEMENTATION OF ENVIRONMENTAL IMPROVEMENTS WHICH AIM TO:-

- 1) IMPROVE PROMINENT VACANT/DERELICT SITES;**
- 2) IMPROVE THE APPEARANCE OF THE MAIN ACCESS ROUTES INTO MANSFIELD;**
- 3) IMPROVE THE APPEARANCE OF COLLIERY SPOIL COMPLEXES.**

4.18.3 There are parts of the Plan area which suffer from environmental problems of one sort or another. Industrial premises may be in close proximity to houses or derelict areas may adversely affect the appearance of an area. The colliery tipping complexes at the former collieries of Mansfield, Sherwood, Warsop and Shirebrook also present an opportunity for environmental enhancement. The District Council will use all means at its disposal to bring about a programme of improvements. This will mean encouraging private owners and other agencies to participate in the regeneration process by improving their own sites and property and encouraging the removal of uses incompatible with the local area, as well as the District Council promoting its own schemes. Many derelict/vacant sites may have wildlife interest and nature conservation opportunities.

4.19 Environmental Assessment

4.19.1 Environmental assessments may now be required for certain categories of major development (Town and Country Planning (Assessment of Environmental Effects) Regulations, 1988) in the District.

4.19.2 The Town and Country Planning (Assessment of Environmental Effects) Regulations, 1988, defines two categories of development where an Environmental Assessment (E.A.) may be required. Schedule 1 outlines those developments which will automatically require an E.A. such as a major chemical or steel works. Schedule 2 developments are at the discretion of the District Council to decide if the development would result in significant environmental effects. Generally an E.A. will be required for projects that are:-

- of more than local importance;
- proposed in particularly sensitive or vulnerable locations;
- unusually complex or would have potentially damaging environmental effects.

The District Council feels that there are a number of sensitive or vulnerable areas where an environmental assessment may be required to accompany a planning application relating to a development falling within Schedule 2 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988. These include conservation areas, scheduled ancient monuments, ancient woodlands, sites of special scientific interest and other areas of major nature conservation interest, including the River Maun and the Meden valley areas. The above list indicates where an environmental assessment is more likely to be required but does not preclude environmental assessments under Schedule 2 being required in other areas of the District.

NATURAL ENVIRONMENT

4.20 Background

4.20.1 Whilst predominantly an urban district, Mansfield does contain significant areas of countryside particularly in the north of the District. Much of the countryside is attractive and valued by local people. None of the District is included in the green belt and the open areas of the District are likely to continue to face pressures for development. In some cases these developments may be acceptable or even promoted in the plan. Other developments could have a dramatic effect on the nature and character of the countryside which is not static or unchanging but continually evolving in response to the changing needs of farming, forestry, recreation, tourism and other development pressures. Some of the countryside has been damaged by mineral extraction and waste disposal associated with collieries.

4.20.2 Much of Mansfield's countryside is still in agricultural use, a proportion of which is likely to be of higher quality as defined by the Ministry of Agriculture, Fisheries and Food. Woodlands make up another major land use in the countryside and are important both for landscape and ecological reasons. The District contains several Sites of Special Scientific Interest and a variety of ancient woodlands. The Council is anxious to protect the inherent qualities of the natural environment and to strike a balance between the essential long-term development needs of the District and the countryside.

4.21 Objectives

4.21.1 Protect the countryside from intrusive and inappropriate development.

4.21.2 Enhance the recreational and visual value of the countryside.

4.21.3 Safeguard high quality agricultural land and encourage acceptable agricultural diversification.

4.21.4 Ensure no development causes lasting damage to the countryside.

4.21.5 Achieve an acceptable balance between the needs of conservation and the demands of development.

4.21.6 Protect areas of ecological or visual landscape value.

POLICIES AND PROPOSALS

4.22 Development in the Countryside

4.22.1 The Local Plan aims to concentrate development within the built-up area, as defined on the Proposals Map, or on adjacent greenfield sites which are the subject of specific Local Plan proposals.

NE1 PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENTS OUTSIDE THE URBAN BOUNDARY, AS DEFINED ON THE PROPOSALS MAP, ONLY WHERE THEY WOULD FALL INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:-

- 1) DEVELOPMENT WHICH CAN ONLY BE UNDERTAKEN IN A RURAL LOCATION;**

- 2) **OUTDOOR RECREATION AND TOURISM RELATED USES WHOSE NATURE AND SCALE ARE IN KEEPING WITH THE RURAL CHARACTER OF THE AREA;**
- 3) **CEMETERIES;**
- 4) **ESSENTIAL ROADSIDE SERVICES;**
- 5) **DEVELOPMENT ASSOCIATED WITH FARM DIVERSIFICATION SCHEMES WHERE IT CAN BE CLEARLY DEMONSTRATED IT WOULD BENEFIT THE RURAL ECONOMY;**
- 6) **PROPOSALS FOR THE RE-USE OR CHANGE OF USE OF BUILDINGS, PARTICULARLY FOR EMPLOYMENT, TOURISM OR RECREATIONAL USES, PROVIDED THEY ARE OF PERMANENT CONSTRUCTION, WOULD NOT REQUIRE MAJOR REBUILDING, AND THEIR FORM, BULK AND GENERAL DESIGN ARE IN KEEPING WITH THEIR SURROUNDINGS;**
- 7) **SMALL-SCALE EXTENSIONS OF EXISTING EDUCATIONAL, COMMERCIAL, OR RESIDENTIAL BUILDINGS;**
- 8) **REDEVELOPMENT OF ESTABLISHED COMMERCIAL AND INSTITUTIONAL SITES (INCLUDING EDUCATIONAL PREMISES).**

ALL PROPOSALS MUST DEMONSTRATE THAT THEY WOULD NOT PREJUDICE TOWN OR VILLAGE VITALITY AND WOULD NOT CAUSE HARM TO THE RURAL ENVIRONMENT. DEVELOPMENTS SHOULD BE DESIGNED TO RELATE SYMPATHETICALLY TO THEIR SURROUNDINGS.

4.22.2 This policy aims to prevent the loss of areas of open countryside and to encourage the development of vacant and derelict sites within the urban area. National Government policy document PPG 7 "Rural Enterprise and Development" is aimed at strictly controlling new development in the countryside. Some activities do demand a rural location due to their nature or scale of operation. These include agriculture and forestry and the other activities listed in 3 to 8 above.

4.22.3 The activities and uses likely to be covered under criteria 1 include agricultural activities, forestry uses, mineral extraction and waste management activities, essential utility installations, animal boarding establishments and horticultural nurseries. The applicant should demonstrate that it is impractical and/or undesirable to locate these activities or uses within the urban area. Essential roadside services includes those services necessary to sustain travellers on their journeys through Mansfield. This could include petrol filling stations, car wash facilities, toilets, eating areas and rest facilities. Evidence of the need for the facility and an explanation of the reason(s) why the facility could not be accommodated in the urban area will be required from the applicant. Criteria 7 relates to extensions of no more than 10% of the size of the building as originally constructed. Criteria 8 relates to sites which have been in use for a minimum of 5 years and any redevelopment should be no greater in scale or footprint than the existing development. Any redevelopment should not involve a significant increase in car usage or traffic.

4.22.4 The District Council will oppose proposals for large scale quarrying activities in areas of recognised landscape quality. Whilst the County Council is the mineral planning authority, the District Council will oppose applications for mineral extraction in areas of high landscape quality. Much degradation of the landscape has been caused by these activities in the past and the Council is keen to avoid the despoilation of attractive countryside areas.

4.23 **Agricultural Land**

4.23.1 Government policy as outlined in PPG 7 recognises the need to safeguard and protect the best and most versatile agricultural land from development (Grades 1,2 and 3a).

NE2 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS ON THE BEST AND MOST VERSATILE AGRICULTURAL LAND.

4.23.2 In Mansfield District the best and most versatile land is predominantly grades 2 and 3a. In the Plan area this includes grade 2/3a land in the north western part of the District (Pleasley Hill/Mansfield Woodhouse) and some parts of Warsop. However, lower grade agricultural land can often have a nature conservation value.

4.24 **Agricultural Buildings**

4.24.1 In order to cater for continual changes in the agricultural industry the District Council recognises the potential need to alter farming operations. It is also necessary, however, to ensure that any such changes would not have a detrimental effect on the surrounding environment.

NE3 WHERE PLANNING PERMISSION IS REQUIRED FOR NEW AGRICULTURAL BUILDINGS AND EXTENSIONS/ALTERATIONS TO EXISTING ONES, THIS WILL BE GRANTED PROVIDED THAT THE PROPOSAL WOULD MEET ALL OF THE FOLLOWING CRITERIA;

- 1) **BE WELL INTEGRATED WITH EXISTING FARM BUILDINGS;**
- 2) **HAVE REGARD TO THE CHARACTER OF ADJOINING BUILDINGS AND THE SURROUNDING LANDSCAPE;**
- 3) **INCLUDE MEASURES TO PREVENT POLLUTION OF NEARBY LAND AND WATER COURSES;**
- 4) **INCORPORATE SUFFICIENT LANDSCAPING TO REDUCE THEIR IMPACT ON THE SURROUNDING AREA;**

4.24.2 Whilst many farm buildings and operations lie outside of planning control, or are subject to the “prior determination procedure” as set out in Annex C of PPG 7, where permission is required the Council will expect a high standard of design, layout and landscaping, particularly in prominent locations.

4.25 **Landscape Areas**

4.25.1 There are certain parts of the Plan area where it is considered essential to retain, protect and enhance the natural landscape features of the area. The Plan seeks to prevent a) the coalescence of separate settlements, b) the erosion of green wedge areas by urban

sprawl and c) inappropriate development of important landscape areas such as the Sherwood Forest Special Landscape area and Mature Landscape Areas.

NE4 PLANNING PERMISSION WILL NOT BE GRANTED FOR ANY DEVELOPMENTS WHICH WOULD DETRACT FROM THE OPEN CHARACTER OF SENSITIVE GAPS BETWEEN SETTLEMENTS IN THE FOLLOWING LOCATIONS:-

NE4(A) BETWEEN SUTTON-IN-ASHFIELD AND MANSFIELD, FROM FISHPOND HILL TO SKEGBY LANE.

4.25.2 The Plan aims to prevent the coalescence of settlements on the edge of the urban area. Uses which are open in character and would not prejudice these open breaks would be acceptable to the District Council. Any planning applications will be considered primarily with regard to their impact on the openness of the surrounding area. The open break areas as defined on the Proposal Map help to prevent coalescence of adjoining settlements and play an important part in the character and appearance of the District.

4.25.3 Land adjacent to the north of Kings Mill Hospital up to Brick Kiln Lane/Abbott Road helps maintain an important break between the outer edges of Mansfield and Sutton. It is important for the character and appearance of the area, and indeed, the perception of local people that the two towns do not merge.

NE4(B) BETWEEN MANSFIELD AND RAINWORTH FROM RATCHER HILL QUARRY AND THE RANSOM HOSPITAL SITE TO THREE THORN HOLLOW FARM.

4.25.4 Land north and south of the A617 helps form a distinctive break between the outer limits of Oak Tree and Bellamy Road and Rainworth. To the north of the A617 is coniferous woodland whilst to the south is open farmland. There is considerable pressure for development in the area, which if permitted would result in the coalescence of Rainworth with Mansfield. It is therefore important that this open break is maintained.

NE4(C) BETWEEN FOREST TOWN AND CLIPSTONE.

4.25.5 The open area south of Clipstone Road East helps prevent the coalescence of Forest Town and Clipstone. This open break will assume greater importance once the link road and other developments in this vicinity are commenced. It is important for the character and appearance of the area and indeed the perceptions and wishes of local people that the two settlements do not merge.

NE4(D) BETWEEN MARKET WARSOP, CHURCH WARSOP AND MEDEN VALE.

4.25.6 This open break along the River Meden will help prevent the coalescence of Market Warsop and Church Warsop along the River Meden valley. This area has pressure for development which would result in the merging of the two settlements. It is important for the character and appearance of the area and indeed the perceptions and wishes of local people that the settlements do not join. The open break will also protect this part of the Meden valley against development.

4.25.7 The Plan area is dissected by a number of river valleys such as the Maun and Cauldwell Brook and open areas of land such as along Debdale Lane and Bath Lane. These features help bring green areas close to Mansfield town centre and provide important green spaces adjacent to the defined urban areas and contribute to the town's character.

Such areas are a valuable resource for Mansfield both in terms of their landscape value and the opportunities for informal recreation that they provide. They also add to the quality of the town's overall environment and provide important wildlife habitats. Once such areas are built on they are lost forever. Green wedges are also important for creating a mosaic of woodland and other habitats linking the countryside with the heart of settlements. They enable all sectors of the community to have access to the countryside.

NE5 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD EITHER DETRACT FROM THE OPENNESS AND LANDSCAPE QUALITY OF THE FOLLOWING GREEN WEDGES OR UNDERMINE THEIR VALUE AS A RECREATIONAL AND WILDLIFE RESOURCE:-

NE5(A) ALONG THE MAUN VALLEY

- 4.25.8 This green wedge along the Maun Valley brings the countryside to within half a mile of the town centre. This area provides a valuable recreational asset as well as a wildlife resource close to the communities of Mansfield Woodhouse and Forest Town. It provides a valuable green area in an otherwise predominantly urban area.

NE5(B) BETWEEN RADMANTHWAITE AND MANSFIELD WOODHOUSE

- 4.25.9 This green wedge between Radmanthwaite and Mansfield Woodhouse will prevent the coalescence of the two settlements. It also plays an important role in bringing the countryside to Mansfield's built up area. Debdale Lane has a rural character with many fine trees. The future reclamation of the former Sherwood Colliery tip for informal recreational uses will further contribute to this rural feel.

NE5(C) ALONG THE CAULDWELL BROOK

- 4.25.10 Besides being an important green spur into Mansfield's built up area, the green wedge along the Cauldwell Brook is a buffer between the industrial area off Hermitage Lane and the housing to the east. Designation as a green wedge will help to prevent the loss of this area to development to the detriment of the wider environment of Mansfield District.

NE6 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WITHIN THE SHERWOOD FOREST HERITAGE AREA, AS DEFINED ON THE PROPOSALS MAP, WHICH WOULD EITHER DETRACT FROM THE LANDSCAPE QUALITY OR ADVERSELY AFFECT THE ECOLOGY OF THE AREA.

- 4.25.11 A small part of the Plan area, in the north-east, is included in the Sherwood Forest Heritage Area. This area contains those areas of highest landscape and nature conservation value. It is unlikely that this area could accommodate any major new tourist or recreation facilities as other parts of the Sherwood Forest area may be able to do.

NE7 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WITHIN THE SHERWOOD FOREST SPECIAL LANDSCAPE AREA, AS DEFINED ON THE PROPOSALS MAP, EXCEPT FOR PROPOSALS WHICH WOULD FALL INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:-

- 1) **IT WOULD CONSERVE OR ENHANCE THE LANDSCAPE AND ECOLOGY OF THE AREA;**
- 2) **IT WOULD MAINTAIN AND/OR DEVELOP ITS FUNCTION AS A RECREATION AND TOURISM AREA, SUBJECT TO ANY DEVELOPMENT BEING OF A SCALE AND DESIGN IN KEEPING WITH THE CHARACTER OF THE AREA.**

4.25.12 Parts of the Sherwood Forest Special Landscape Area are located on the eastern edge of the Plan area and here the management of the landscape will try to promote acceptable forms for recreational and tourist development, whilst at the same time protecting the areas special landscape and ecological value. This area has traditionally been seen as part of Sherwood Forest. Nottinghamshire County Council is preparing a management plan for this area. The purpose of the plan is management of Sherwood Forest as a mechanism for partnership and participation for all those who live in, work in or visit the Forest area. The plan embraces nature conservation and landscape issues, environmental concerns such as the effects of transport systems, provision of recreational opportunities of high quality and development that is both environmentally and economically sustainable.

NE8 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD DETRACT FROM THE LANDSCAPE OR ENVIRONMENTAL QUALITY OF MATURE LANDSCAPE AREAS AT THE FOLLOWING LOCATIONS:-

4.25.13 Nottinghamshire County Council has undertaken an assessment of Mature Landscape Areas in the county and this has assisted in the formulation of those areas worthy of special protection in the District. Mature Landscape Areas usually contain one or more of the following features; mature deciduous woodland; intact field patterns; permanent grassland/heathland/parkland and mature river and stream courses. The policy aims to ensure that these special features are protected and where possible enhanced.

NE8(A) RIVER MAUN

4.25.14 The Maun river valley contains some of the most attractive parts of the District. The area has great potential for informal recreational purposes as well as providing a rich resource of wildlife and natural habitats. There are also opportunities to provide increased access to outlying recreational areas such as Kings Mill Reservoir. The District Council is developing a route along the Maun Valley. Bodies such as the Environment Agency may be able to offer assistance for schemes to enhance the river valleys.

NE8(B) RIVER MEDEN

4.25.15 Together with the Maun Valley, the Meden Valley contains some of the most attractive parts of the District. The area has great potential for informal recreational purposes as well as providing a rich reserve of wildlife and natural habitats. There are also opportunities to provide increased access to outlying recreational areas such as Pleasley Vale. Bodies such as the Environment Agency may be able to offer assistance for schemes to enhance the river valleys.

NE8(C) NETTLEWORTH MANOR, MANSFIELD WOODHOUSE

4.25.16 Nettleworth Manor is a landscape centred around an area of mature parkland comprising permanent pasture, improved grassland and broad-leaved woodland. A number of water courses, lakes and established hedgerows are also contained in the

area. The area has considerable potential for informal recreational uses and has been identified by the District Council as a possible extension to the adjacent Manor Park for a country park use.

4.26 **Woodlands**

- 4.26.1 The woodlands in the District, some of which are extensive, are important both as features of the landscape and as wildlife habitats. The Council will use its powers to both protect and enhance ancient woodlands and other groups of trees considered to be of importance.

NE9 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD ADVERSELY AFFECT WOODLANDS WHICH ARE EITHER OF AN AMENITY VALUE OR WHICH PROVIDE VALUABLE WILDLIFE HABITATS.

- 4.26.2 The District has many fine trees which contribute to its attractiveness and provide valuable habitats. Trees in many parts of the Plan area are protected by Tree Preservation Orders (details in Appendix 2d). The Council will seek to ensure the retention of trees of important amenity and/or wildlife value where they are under threat from development, by means of additional Tree Preservation Orders. It will also seek to ensure that development proposals include measures for the preservation and protection of trees when considering planning applications.



- 4.26.3 Mansfield District has many areas of amenity woodland. These are woodland areas to which members of the public have access and enjoyment, both visually and physically. As such woodlands develop over a considerable period of time, once lost, they are gone for good and the character of the local area will be greatly altered. It is therefore important that such areas are protected against harmful development.

- 4.26.4 The management of woodlands, including felling and restocking is essential to maintain their health and vitality. Unmanaged woodland can soon become derelict and woodland in such a state can more easily be lost.

NE10 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD LEAD TO THE LOSS OF, OR DAMAGE TO, ANCIENT WOODLANDS.

- 4.26.5 Ancient woodlands are defined by English Nature based on historical evidence and species diversity. The seven ancient woodlands in Mansfield District are shown on the

Proposals Map (details in Appendix 2e). Ancient woodlands have significant ecological value and will be afforded protection if not already designated as Tree Preservation Orders (TPO's) or Sites of Special Scientific Interest (SSSI).

NE11 THE GREENWOOD COMMUNITY FOREST PLAN WILL BE A MATERIAL CONSIDERATION IN DETERMINING PLANNING APPLICATIONS WITHIN THE GREENWOOD COMMUNITY FOREST, AS SHOWN ON THE PROPOSALS MAP. PLANNING PERMISSION WILL BE GRANTED FOR PROPOSALS WHICH MEET ALL OF THE FOLLOWING CRITERIA:-

- 1) ARE SMALL SCALE AND INTEGRAL TO THE DEVELOPMENT AND MANAGEMENT OF THE COMMUNITY FOREST;**
- 2) REFLECT THE LOCAL ARCHITECTURE AND THE COMMUNITY FOREST SETTING IN ITS DESIGN, THE MATERIALS USED AND ITS LAYOUT;**
- 3) INCORPORATE ON-SITE OR OFF-SITE PLANTING WHICH WILL CONTRIBUTE TO THE ESTABLISHMENT OF THE COMMUNITY FOREST AND IS DIRECTLY RELATED IN SCALE AND NATURE TO THE DEVELOPMENT. THE DISTRICT COUNCIL WILL USE PLANNING CONDITIONS AND/OR SEEK TO NEGOTIATE PLANNING OBLIGATIONS TO ACHIEVE THIS AIM;**
- 4) WOULD NOT INHIBIT THE ESTABLISHMENT OF THE COMMUNITY FOREST;**

DEVELOPMENT WHICH IS CONTRARY TO NATIONAL AND LOCAL PLANNING POLICIES WILL NOT BE PERMITTED WITHIN THE GREENWOOD COMMUNITY FOREST MERELY BECAUSE THE APPLICANT IS PREPARED TO UNDERTAKE TREE PLANTING.

4.26.6

The Greenwood Community Forest covers the greater majority of the District (excluding Warsop) and seeks to provide a new environment for leisure and nature conservation close to centres of population. Community forests cover large areas on the edge of towns and cities where major environmental improvements will create well-wooded landscapes for wildlife, work, recreation and education. The District Council is actively involved, along with other bodies, in preparing a management plan for the Greenwood. The Council strongly supports the creation of the Community Forest and over the Plan period will work with the appropriate agencies to promote and implement the scheme. The Forestry Authority offers grant aid for managing existing woodlands and the planting of new woodlands. The Greenwood Community Forest is one of 12 community forests which are being promoted in England by the Countryside Commission. It covers some 40,000 hectares of Nottinghamshire between Nottingham and Mansfield, and includes most of Mansfield District apart from the Warsop area (see plan). The Greenwood Forest Plan was approved by the Department of the Environment and is to be treated as a material consideration in the determination of planning applications. The Greenwood Forest concept aims not only to create new opportunities for recreation, education and employment but also to improve the appearance of the landscape of surrounding urban areas.

4.27 **Nature Conservation**

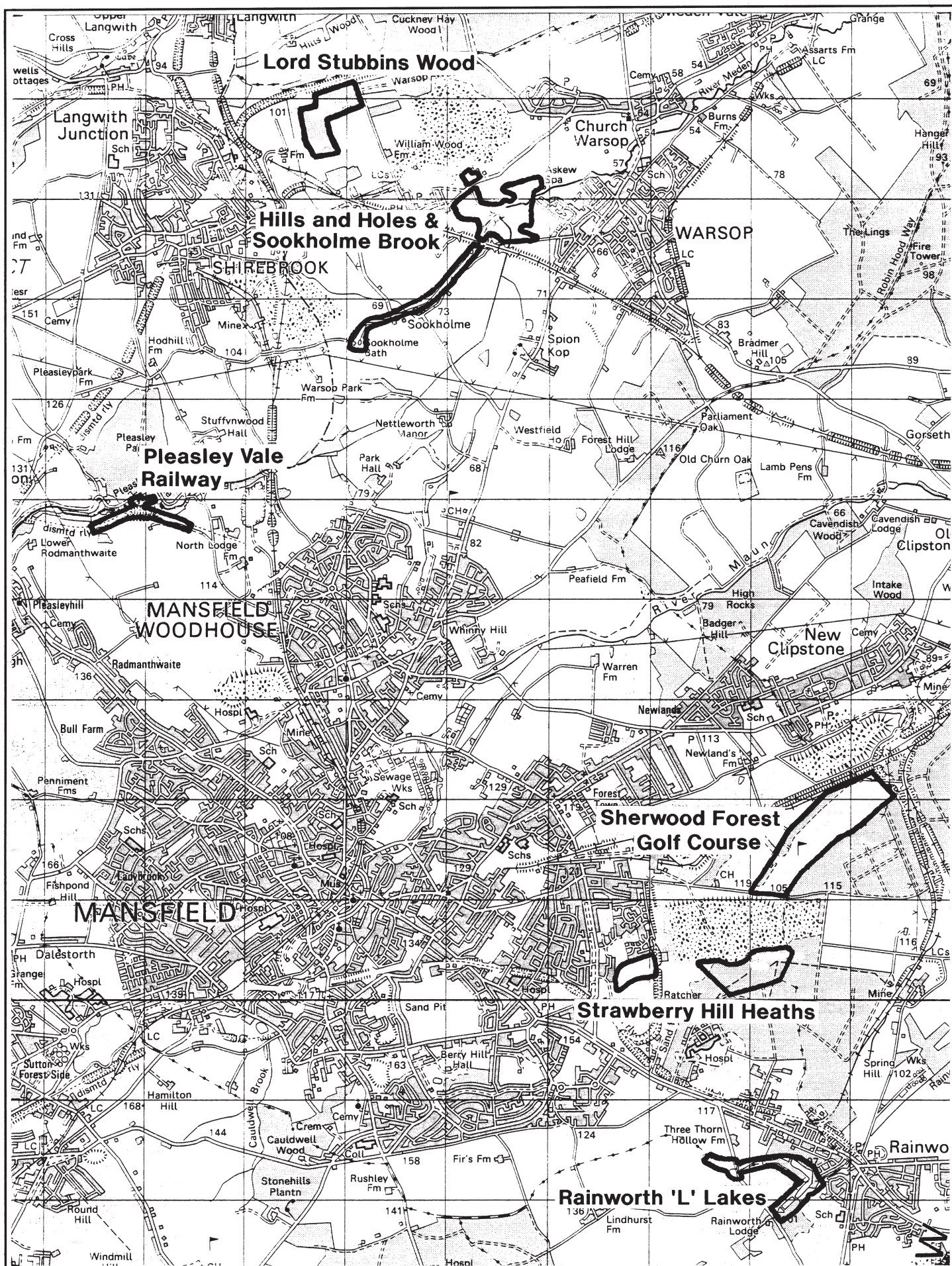
- 4.27.1 The District contains six sites defined by English Nature as being of Special Scientific Interest, shown on Plan 3 (details in Appendix 2f). These sites are afforded statutory protection. In addition there are sixty sites considered to be of major local importance, as surveyed by the Nottinghamshire Geological and Biological Records Centre (NGBRC). These non-statutory sites are graded according to their county wide significance (Grade 1) or District wide importance (Grade 2). They can include sites of biological or geological significance (details in Appendix 2g).

NE12 PROPOSALS FOR DEVELOPMENT LIKELY TO AFFECT SITES OF SPECIAL SCIENTIFIC INTEREST WILL BE SUBJECT TO SPECIAL SCRUTINY. WHERE A DEVELOPMENT WOULD HARM OR DAMAGE THE SSSI, EITHER DIRECTLY OR INDIRECTLY, IT WILL NOT BE PERMITTED UNLESS THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE VALUE OF THE SITE AND THE NATIONAL POLICY TO SAFEGUARD THE NATURE CONSERVATION VALUE OF A NETWORK OF SUCH SITES.

- 4.27.2 It is the District Council's intention that SSSI's will be protected from harm. Any development proposals likely to affect them will be subject to special scrutiny. Exceptions to this policy will only be considered where there is an overriding need for the development, which clearly outweighs the value of the site itself and the national policy to safeguard the intrinsic nature conservation value of the national network of such sites. In such circumstances the Council will require substantial compensatory arrangements to minimise the impact of the loss and the provision of alternative habitats in the immediate locality. As a total resource the amount of undeveloped land will go on getting smaller. Planning for nature conservation must be seen against a background of strong pressure for development. Development is a major threat to wildlife, other threats arise from insensitive land management practices, land drainage schemes, pollution, culverting of natural water courses and indiscriminate use of herbicides and pesticides. The District Council will also make all reasonable efforts to enhance sites of nature conservation importance.

- 4.27.3 Numerous opportunities for nature conservation exist within the Plan area. New developments may bring new opportunities for habitat creation or for improving public access. Sites of Special Scientific Interest are notified by English Nature under the provisions of the Wildlife and Countryside Act 1981 (amended 1985). They are of local and national importance and their protection can be required by international obligations such as S.P.A's and Ramsar sites. SSSI status is the highest national level of protection that may generally be afforded to a site of natural interest outside statutory nature reserves. National criteria for the selection of SSSI's are rigorously applied so that these sites are the best, or typical examples of rare and irreplaceable features and habitats.

NE13 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD DAMAGE LOCAL NATURE RESERVES AND OTHER SITES CONSIDERED TO BE OF ECOLOGICAL, GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE, UNLESS THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE INTRINSIC VALUE OF THE SITE OR THE CONTRIBUTION IT MAKES TO THE LOCAL NETWORK OF SUCH SITES.



MANSFIELD DISTRICT LOCAL PLAN

**PLAN 3: MANSFIELD DISTRICT - Sites of Special
Scientific Interest.
Plan not to scale**

4.27.4 Mansfield District has many sites of nature conservation importance, whether nature reserves or sites of ecological, geological or geomorphological importance (these sites are listed in Appendix 2g). Several forestry commission plantations exist in the area, such as Shining Cliff and Ratcher Hill, together with several other private woodland areas like Bishop Hill plantation and Vale Close plantation. There are also several disused railway lines throughout the Plan area which also have a nature conservation role to play. There are a number of ponds in the Plan area ranging from the Spa ponds in Forest Town to Pleasley Mill pond and sites identified in the Site Alert Schedule prepared by the Nottinghamshire Geological and Biological Records Centre. All these areas contribute to the District's wide range of different natural habitats.

4.27.5 A Nature Conservation strategy has now been approved by the District Council which will be used to assist the development process and help implement nature conservation projects in the District. An action plan to achieve this is currently in preparation.

NE14 WHERE PLANNING PERMISSION IS GRANTED FOR DEVELOPMENTS THAT WOULD ADVERSELY AFFECT SSSI's, SITES OF LOCAL NATURE CONSERVATION VALUE, OR LANDSCAPE FEATURES OF MAJOR IMPORTANCE FOR WILD FAUNA OR FLORA, THE COUNCIL WILL, WHEREVER POSSIBLE, REQUIRE APPLICANTS TO UNDERTAKE THE FOLLOWING:-

- 1) RETAIN AND ENHANCE IMPORTANT NATURE CONSERVATION FEATURES AND HABITATS WITHIN THE SITE;**
- 2) ENSURE THE PROTECTION OF SUCH FEATURES AND HABITATS FROM DAMAGE BOTH DURING AND AFTER DEVELOPMENT;**
- 3) MAKE PROVISION FOR THE FUTURE MANAGEMENT OF SUCH FEATURES AND HABITATS;**

WHERE LOSS IS UNAVOIDABLE THE COUNCIL WILL REQUIRE COMPENSATORY MEASURES TO REPLACE OR REINSTATE THE NATURE CONSERVATION VALUE THAT HAS BEEN LOST. WHERE APPROPRIATE THE COUNCIL WILL ACHIEVE THESE OBJECTIVES BY THE IMPOSITION OF PLANNING CONDITIONS AND/OR THE NEGOTIATION OF PLANNING OBLIGATIONS AND/OR MANAGEMENT AGREEMENTS.

4.27.6 Landscape and nature conservation features and habitats e.g., trees, hedgerows, ponds etc. should be retained wherever possible and should be protected during development works. The Council recognises that some development proposals will involve the loss of trees or other landscape features. To ensure the District retains these features, the Council will encourage the planting of replacement trees and the provision of alternative landscape features elsewhere. Any replacement should be on an equal or larger scale and its long term maintenance may be sought through Section 106 planning obligations.

4.27.7 The declaration of Local Nature Reserves ensures the protection of nature conservation sites. Where appropriate the Council may be able to instigate by-laws for their protection. Local Nature Reserves provide opportunity for study and research. For areas such as Strawberry Hill and Garibaldi Plantation, Local Nature Reserve designation may be appropriate. The District Council in consultation with English Nature will use its powers to declare statutory Local Nature Reserves.

4.27.8 Where appropriate the District Council will use its powers under Section 39 of the Wildlife and Countryside Act, 1981, to enter into management agreements with landowners of nature conservation sites, where the purchase or lease of the land is not available or feasible. These powers will be used to conserve the natural beauty and amenity of an area.

4.27.9 The District Council will promote the conservation of wildlife on all land that it owns and will encourage other agencies and landowners to adopt similar principles. Nature conservation can help to secure significant environmental improvements through the sympathetic management of open spaces, grass verges, landscaped areas etc. It can also help procure significant benefits by providing a more attractive environment both for residents, visitors and inward investment. The District Council will examine its current amenity management techniques and will implement sympathetic management techniques to encourage wildlife and diverse habitats on land which it owns.

NE15 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD LEAD TO THE LOSS OF OR CAUSE DAMAGE TO IMPORTANT HEATHLAND SITES. THE DISTRICT COUNCIL WILL TAKE INTO ACCOUNT THE IMPORTANCE OF HEATHLANDS WHERE NEW DEVELOPMENTS AFFECT HEATHLAND AREAS. WHERE APPROPRIATE, THE COUNCIL WILL USE PLANNING CONDITIONS AND/OR SEEK TO NEGOTIATE PLANNING OBLIGATIONS AND AGREEMENTS TO ENCOURAGE THE RESTORATION OF EXISTING HEATHLANDS AND THE CREATION OF NEW ONES AND TO SECURE THE POSITIVE MANAGEMENT OF BOTH EXISTING AND NEW HEATHLAND.

4.27.10 The District includes two of the most important heathland sites in the County, Strawberry Hill and Sherwood Forest golf course (both SSSI's) as well as several other smaller areas to the east of Mansfield. The national and international importance of this resource is recognised in the Nottinghamshire Heathland Strategy to which the District Council has made a significant contribution. The District Council will take into account the importance of heathlands where new developments directly or indirectly affect heathland areas. Where appropriate planning conditions, obligations and agreements will be used to protect, enhance or create heathland sites. The District, together with other bodies has been involved in the establishment of the Nottinghamshire Heathland Forum. This group has produced a Heathland Strategy for Nottinghamshire. The aims of the Strategy are (1) to promote the conservation and management and enhancement of all Nottinghamshire heathlands and (2) to encourage the creation of new heathlands where appropriate and to raise public awareness of the status and importance of heathlands.

NE16 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD HAVE AN ADVERSE IMPACT ON BADGERS OR SPECIES PROTECTED BY SCHEDULES 1,5 AND 8 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981, AS AMENDED. WHERE IN EXCEPTIONAL CIRCUMSTANCES PERMISSION IS GRANTED THE COUNCIL WILL EITHER IMPOSE PLANNING CONDITIONS AND/OR NEGOTIATE PLANNING OBLIGATIONS TO MINIMISE ANY ADVERSE EFFECTS ON PROTECTED SPECIES.

4.27.11 The District Council will have full regard to the protection of species safeguarded under the provisions of the Wildlife and Countryside Act 1981. This includes badgers and other species protected by Schedule 1,5 and 8. The EC Habitats and Species Directive 92/43 EEC requires the UK government to protect such species in accordance with Articles 12-16. The presence of a protected species will be regarded as a material consideration when determining planning applications and the District Council will consult with English Nature on such applications. English Nature can also supply further information on protected species. The District Council will impose planning conditions and/or enter into planning obligations to minimise adverse effects on protected species.

NE17 PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENTS WHICH WOULD HAVE AN ADVERSE EFFECT ON THE QUALITY OF AIR AND SOIL RESOURCES WHERE THIS WOULD EITHER RESULT IN A SIGNIFICANT LOSS OF ENVIRONMENTAL QUALITY OR HAVE A CONSTRAINING EFFECT ON THE USE OF OTHER LAND IN THE SURROUNDING AREA, EITHER NOW OR IN THE FUTURE.

4.28.1 The planning system has an important role to play in determining the location of developments which may give rise to pollution. This policy aims to ensure that air and soil resources are protected from any potential detrimental effects of development.

