

Report to Planning Committee

Application Number: 2021/0424

Appeal Ref: APP/N3020/W/21/3283174

Location: Ramper Covert Wood Mansfield Road Arnold NG5 8PR

Proposal: Change of use to natural pet burial ground

Case Officer: Bev Pearson

Outline planning permission was refused by the Borough Council on the 11th September 2020 on the following grounds:

- 1 'The site would be accessed from the Major Road (A60) which carries 18.500 vehicles 2-way AADT (Annual Average Daily Traffic), where over-taking can take place fronting the proposal site. In the opinion of the LPA there is no workable and enforceable mechanism for the LPA to control the access arrangements. This would result in the likelihood of vehicles parking in the entrance to the site and the possibility of vehicles reversing onto the A60 if they are unable to enter the site. As such there would be an inability for vehicles to enter and leave the site in a safe manner.

Accordingly it is considered that the proposal would have an adverse impact on through traffic and be a likely source of unacceptable danger to other users of the highway, particularly because of the heavy volumes of traffic using A60 Mansfield Road.

Additionally, the nearby layby is a public parking/resting place for users of the highway. As such its proposed use as a parking space to serve the site would raise highway safety concerns as a result of vehicles hesitating to find a space to park, who may be unfamiliar with the access to the site. Its use would also promote pedestrian movements from the layby along the section of the A60 to the site which has no footway provision to the detriment of pedestrian safety.

As such the proposed development would be detrimental to highway safety and considered contrary to NPPF Section 9 Promoting sustainable transport and policy LPD 61- Highway Safety.'

- 2 In the absence of specific burial plot locations it is the opinion of the Local Planning Authority that insufficient information has been submitted to fully assess the impact of the proposal on the trees within the site, particularly the trees that are protected by Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

As such the proposal is considered contrary to LPD 19 - Landscape Character and Visual Impact.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been dismissed.

The Inspector concluded that although the proposal would provide jobs and some local spending, such benefits would be limited given the small scale of the proposal and would therefore attract limited weight.

The appeal site falls within a larger area of woodland in which the trees are protected by Tree Preservation Orders. The areas of the appeal site which have been cleared of trees is where the proposed pet burial areas would be, albeit exact details of burial plots have not been provided. The Inspector was however satisfied that, subject to a perimeter around the edge of the clearing, which excludes excavations within that area, and a control on the type of excavation which can occur, then no significant harm would occur to the protected trees.

The proposal would result in harm to highway safety, harm which would lead to conflict with the development plan which had been afforded substantial weight.

There were no material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan and the appeal was therefore dismissed.

Recommendation: To note the information.