

PLANNING COMMITTEE – 24 JULY 2018

Application No:	18/00526/RMAM	
Proposal:	Reserved matters submission for 1050 residential dwellings public open space, sports provision, allotments and associated infrastructure.	
Location:	Land North And East of Existing Fernwood Development, Fernwood Newark	
Applicant:	Barratt Homes	
Registered:	19 March 2018	Target Date: 12 June 2018

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as Fernwood Parish Council has objected to the application which differs to the professional officer recommendation.

Background & Relevant Site History

The land around Fernwood is identified as a strategic site (NAP 2C) as part of Newark’s Growth Point status which is set out in the Council’s Core Strategy. This strategic site has been identified for a mixed use development for in the region of 3,200 dwellings, a business park, local centre comprising retail, service, employment and community uses and associated green transport and other infrastructure.

Outline planning permission was recently granted (under planning permission reference **14/00465/OUTM**) for ‘Proposed residential development for up to 1,050 dwellings and associated facilities (Education & Recreation) infrastructure and utilities; application for outline planning permission (including access)’. The application was considered by the Planning Committee in September 2017 at which it was resolved to approve the application as recommended subject to an additional condition and the signing and sealing of a Section 106 Agreement to secure a range of developer contributions. This was executed on 29th December 2017.

The application was subject to 34 conditions some of which require discharge prior to the commencement of development. A copy of the decision Notice is attached as Appendix A to this report.

The section 106 secured the following;

<i>Contribution</i>	<i>Contribution</i>	<i>Trigger Point/Delivery</i>
Affordable housing	11.5% (120 units) of affordable housing with a tenure split of 52% intermediate/48% affordable rent	Affordable Housing Scheme to be submitted prior to the commencement of development of each phase. Subject to suitable controls to ensure that there is flexibility but to ensure that an appropriate

		<p>proportion of affordable housing is delivered alongside the market housing and is completed and transferred to an affordable housing provider.</p> <p>First Option would require Review Mechanism</p>
<p>On site open space</p>	<p>Total Provision of 21.888ha comprising:</p> <p>14.019 hectares, all dwellings to be within 300m</p> <p>Provision of 1.48 ha</p> <p>Provision of 0.836ha includes a central NEAP (enhanced from standard 9 to 11 pieces of equipment as minimum) and 1 LEAP (of not less than 6 pieces of equipment).</p> <p>Play equipment to be agreed with LPA and PC.</p> <p>Provision of 1.079ha</p>	<p>All POS to be delivered through each phase and controlled by condition</p> <p>Children & Young People</p> <p>Prior to 1st occupation of each phase developer to obtain approval of on-site open space and play space scheme including LEAP and NEAP and these shall be provided to a timetable to be agreed with the LPA prior to first occupation of each phase or sub phase.</p> <p>Allotments/Community Gardens</p> <p>Will be delivered alongside dwellings (controlled by condition) but with a long-stop date included that allotments will be provided prior to occupation of the 600th dwelling.</p> <p>Outdoor Sports Facilities</p> <p>Will be delivered alongside dwellings (controlled by condition) but with a long-stop date included that the pavilion and pitches will be provided prior to occupation of the 600th dwelling a scheme for</p>

	<p>Provision of 4.47 ha</p> <p>Cricket Square x 1</p> <p>Senior Football Pitches x 2</p> <p>Football Pitch (9 a side) x 1</p> <p>Football Pitch (7 a side) x 1</p> <p>Football Pitch (5 a side) x 1</p> <p>Pavillion Building to include 4 changing rooms of not less than 245m² in gross internal floor space) and associated 30 car parking spaces</p>	<p>provision of sports facilities shall be submitted.</p> <p>Management of POS to be agreed through S106; developer to agree with the LPA a precise schedule of maintenance/management in perpetuity prior to first occupation of any dwelling. Other details that will need to be submitted for approval include the details as to the financial sustainability of any corporate or other body as may be established to carry out such maintenance; arrangements/ timetabling for the transfer of the public open space and play areas to either the relevant parish council, to a management company or any combined arrangements as approved by the LPA and the details of any transfer in ownership or control of any part of the site.</p> <p>Brochure outlining management arrangements and associated charges will be provided with the approved brochure by the developer prior to completion of sale.</p>
<p>Community Facilities</p>	<p>£1,384.07 per dwelling up to maximum of £1,453,273.50</p>	<p>Agreed £300k to be paid prior to first occupation and to be spent within Fernwood Central with remainder to be paid in 9 equal installments on the anniversary of the first payment.</p>
<p>Highways Infrastructure</p>	<p>On-site Bus infrastructure (including bus stops, timetable information, level kerbs and works for future real time passenger information)</p> <p>Travel initiatives such as free bus passes within Travel Plan</p> <p>Subsidy for the extension of bus route to and from existing Fernwood.</p>	<p>Matters contained within the Travel Plan will be included in the S106 including scheme for timings and implementation</p> <p>Numbers of bus stops should reference the 6 C's Design Guidelines (or any subsequent replacement) given that quantum of stops is not known.</p> <p>Provided upon first occupation of each dwelling</p> <p>£750k total based on 5 years funding of £150k per year which first installment payable upon adoption of the bus link or agreement from the provide to commence the service, the annual installments of £150k annually for 4 years</p>

	Safeguarding of protected land for future road link	This refers to the land shown on Waterman drawing 210354-005.4 E Hollowdyke Lane Proposed Layout. This plan currently shows works that are not actually being carried out but the land to be safeguarded is where the works are proposed. Expected that Revision F will be provided which can be referred to. Upon completion of the final phase of the development, only if requested within 12 months by NCC, the land would transfer to NCC for highway purposes.
Primary School	Additional 1.2ha (of serviced) land (to make the school site up to 2.2ha) for primary school expansion plus £3.715m to be paid based on 4 th Quarter 2016 indexation.	<p><i>Triggers:</i></p> <ul style="list-style-type: none"> • 10% on receipt of written confirmation from the CC that the CC is to commence design of the Primary School Extension; • 45% on receipt of written confirmation from the CC that they have committed to issue a contract for the construction of the Primary School Extension; • 45% on the first anniversary of the payment made pursuant to above
Healthcare	Provision off site through a contribution of £1,031,751	<p>Their S106 states towards the construction of or improvement of new healthcare facilities within the Parish of Fernwood or Newark Urban Area.</p> <p>Triggers agreed are £300k upon 10th occupation with remainder provided in equal installments on occupation of 200th, 400th, 600th, 800th and 1000th dwellings.</p>
Libraries	<p>Based on 1050 dwellings this would amount to £48,258.</p> <p>NCC have confirmed they would only request £36,780 even with uplifted numbers.</p>	Triggered at 1 st occupation - a payment of £4,600 and then on the anniversary of the initial payment equal payments over the following 8 years.

This approved outline application was the first to be submitted and approved as part of the overall Fernwood strategic site. Outline permission is also being sought for 1,800 homes (plus infrastructure) promoted by Persimmon Homes (16/00506/OUTM) which is being considered separately on this agenda. An application for outline permission promoted by Larkfleet Homes (17/01266/OUTM) for 350 houses has also been before Members in May 2018 which has a resolution to approved subject to the execution of the Section 106 Agreement. This is expected to be executed shortly.

The Application Site

Unusually for a scheme of this scale, the extent of reserved matters under consideration comprises the entirety of the application site covered by the outline application. It comprises approximately 57.94 hectares of land that wraps around the existing settlement of Fernwood to the north and east and extends to where the A1 Trunk Road meets the East Coast railway line, to approximately 50m north of Spring Drive. Spring Lane (which turns into Hollowdyke Lane) is a narrow single track rural lane with soft verges and no footpaths which forms part of the application site and runs south dividing the development site into two. This lane continues south, turns 90° and meets the B6326 Great North Road to the west. Spring Lane currently links Fernwood with Balderton and Coddington to the north and north-east respectively.

The northern part of the site comprises agricultural fields between the existing settlement and the A1. This has a gently undulating land form with land falling away to the north as it extends towards the A1. The boundaries are generally formed by mature landscaping and hedgerows (particularly alongside the A1) and there are some trees and shrubs periodically within the site. A drain crosses through the field from east to west and there are some nesting boxes sited adjacent to this. An oil pipeline runs alongside the northern site boundary. The application site excludes an abandoned scrapyards accessed off Spring Lane and another piece of land further to the west (adjacent to the fork in the A1) is owned by a third party.

The eastern part of the site comprises arable land between Spring Lane and the East Coast railway line. There are various drains crossing the site. Mature hedgerows form most site boundaries and in places cross the site, most notably the hedgerow that zigzags, visible from aerial views. A buried gas pipeline crosses part of the eastern section of the site from north to south and has a 25m easement associated with it. Power lines cross the south-easternmost tip of the application site.

A large wedge of the site (the south-eastern tip) lies within flood zones 2 and 3. The nearest SINC (Biosinc NBGRC2012, Railway Pond, Balderton) is located to the north (beyond the railway line) and this is important scrub and open water habitat developed on a long disused ballast pit. Public footpaths run across the site from north-west (FP10) linking to FP4 that crosses the south-east and through the existing settlement in part. These were recently diverted to follow the road network of new housing at Fernwood.

Fen Lane Farm lies to the north on the other side of the railway line, along with some sporadic dwellings.

Land to the south of the application site is open countryside and also forms part of the Strategic site which will form a scheme currently being promoted by Persimmon Homes and other later phases of the allocated site.

The nearest settlements are Newark and Balderton to the north, Hawton village c3.3km to the west, Barnby-in-the-Willows c2.6km to the north-east and Claypole (within South Kesteven District Council's jurisdiction) c2.1km to the south-east. The B6326 Great North Road provides access over the A1 trunk Road towards the main urban areas of Balderton and Newark.

The Proposal

A reserved matters application has been submitted for the entire site and details 1,050 dwellings, public open space, sports provision, allotments and associated infrastructure. The reserved matter

includes the appearance, layout, landscaping and scale of all matters. This is all of the matters reserved at outline stage. In terms of the landscaping, all that will form the public open areas have been provided. In plot landscaping has only been provided in respect of Phase 1, with in plot landscaping controlled via recommended condition.

It is highly unusual to have a full Reserved Matters scheme before us for the whole site for a scheme of this size. The applicants have made clear that this is due to their very clear intention to purchase the whole site on the back of the outline (as opposed to a phased purchase). It is accepted that it is very highly likely that future planning applications will be made to amend phases of the development at various points throughout the approx. 10-12 year build programme.

The proposal details dwellings comprising 2, 2½ and 3 storey that would mainly be constructed from red brick but with some buff, render and cladding with mainly orange pantiles with some grey tiles. These are set out in a grid like arrangement with strong consistent building lines and public open space interwoven in. The development has been broken up into different character areas such as a tree lined avenue that is the main spine road and bus route with lanes, drives and mews provided elsewhere.

The public open space is to be provided largely in accordance with the outline masterplan and would include the provision of allotments (with associated parking), a neighborhood equipped area of play NEAP (opposite the existing and to be expanded school) which includes a range of play equipment and a multi-use games area (MUGA) as well as a local equipped area of play (LEAP). Sports pitches are to be provided for cricket and football together with a pavilion building. This building is would have a footprint of 15.91m x 17.98m, is single storey with an eaves height of 2.4m rising to c2.91m to ridge. Internally this would comprise entrance hall, club/committee room, kitchen, officials changing room with shower, disabled w.c, four changing rooms each with showers and two toilets.

The application is accompanied by the following documents:

- Design Code Street Typologies
- Written Scheme of Investigation for Archaeology (submitted 30/04/2018)
- Phase 1 Habitat Report (for Phase 1) (submitted 30/04/2018)
- Noise Assessment, by MEC Acoustic Air dated June 2018
- BFI12 Assessment (received 04/07/2018)
- Programme of Implementation for Landscaping – Strategic Landscaping Delivery (received 09/07/2018)

A list of the drawings received and considered forms Appendix B of this report, which give further information in terms of bedrooms numbers approximate internal floor space etc.

Departure/Public Advertisement Procedure

Occupiers of all properties on the Fernwood estate have been individually notified by hand delivered letters. A number of site notices have also been displayed around and near to the site and an advert has been placed in the local press giving an extended consultation period until 23rd July 2018 to allow for comments in respect of amendments where directly affecting residents. The application has also been advertised as a Departure to the Development Plan.

Planning Policy Framework

The Development Plan

Fernwood Neighbourhood Plan (adopted 2017)

- NP1: Design Principles for New Development
- NP2: Housing Type
- NP3: Residential Parking on New Development
- NP5: Green Spaces, Landscaping and Biodiversity
- NP6: Protecting and Enhancing Heritage Assets
- NP7: Supporting Better Movement and Connections
- NP8: Enhancing the Provision of Community Facilities

Newark and Sherwood Core Strategy DPD (adopted March 2011)

- Spatial Policy 1 Settlement Hierarchy
- Spatial Policy 2 Spatial Distribution of Growth
- Spatial Policy 5 Delivering Strategic Sites
- Spatial Policy 6 Infrastructure for Growth
- Spatial Policy 7 Sustainable Transport
- Spatial Policy 8 Protecting and Promoting Leisure and Community Facilities
- Core Policy 1 Affordable Housing Provision
- Core Policy 3 Housing Mix, Type, and Density
- Core Policy 6 Shaping our Employment Profile
- Core Policy 9 Sustainable Design
- Core Policy 10 Climate Change
- Core Policy 12 Biodiversity and Green Infrastructure
- Core Policy 13 Landscape Character
- Core Policy 14 Historic Environment
- Area Policy NAP 2C Land Around Fernwood

Allocations & Development Management DPD

- Policy DM1 Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM3 Developer Contributions
- Policy DM4 Renewable and Low Carbon Energy Generation
- Policy DM5 Design
- Policy DM7 Biodiversity and Green Infrastructure
- Policy DM9 Protecting and Enhancing the Historic Environment
- Policy DM12 Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- Newark and Sherwood Affordable Housing SPD (June 2013)
- Newark and Sherwood Developer Contributions SPD (December 2013)
- National Planning Policy Framework 2012.
- National Planning Policy Guidance, March 2014.
- 6 C's Design Guide

- Publication Amended Core Strategy DPD, July 2017

Consultations

Fernwood Parish Council – 17/04/2018 (unanimously objected)

‘Fernwood Parish Council resolved to object to the above application at its meeting on 16th April 2018 for the following reasons:

Insufficient Parking Spaces

The PC believes the number of car parking spaces per property is insufficient. The Fernwood Neighbourhood Plan, section 14 and Building for Life 12. Section 10 outline the need for anticipating parking demand.

Highway-related issues

The PC noted that NCC have written to NSDC with a reference to a large range of highway related issues to resolve (letter from D Albans 19/3/18) and would like to see how these are to be resolved. The PC is concerned that the infrastructure has not been addressed in the area to meet increased demand. The PC believe that Hollowdyke Lane should be closed to the usual traffic – The Councillors referred to the document Building for Life 12 section one, which details ‘We recommend thinking carefully before blocking or redirecting existing routes, particularly where these are well used.’

Management of the Site

The PC noted there was no information on how the site will be managed after the build has been completed and would like to see further information on the proposals for this.

Whilst looking through the documents on the planning portal, it was found that in the section 106 agreement dated 29th December 2017 condition 29 details: ‘Construction traffic shall only use the route from the B6326 Great North Road via Goldstraw Lane and Phoenix Lane. The route will be sign posted in accordance with details of a traffic management and signing scheme to be first submitted to and agreed in writing by the LPA in consultation with Highways England’. This contradicts condition 28 and FPC request that this be corrected accordingly as the developer has agreed for construction traffic not to go through the village.’

Balderton Parish Council – ‘The above application makes reference to outline permission for access but we cannot see anything on the many(!) documents that are with it.

The main reason we are interested is that Fernwood Parish Council representatives advised my members at a meeting that the Main Street/Hollowdyke Lane junction in Balderton will be traffic light controlled; can you advise whether this is the case please as we have not noticed any previous reference to it.’

Barratts have confirmed on 10/04/2018 – ‘I can confirm that there are no lights proposed in that location. The road from under the A1 will be restricted to buses only in due course, with access to the phone mast and retained land being provided prior to the bus gate as per the approved

arrangements under the Outline Planning Permission.' This response was forwarded to the Parish Council.

Coddington Parish Council – (03/07/2018)

“Further to Coddington Parish Council's previous submissions for the outline planning application of the development (14/00465/OUTM), we note the conditions (25, 26, 31) of the planning consent granted in December 2017 concerning the closure of Hollowdyke Lane North. These conditions are required to restrict traffic to buses and cycles along Hollowdyke Lane North to promote sustainable transport and to restrict traffic from using Main Street Balderton and Coddington village as a rat run. Coddington Parish Council looks forward to information on timescale for implementation of these highway improvements and traffic management appearing in this Reserved Matters submission, as required in the planning consent.”

Previous comments (09/04/2018): “Further to Coddington Parish Council's previous submissions for the outline planning application of the development (14/00465/OUTM), we refer to the conditions of the planning consent granted in December 2017 concerning the closure of Hollowdyke Lane North.

Condition 4 of the Decision Notice requires that “Each Reserved Matters submission shall accord with the latest Phasing Plan and Programme and include the following details:

II. Confirmation of the timescale for the implementation of the off-site highway infrastructure including highway improvements/traffic management

The information on timescale for implementation of highway improvements and traffic management appears to be omitted from this Reserved Matters submission.

Coddington Parish Council is specifically concerned that there is no mention or timescale provided for the highway improvements to Hollowdyke Lane North (Conditions 25, 26, 31). These are required to restrict traffic to buses and cycles along Hollowdyke Lane North to promote sustainable transport and to restrict traffic from using Main Street Balderton and Coddington village as a rat run.”

Newark Town Council (27/06/2018 & 03/05/2018) – No objection was raised to this application.

NCC Highways Authority – 13/07/2018:

“Further to comments dated 6 July 2018, the following amended drawings have been received with a letter from Barratt Homes dated 11 July 2018:

H5950/BDWH/P101/R

H5950/BDWH/P102/D

H5950/BDWH/P103/D

H5950/BDWH/P104/D

H5950/BDWH/P105/D

It is acknowledged that many previously raised issues had been addressed, but further comments follow:

H5950/BDWH/P102/D

a. Clarification has been provided regarding the hard-surfacing treatment of the 'Main Square'. The materials used within the extent of the public highway will be reviewed and agreed at the Section 38 Road Adoption Agreement stage. The type and colour appear to be acceptable but should be 200mm x 100mm x 80mm (not 50mm). This is both for the carriageway and footway. The Planning Authority should consider colours and demarcation for pedestrian routes across the square bearing in mind routes used by the visually impaired.

H5950/BDWH/P103/D

- a. It is acknowledged that the chicanes outside plots 145-148 & 393-398 should be subject to an early road safety audit. Whilst an issue may not arise from an audit, the problem with leaving this to a later time (post permission) means that any identified layout amendments may be difficult/impossible to achieve. Could the audit be done as soon as possible to identify any potential changes? Alternatively, it is suggested that the plots in this area that may be affected by any highway realignment be excluded from any permission i.e. plots 145-148, 212-216, 234-237, 393-398.

H5950/BDWH/P105/D

- a. It is acknowledged that the 'square' feature outside plots 969-970 should be subject to an early road safety audit. Whilst an issue may not arise from an audit, the problem with leaving this to a later time (post permission) means that any identified layout amendments may be difficult/impossible to achieve. Could the audit be done as soon as possible to identify any potential changes? Alternatively, it is suggested that the plots in this area that may be affected by any highway realignment be excluded from any permission i.e. plots 960-964, 969-970, 1016-1023.
- b. With regard to the roads serving plots 906-926 & 999-1015, the materials used within the extent of the public highway will be reviewed and agreed at the Section 38 Road Adoption Agreement stage.

Other Comments

- a. Bus stop location/details are still being assessed.
- b. It is noted that areas of grass/trees abutting roads will be maintained by a management company, but as Highway Authority we would still like to agree the type/size of trees, mainly for two reasons – their potential impact on underground services (root protection system may be necessary) and impact on causing street lighting shadow. Further advice is being sought on this issue.
- c. Confirmation should be sought that all bends have been reviewed to see if any local widening is required to meet current NCC Highway Design Guidance.

CONCLUSION

Whilst there remain some outstanding issues, significant progress has been made towards developing acceptable layouts, bearing in mind that over time layouts may well be subject to change anyway. With this in mind it is thought that if the outstanding issues cannot be fully resolved by the time of Committee then the Planning Authority will take appropriate steps to protect its interests.

Should the Planning Authority grant the application the following conditions are suggested:

Suggested Conditions:

No dwelling forming part of the development hereby permitted shall be occupied until its associated driveway and any parking or turning areas is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced driveway and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the garage doors are opened /closed and to protect the free and safe passage of traffic, including pedestrians, in the public highway.

Notwithstanding the details submitted, prior to phase 1 of the development hereby permitted being commenced, the location and details of the bus stops shall be agreed in writing by the LPA

Reason: In the interests of sustainable transport.

Notwithstanding the details submitted, prior to phase 1 of the development hereby permitted being commenced, details of all planting in road-side verges shall be first submitted to and agreed in writing by the LPA.

Reason: In order for prevent potential damage to underground services and prevent 'shadowing' of street lighting that may be detrimental to highway safety.

Notes to Applicant

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks."

(06/07/2018) -

"I refer to revised drawings:

H5950/BDWH/P101/P

- a. Rumble strips on the bus route should be omitted
- b. The inside radius of the bend outside plots 25-26 should offer a single, smooth transition; avoiding 'corners'.

H5950/BDWH/P102/B

- a. Rumble strips on the bus route should be omitted

- b. Upper Street/Main Street junction – Only 3 of the 4 approaches show a ramp. It is suggested that a calming feature here is perhaps unnecessary. If it is retained, it is suggested that the ramps be removed.
- c. The access outside plot 712 should be widened to 4.8m (not 4.25m).
- d. Clarification is required of the hard-surfacing treatment of the 'Main Square'. It is not expected for the majority of this to be in tarmac.

H5950/BDWH/P103/B

- a. Rumble strips on the bus route should be omitted.
- b. The 'priority build-out' outside plot 380 should be deleted.
- c. The chicane outside plots 145-148 & 393-398 may not offer adequate visibility splays for drivers entering from the side streets. Splays should be identified. Careful consideration should be given to how these junctions will work in practice and how 'give ways' may be demarcated and operate. I suggest that these junctions be subjected to an early safety audit.
- d. Notwithstanding the above and the vehicle swept path drawings submitted, the chicane outside plots 145-148 & 393-398 will be subjected to further design checking as part of the S38 Road Adoption Agreement and minor kerb realignments may be necessary. The use of surface materials here will also be subject to this process.
- e. It is suggested that the calming feature adjacent to plots 158-159 be laid in block paviors, similar to other existing features at Fernwood.
- f. The inside radius of the bend outside plots 455-456 should offer a single, smooth transition; avoiding 'corners'

H5950/BDWH/P104/B

- a. Generally the use of traffic calming features in this area where there are multiple junctions and bends appears to be excessive, and may be amended as part of the Section 38 Road Adoption Agreement design checking/technical approval process.
- b. The layout of the junctions outside plots 905, and 929 do not offer adequate visibility splays and should be amended to provide 2.4m x 43m.
- c. The 'square' feature in front of plots 969-970 is unusual and could lead to indiscipline in lane behaviour. This is exacerbated by the potential reversing movements in that area. This layout should be reviewed and again safety audited. Notwithstanding this, the forward visibility splays shown should fall within the extent of the potential public highway.
- d. The parking layout and the resulting very long dropped kerb crossing outside plots 999 -1015 offers pedestrians no safe haven/passage. Consideration should be given to breaking this area up with planted areas.
- e. The same is true for the parking outside plots 886-891, 895-901, 906-913, and 917-926.

H5950/BDWH/P105/B

- a. No additional comments

Other considerations:

- a. The provision and siting of ramps to calming features will be scrutinised more closely at the time of preparing technical approval for the Section 38 Road Adoption Agreement. They can interfere with access in/out of private driveways. So the provision and/or siting to these ramps should be subject to Highway Authority approval.
- b. Bus stop locations should be identified on the drawings and designed in accordance with paragraph 3.84-3.95 of the Nottinghamshire design guide found at:

- www.nottinghamshire.gov.uk/media/131233/5_part_3_0.pdf. This will require 3m wide footways in certain areas, and should include shelters / real time displays etc.
- c. It is noted that some road are shown with grass verges/trees. These areas will need additional maintenance. The applicant should clarify what arrangements will be made in respect of this.
 - d. Widening on bends should be provided in accordance with Table DG6 of the Nottinghamshire design guide (referenced above).

It is not considered that drawings are fully at a stage that can be approved and this Authority is aware that minor amendments to road layouts may have consequences for housing layouts.

Highway related conditions will need should be applied to any approval, but the wording for these will be offered in due course after the layouts have been reviewed and revised as necessary."

(11/04/2018) – 'The proposed layout drawings have a large range of highway-related issues to resolve.

It is considered that in order to deal with these matters efficiently it would be beneficial to have a meeting with the applicant and highway consultants. I can foresee some changes to the road layout may be necessary which would have an effect on the layout generally.

I have a meeting already scheduled on 26th April at 10am with Gareth Miles from Barratts to discuss Section 278 Agreements and other traffic related matters, and would be happy to extend this to cover the planning layout matters if that was appropriate, with their agreement.

In the meantime, please accept this as a holding response.'

Natural England (03/05/2018)– 'Natural England has no comments to make on this reserved matters amended application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>'

Sports England - 09/04/2018 'Thank you for consulting Sport England on the above application.

The site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No.595), therefore Sport England has considered this a non-statutory consultation.

The reserved matters application follows the outline application having regard to the location and overall area identified for formal outdoor sports facilities. The proposals indicate additional pitches and a cricket facility, whilst there is no objection to the provision in principle, the final specification, pitch construction should be submitted for approval. Condition 4 and 021 of outline application 14/00465/OUTM

We would be grateful if you would advise us of the outcome of the application by sending a copy of the decision notice. If you would like any further information or advice please contact me at the address below.'

Previous comments from 21/03/2018 – "Thank you for consulting Sport England on the above application. I can confirm that the consultation has been received and was accepted on 20/03/2018.

In accordance with Paragraph 011 of NPPG (Article 22 of the Development Management Procedure (England) Order 2015), Sport England will respond to this consultation within 21 days of the date of acceptance.

However, if insufficient information is received in order to allow us to make a substantive response to the consultation, Sport England will contact you to request further information. The 21 day deadline will not commence until receipt of the additional information.

As a public body, Sport England is subject to the terms of the Freedom of Information Act 2000, which gives members of the public the right to access the information we hold. In the event of a request being received, we will be obliged to release information relating to the application and our response unless an exemption in the Act applies. You should therefore inform us if you believe any elements of your submission to be confidential or commercially sensitive so that we can take your concerns into account."

Network Rail – 26/04/2018:

"With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development of an electrified railway. It is recognised that much of the detail here is more appropriate for the reserved matters stage but is nevertheless mentioned here as a reminder of the issues that will need to be taken into consideration.

Drainage

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be **below** existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent. There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways.

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. **Generally if**

excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact

upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

I would advise that in particular the **drainage, boundary fencing, Armco barriers, method statements/OPE, soundproofing, lighting and landscaping** should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

The method statement will need to be agreed with:

Asset Protection Project Manager
Network Rail (London North Eastern)

Floor 3B
George Stephenson House
Toft Green
York
YO1 6JT
Email: assetprotection@networkrail.co.uk

Natural England – 05/04/2018

‘Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process.

We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Environment Agency – No response has been received.

Fisher German (CLH Pipeline System Ltd) – **27/04/2018**: An email was received removing objections.

Cadent (Gas) – There is currently an outstanding objection. It is expected that Cadent will remove their objection as the correct easement has been provided. Requests for confirmation have been made on 03rd and 13th July and an update will be provided for Members.

26/03/2018: ‘Looking at the above planning application we have a high pressure gas pipeline running down the development. We have a Deed of Grant for an easement on this pipeline and we would object to any work taking place in the vicinity of the easement until the developer can demonstrate that the High Pressure gas pipeline will be protected to our specified standards’

Previous comments: 23/03/2018 & 20/06/2018- 'Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

As your proposed activity is in close proximity to National Grid's Transmission assets we have referred your enquiry/consultation to our Asset Protection team for further detailed assessment. We request that you do not commence work or take further action with regards to your proposal until you hear from us. We will endeavour to contact you within 21 days from the date of this response. Please contact us at assetprotection@nationalgrid.com if you have not had a response within this time frame.

We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.'

ASSESSMENT

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment
- Electricity Transmission overhead lines
- Above ground electricity sites and installations

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

- Land and Development Asset Protection Team (High Pressure Gas Transmission and Electricity Transmission Apparatus)
- Cadent Pipelines Team

We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.

Requirements

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 Avoiding Danger from Underground Services' and GS6 Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.”

National Grid (28/06/2018 & 04/03/2018) - National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line. I have enclosed a location map to show the location of National Grid's Overhead Lines within the vicinity of your proposal and associated information below.

Lincolnshire County Council – 20/04/2018 confirm that they ‘do not wish to restrict the grant of permission.’

‘Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.’

City of Lincoln Council – No objections

South Kesteven District Council – ‘The Council has no specific comments to make.’

County Archaeologist – 06/07/2018 – The Archaeologist has clarified that the existing condition attached to the outline permission is sufficient to cover their requirements below and that it should remain in place for now.

05/07/2018 – Comments as follows:

We have just received the results of the archaeological evaluation that was undertaken on this site and it has highlighted some areas of archaeological potential.

The evaluation demonstrated that although large areas of this site were archaeologically negative there are areas which require further archaeological work prior to development. Broadly the site contains the remains of a prehistoric (Bronze Age) square enclosure, an additional Bronze Age Enclosure, a Cremation burial and a 14th century windmill, which also contained prehistoric material. These finds, in particular the prehistoric archaeology are significant as we

have little evidence of land use and settlement from this date in Fernwood and its surrounding areas.

Given this I recommend that further work be undertaken and this should be secured by condition on the reserved matters application – which would then allow the discharge of the condition below.

Recommendation: Prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook (2016)) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve a strip map and record of the areas highlighted as areas of archaeological potential in Fig 14 of the evaluation report – Fernwood Extension North, Newark-Oxford Archaeology South -April 2018

“[Local planning authorities] require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.” Policy 141. National Planning Policy Framework (2012).

A brief will be produced by this department which will lay out the details above, and the specification for the work should be approved by this department prior to the commencement of works. Please ask the developer to contact this office for further details.

These areas are highlighted on FIG14 of the evaluation report – Fernwood Extension North, Newark- Oxford Archaeology South -April 2018 –which you should have received from the developer.

Lead Local Flood Authority – 28/06/2018: No further comments.

Previous comments 06/04/2018 ‘Based on the indicative layout we have no objections however there are no details regarding surface water drainage provided at this stage so we cannot comment in any detail at this stage.’

Trent Valley Internal Drainage Board (24/05/2018) - ‘We refer to the above application and make the following observations:

The site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment.

There are no Board maintained watercourses in close proximity to the site.

The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require the Board’s prior written consent.

The applicant is advised that they are likely to have a riparian responsibility to maintain the proper flow of water in any riparian watercourse which borders or flows through land owned or occupied by them.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

If you require any further information please do not hesitate to contact the Board's Planning and Byelaw Officer Miss T Richardson.'

Witham Internal Drainage – (28/06/2018) No further comments to make.

Previous comments (04/04/2018) 'Thank you for the opportunity to comment on the above application. The site is partly within the Upper Witham Internal Drainage Board district and the Board maintained Balderton Fen Drain runs through the site.

Part of the site is in the catchment of the River Trent the Trent Valley Internal Drainage Board may be affected they should also be consulted.

It is noted this application does not include the details of surface water drainage system, the Board wishes to be consulted on these.

The proposed landscape plans must take into account access and maintenance requirements to all the surface water drainage system.

The applicant is reminded

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance of 6m of the top of the bank of a Board maintained watercourse (Balderton Fen Drain). Within the district under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.'

Water – 'We have no comments to make on this application however we wish to be consulted on the foul and surface water discharge of conditions stage.'

Ramblers – (01/04/2018) No objection. "We have no objection to this development but would welcome an opportunity to discuss with developers how the pedestrian experience within the estate can be optimised and links with Balderton and Claypole improved."

Natural England – 20/06/2018: Rnationaliterate comments set out below.

Previous comments (05/04/2018) "Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority

to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>”

NSDC (Conservation) – 04/07/22018:

“We provided advice on the original outline approval, 14/00465/OUTM.

We have reviewed the reserved matters application and can confirm that we have no objection to the proposal. In accordance with our original advice, we recommend that opportunities to reinforce and improve green infrastructure within and at the edges of the proposal site are maximised in order to help integrate the development into the wider landscape.

We defer to Louise Jennings at Lincs CC on archaeological matters in this case.”

NSDC (Environmental Health – Noise) 03/07/2018:

“I have read the revised report and would ask that the recommendations in sections 5 and 6 be included in any consent given.

In respect of the construction stage, given that this is an extension of a developed site controls on construction noise and dust would make sense.”

NSDC Parks & Amenities Manager – (11/07/2018) Confirms the proposals in respect of the proposed NEAP are acceptable subject to the NEAP being enclosed with a mesh type of fencing to improve its usability and to prevent balls etc. straying onto the surrounding open space.

Representations have been received from 7 local residents/interested parties which can be summarised as follows:

- Concern raised regarding traffic volumes through the existing estate due to parked cars;
- Concerns at closing Hollowdyke Lane and the effects it will have on Spring Drive residents;
- Comments that the road systems won't be able to cope with the traffic even with improvements;
- More shops and amenities are needed given the lack of bus service;
- Concern that the developers will never fulfil their obligations regarding the development of the infrastructure needed to support the proposed new development;
- Comments of dissatisfaction regarding the management of public open space on existing Fernwood estate;
- Object to amount of countryside being lost which is important habitat (including bat, water voles and brown hare);
- More of the Wildlife corridors should be retained including to the rear of Johnson's Road / Pond Close;

- Large number of bats above the buffer zone at the rear of Johnson's Road / Pond Close and a significant increase in bats in particular over the past three years thus the development will have a large detrimental effect on them and other wildlife by removing a key feeding habitat and wildlife corridor and through disturbance from increased light and noise levels;
- New ecological buffer zones will take time to establish and their proximity to the A1 means they will be exposed to a higher level of noise and light pollution and will therefore not be as attractive to wildlife as a habitat as the one currently in place;
- Impacts on species of importance will be greater than the ES conclusions and mitigation does not provide for sufficient mitigation;
- Redesign could also be beneficial to the development to consider these changes as well as reducing the impact wildlife as would prevent overlooking therefore increasing the value to developers and potential buyers. There would be no future cost in maintaining the land as there would be with other planned green areas, as this area of land has existed naturally for over ten years now with no maintenance;
- The layout must not preclude access to land to the southwest of the proposed development also within the Fernwood allocation as access can only be gained from this site.

Comments of the Business Manager

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, at its council meeting on 10th October 2017 Newark and Sherwood District Council adopted the Fernwood Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Fernwood. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

Background and Context

Members resolved to approve the outline application for the outline consent on 14th September 2017 in accordance with the officer recommendation and subject to the execution of the Section 106 Agreement to secure a range of developer contributions and obligations in terms of off and on-site highway infrastructure improvements.

The principle of the development is now established through the granting of the outline consent with the means of access being the only matter that was considered and ultimately approved. The principle of the uses, the parameters and general disposition of uses are therefore established and need not be considered further in any detail. Reserved matters including appearance, landscaping, layout and scale of the development proposed is open for consideration as well as the internal highway layout. The application for reserved matters is for the entire site.

It is also worth noting that a number of issues are not addressed within this reserved matters application as they are covered by the conditions attached to the outline permission, particularly

in respect of the way in which Hollowdyke Lane will be used and operated during the construction phase. These matters will need to go through due process once an application has been made to discharge the conditions attached to the outline permission. Conditions attached to the outline consent are mentioned later in the report for clarity where they are relevant.

There are a number of matters that this reserved matters application needs to consider. These are discussed below.

Revised Phasing

Condition 4 of the outline consent gives the developer flexibility in terms of being able to amend their phasing plan. The outline application suggested there would be 9 phases. However the reserved matters application is accompanied by a revised phasing plan that now details 5 phases, including a pre-development phase (phase 1), three phases of residential (phases 2-4) and a final phase (5) that would remove the construction access and see the footways and cycle-ways constructed.

- Phase 1 includes 165 dwellings (Plot numbers 1-89, 613-670, 672-679 and 709-718).
- Phase 2 includes 424 dwellings (Plot numbers 90-277, 369-469, 478-490, 671, 680-708 and 719-810).
- Phase 3 includes 461 dwellings (Plot numbers 278-368, 470-477, 491-612 and 811-1050)

There is no objection to this approach. However there will still be a requirement for the developers to formally discharge Condition 4 as there is no currently no submitted programme of works provided in respect of the timings and delivery of the following which would need to be agreed an application to discharge the existing condition.

- I. Site accesses and major internal infrastructure including internal roads, pedestrian and cycle crossings, footpaths and cycleways.
- II. Confirmation of the timescale for the implementation of the off-site highway infrastructure including highway improvements/traffic management and any restoration; for example with respect to the Hollowdyke Lane Passing Bays.
- III. Timing and delivery of the associated green infrastructure (as indicated on the Provision of Open Space Strategy Drawing No. EMS.2508-004E) with that phase (including public open space, formal sports recreation facilities, allotments, NEAPs, LEAPs and associated parking facilities).

Design, Layout and Visual Impact

Policy context

NP1 (Design Principles for New Development) states that new development will be supported where it accords with the highest design standards and demonstrates a number of criteria have been met as follows:

- a) a layout that maximises opportunities to integrate development into the village through creating new connections and improving existing ones and which allows for easy, direct movement to and from services and facilities; and
- b) designs that draw upon local character in terms of materials and style as detailed in the Fernwood BFL12 Assessment to ensure new development enhances the distinctiveness and quality of the village as a whole; and
- c) buildings, landscaping and planting that creates well defined streets and attractive green spaces; and
- d) that the layout integrates car parking into the scheme so that it does not dominate the street; and
- e) clearly distinguishes between the uses of public spaces; and
- f) that the street layout encourages low vehicle speeds and which ensures streets function as safe social spaces.

2. Where the proposal is for major development, a report demonstrating the scheme has met national design standards (9 greens and no reds in accordance with BFL12 or equivalent) and produced by a suitably qualified independent assessor, would be encouraged.

Core Policy 9 requires that developments achieve a high standard of sustainable design and layout that is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments and requires developments make the most efficient use of land at a level suitable to local character. Policy DM5 provides that the district's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals.

NAP2C provides that amongst other things development will be subject to the incorporation of sustainable development principles and sustainable construction methods in line with the Homes and Communities Agency's recommended level in the Code for Sustainable Homes and in line with the Provisions of CP9.

Good design is also one of the core principles of the NPPF and is a material planning consideration.

Assessment

The most up to date policy is that NP1 from the Neighbourhood Plan (NP). I consider, as a matter of professional judgement, that the design and layout of the site provides for an attractive environment and accords with the requirements of the policies, including the NP, for the reasons I explain below. For the avoidance of doubt a BF12 Assessment, as encouraged (as opposed to mandated) by the Neighbourhood Plan has been submitted. This has largely 'green' scores (save for one 'amber') with no 'reds' as required by the Plan.

It was always envisaged that this part of Fernwood would be an extension of the existing settlement rather than the creation of a new one. For example the facilities at existing Fernwood would be consolidated and developer contributions in respect of community facilities will be spent there rather than creating an additional centre that would be unlikely to be viable. The scheme before us for consideration has been designed such that it will read visually and practically as an extension.

Phase 1 would be accessed from a continuation of Phoenix Lane, albeit the existing hedgerows will be retained where possible which will form a new tree lined avenue into the development. The other access (alongside the school) reads as an extension of existing Fernwood in terms of its layout, providing footpaths which link the development to existing facilities such as the school.

Footpaths will link from the new development into existing Fernwood. Pedestrian linkages throughout the site have been designed such that they tend to run alongside green corridors that would ensure they are attractive routes that should encourage pedestrian integration with the existing site. In my view the proposed design and layout integrates well into the existing settlement to also for direct movement to and from services and facilities in line with NP1, criterion (a).

The design of the built form proposed in my view complies with the requirements of both the Neighbourhood Plan (having regard to their BF12 Assessment) as well as the remainder of the Development Plan. The design and layout is such that the new development would enhance the distinctiveness and quality of the village as a whole. Not unlike existing Fernwood, the dwellings are mainly proposed in red brick but with some carefully positioned gateway/corner-turner buildings in buff bricks, render and cladding. Roof tiles are mainly orange coloured pantiles although some grey tiles are proposed to break this up. The fact that the dwellings proposed are the products of the same house builder (Barratt and David Wilson Homes) as the majority of the existing estate, assists with integration and helps to maintain the visual cohesion. The house types themselves are varied and visually acceptable.

In terms of scale, as expected, the dwellings are mainly two, two-and-a-half storey and three storey which reflects that of the existing settlement and adheres to the parametres plan submitted at outline stage. The layout, like existing Fernwood, adopts a strong consistent building line and has various zones (such as street mews, lanes, drives and avenues) as one moves through the development to help define a sense of place. For example at either side of the access into Phase 1 of the new development two proposed 'greens' (Phoenix Square and Spring Green) are positioned on either side of the road that would provide a green gateway feature which the applicant has termed 'The Welcome Green'.

THE WELCOME GREEN & THE AVENUE



Another example of place making is the feature square that falls within Phase 1. The highway curves through a square that utilizes differing hard landscaping and low level bollards to define the highway and the surrounding public space which would be laid with block pavers and planted with trees giving an attractive 'plaza' feel to the space. This design will encourage low vehicles speeds

and ensure that the streets function as safe social place which is in line with the requirements of NP1.



Throughout the development, areas of soft landscaping has been woven in and around the built form to create pockets of development, particularly so in Phase 3. Areas of clearly defined public open space (POS) are to be provided alongside each phase (controlled via the S106 in terms of quantum and outline condition 14 in terms of timing of delivery) such that it will make for an attractive place throughout the development which is assisted by the landscaping that is planned.

Details of the external materials have been provided in respect of Phase 1. These include a variety of predominantly red facing bricks, with a limited number of dwellings constructed in buff brick and render at key junctions and gateways within the site. I am satisfied that the proposed materials complement existing Fernwood and will provide for an attractive layout and environment. I am also pleased to see that on prominent locations/corner plots the boundary treatments proposed are walls rather than fences which will provide for a good, cohesive visual appearance which can achieve longevity. Equally hard surfacing materials have been carefully considered to denote public and private spaces. Materials for later phases will need to be controlled via condition.

Overall I consider that the design and layout is attractive and acceptable in line with the relevant policies as identified above.

Heritage Impacts

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. NP6 of the Neighbourhood Plan also seeks to protect and enhance heritage assets.

The proposal represents a large development on the northern side of Fernwood, which is in itself a large urban extension. It is noted that the edges of the development, particularly to the north and east are reinforced with green infrastructure which has assisted in mitigating the impact upon the wider landscape setting of the landmark churches. Given the existing built form of Balderton and Fernwood, it is considered that the proposal, which is based upon the parameters in terms of scale and densities submitted at outline stage, will not unacceptably compromise designated heritage

assets in Balderton or Newark (such as the parish churches of St Giles and St Mary Magdalene) taking into account the topography and relative distances between receptors.

In order to deal with the sites archaeological interest as per Policies NAP2C, CP14 and DM9, a condition was imposed at outline stage that does not allow development to be commenced until written scheme of investigation has been provided and approved in writing by the LPA. As part of this reserved matters application a scheme has been submitted for the entire site which the County Archaeologist has commented upon. Their comments are contained within the consultee section above. However more archaeological work needs to be done before the condition can be discharged and the condition remains irrespective of any reserved matters approval.

In summary both our Conservation Team and I are satisfied that the scheme would not harm the setting of any heritage assets in line with the policies.

Public Open Space & Sports Provision

A phasing plan has been submitted (in accordance with Condition 14 of the outline permission) showing which area of public open space (POS) would come forward alongside each of the phases. This shows that Phase 1 would see the delivery of 'The Welcome Green' which straddles the main avenue plus the eastern-most swale. The majority of the POS would come forward as part of Phase 2 including the sports pitch provision. I am satisfied that the level of POS associated with each phase is appropriate and in line with what was secured at outline stage. In any event the timing of delivery of the POS is controlled by the S106 Agreement and provides that not more than 70% of the dwellings in each phase can be occupied until the associated POS (as shown on the phasing plan) is provided.

The S106 Agreement that accompanies the outline consent provides the development must provide;

- 1 x Locally Equipped Area of Play (LEAP) of not less than 6 pieces of play equipment as defined in the Fields in Trust publication 'Planning & Design' and;
- 1 x enhanced Neighbourhood Equipped Area of Play (NEAP) of not less than 11 pieces of play equipment.

The LEAP is proposed to come forward alongside Phase 3 whilst the NEAP would come forward earlier to form part of Phase 2. The S106 control when the details for the LEAP and NEAP needs to be submitted and when they must be provided. For the avoidance of doubt the applicant has submitted as part of this application details for the NEAP. It would comprise a mix of equipment including a MUGA hard surfaced ball court with goal ends, swings, springers, rotating equipment, cableways, gravity bowls and climbing apparatus. The range of the equipment proposed is considered good and both the Parks & Amenity Manager and I are satisfied with this element subject to a condition that will require the provision of mesh type fencing to enclose the area to ensure that its use is optimized. This will be controlled via a condition.

Sports Provision

The layout shows provision of the sports facilities (cricket square, football pitches and sports pavilion (with an internal floor space of 266m²) plus 34 parking spaces. The S106 Agreement required a minimum of 245m² and 30 spaces and so exceeds the requirement already agreed and secured at outline stage. I am satisfied that the provisions and detailed design shown as part of the reserved matters application are appropriate and in accordance with the S106 Agreement. The

Council's Community, Arts and Sports Manager has confirmed he is happy with the detailed layout. It is noted that no details of drainage have been received in respect of the sports pitches and I am mindful of the need for a ring drain around the cricket square for example to ensure that this land drains adequately. However I am satisfied that this matter can be dealt with via condition 19 of the outline permission. Flood lighting of sports pitches however will need to be controlled via a condition attached to this reserved matters if Members are minded to approve.

Allotments

The outline permission secured the provision of 1.079ha of allotments and community gardens based upon 1050 dwellings. This is shown to be provided amongst the public open space associated with Phase 2, where 76 plots of 125m² (half a standard plot) are proposed, along with 12 parking spaces and paths between. I am therefore satisfied that the proposals reflect the terms of the outline in this regard. The timing of their delivery will be controlled through the S106 Agreement.

Housing Density, Type and Mix

Core Policy 3 (Housing Mix & Density) provides that we should '*secure new housing which adequately addresses the housing need of the District; namely family housing or 3 bedrooms or more, smaller house of 2 bedrooms or less and housing for the elderly and disabled population.*' It goes on to say that we will seek an appropriate mix of housing types to reflect local housing need and that such a mix will be dependent on the local circumstances of the site, the viability of the development and any localized housing need information. I am also mindful of the amended CP3 as set out within the Publication Core Strategy which deletes reference to family housing of 3 bedrooms or more but is otherwise broadly unchanged.

Policy NP2 (Housing Type) from the Neighbourhood Plan requires that housing schemes deliver 'a mix that reflects the need in the Strategic Housing Market Assessment 2015 (or equivalent). This should include smaller market dwellings to suit older people that will also be suitable for younger people as first time buyer homes. The provision of smaller market dwellings, especially those suitable for older people, will be particularly encouraged on sites near the main community facilities.'

The Strategic Housing Market Assessment of 2015 (SHMA) is, as the name suggests, a high level market assessment of houses required in the Nottingham area. I am not convinced that this the most appropriate way of assessing localised housing need. However if regard is to be had to this document the need is as follows:

- 52% identified need for 3 beds
- 28.8% need for 2 beds
- 14.5% identified need for 4+ beds
- 4.7% identified need for 1 bed units

Affordable Housing

It should be noted that the quantum of affordable housing plus the tenure split and mix has been set firm at outline stage and embedded into the S106 Agreement. The affordable housing mix was set at outline stage as follows;

- 26 x 1 bedroom dwellings (of which 16 x affordable rent, 2 x intermediate/shared ownership and 8 x discounted open market unit)
- 51 x 2 bedroom dwellings (of which 24 x affordable rent, 9 x intermediate/shared ownership and 18 x discounted open market unit)
- 43 x 3 bedroom dwellings (of which 22 x affordable rent, 4 x intermediate/shared ownership and 17 x discounted open market unit)

I am satisfied that this would be provided for in the detailed layout as this shows that 120 dwellings with the correct size and tenure split that would be affordable which equates to the approved 11.5% given their accepted viability position.

Market Mix

The housing density and numerical market numbers has already been established through the outline consent. To an extent, the housing type and mix for the open market housing was known at outline stage in that the applicants set out in their viability submission their indicative housing mix. Whilst this is not set in stone, there is little scope in terms of amending this mix without it affecting the scheme's viability and necessitating a re-opening of a viability discussions and reconsideration of matters considered and fixed at outline stage (most notably the quantum of 11.5% affordable housing).

It is important to be aware that the viability assessments underpinning the outline consent were undertaken, completed, and formed part of Officers (and the Council's appointed viability assessor) negotiations with the developer before the Neighbourhood Plan became part of the Development Plan. Notwithstanding this (and given the Neighbourhood Plan mix promoted) offers have worked to improve the viability outline mix.

Each phase is proposed to be made up products by Barratt Homes and David Wilson Homes (plus any affordable product) which combine to form each phase. In market terms phase 1 will deliver 1 x 1 bed unit, 7 x 2 bed units, 49 x 3 bed units, 84 x 4 bed units and 9 x 5 bedroom units. I consider that this is justified given that it closely reflects the mix when viability was tested and that many of the costs to the developer will be upfront, including early release of monies for community facilities and highway infrastructure. Given this, and the overall mix position I detail below, I consider phase 1 is acceptable.

In terms of the overall market mix the table below summarises the position:

Type/Size	Total Market Dwellings	Indicative Mix presented with Viability at outline	Requirements according to SMAA (2015)
1 bed	8 (0.86%)	0%	4.7%
2 bed	110 (11.82%)	5.34%	28.8%
3 bed*	394 (42.36%)	35.39%	52%
4 bed*	394 (42.36%)	65.75%	14.5%
5 bed	24 (2.58%)	1.92%	

Totals	930	100%	100%
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* The applicant has listed some dwelling types as having 3/4 bedrooms. For the purposes of this assessment, I have taken the 'Haversham' type dwelling to be have 3 bedrooms and the 'Kingsville' to have 4 bedrooms.

The proposed mix is seeking to provide more 4 bedroom dwellings than the housing needs of the area show. I consider this is acceptable given matters I have outlined above in terms of timing of previously viability discussions pursuant to the outline application. Members will note that in any event Officers have improved mix compared to the outline viability work. As an aside, I also note that some of these 4 bedroom units proposed are actuality smaller (in square meterage) than some of the 3 bed units.

Impact on Amenity

Policy DM5 requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers. Indeed 'always seeking to secure a good standard of amenity for existing and future occupants of land and buildings' is one of the 12 core planning principles set out in the NPPF.

The existing residents most affected by the proposals are those located at the edge of existing Fernwood. I have assessed these carefully.

For those existing dwellings abutting Spring Lane, Phase 1 is the nearest phase. Of the existing dwellings around the Phoenix Lane road link, six of the existing houses would face onto the Welcome Green giving a pleasant outlook at a distance of between 13.5m and c24.5m which is acceptable.

The majority of the dwellings along this edge of existing Fernwood face Spring Lane albeit they are served by private drives running parallel. Here the distances between dwellings is a minimum of 21m to the nearest new plot which is acceptable in my view. There are a handful of dwellings with their gable ends onto the development (those abutting Plot 55 which achieves a distance of over 26m and Plot 638 at c21.6m away) but the distances here are acceptable and in any event is intervened by existing and proposed hedgerows and Spring lane itself. This is also the case in respect of 25 Deeke Road which would be c29m from the front of Plot 639.



Phase 2 is set away from existing residential properties albeit part of the site abuts the school land and it would be when the linkage is formed at the existing cul-de-sac outside the school at Johnson's Road. I do not envisage any adverse impacts arising from the new built form within this phase upon existing residents.

Within Phase 3, the existing dwellings along the northern edge of existing development have the potential to be affected. There is a land level difference in this area as the land on the application site dips lower than the existing dwellings by up to 3.5m in places. At present there is existing landscaping along part of this boundary (it is at its widest just south-west of the school). This thins out to the south-west with the existing field.

Some of this landscaping is clearly outside of the application site, notably adjacent to Plots 1044 to 1033 (see image below) and is not within the control of the developers nor ourselves. Given that the developers have no powers to remove this without the relevant landowners consent there would appear to be little incentive for anyone to remove the existing planting. Irrespective of this planting the levels, scale and the distances between the proposed and existing dwellings are largely in excess of 22m in this particular area, an acceptable separation in my view.



Where the road linkage is formed outside of the school, I note the adjacent existing dwelling (no. 45) fronts the highway and that proposed Plot 1050 would do the same, sitting alongside it, helping the site to assimilate into the existing settlement as well preventing any adverse impacts on residential amenity through overlooking or overshadowing. Indeed where dwellings have a side to rear relationship (or vice versa) I am satisfied that the distances proposed are adequate being in excess of 12m.

Further to the west, rear of Parson's Close the distances between dwellings were originally less than what was considered to be acceptable in respect of the relationship with existing apartments, particularly Plot 1028. Amendments have been made to achieve a more satisfactory relationship and distance between dwellings which now meets the needs of privacy by avoiding direct overlooking through increasing the distances between dwellings. Land level differences means that these new build plots will be set lower down than the existing first floor apartments which have first floor balconies that currently form the northern edge of the settlement. This is not ideal for the occupiers of the new dwellings as their garden could potentially be overlooked. However the introduction of landscaping (such as a tree belt) as indicated on the plans could help assist with this and it will be a case that buyers will be aware. Overall I am now satisfied that the scheme is adequate in respect of protecting the amenities of residents in terms of loss of privacy, overlooking and overshadowing.

Noise

Condition 10 of the outline consent seeks to ensure that suitable noise attenuation is adequately provided on site following an assessment of the likely impacts. The Noise Assessment referred to in this condition is required prior to commencement of each phase albeit this has been provided at reserved matters stage in order to aid that assessment.

The Environmental Statement (ES) which formed part of the outline permission concluded that once operational noise mitigation (at that time unspecified) would be required adjacent to both the A1 and the railway line to ensure the impacts upon new residents are acceptable. It suggested that mitigation could be in the form of earthworks bunds or noise barriers 4m in height which would sufficiently mitigate impacts to an acceptable level. However a fresh up-to-date Noise Assessment has been submitted to accompany the reserved matters application which covers the entire site area.

It is important to note that no noise mitigation is promoted or required in respect of Phase 1 which lies away from the noise sources.

The layout has been careful to site dwellings so that they face onto the A1 and railway line such that their rear gardens are furthest away. The dwellings alongside the A1 to the north are generally in excess of c45metres from the trunk road and the nearest plots alongside the railway line enjoy a separation distance of c20m from their frontage.

Based on the noise exposure levels recorded at the site, the Assessment acknowledges that both the A1 trunk road and the railway line would represent noise sources that would be high during the day and night. The updated Noise Assessment concludes that without mitigation sound levels of a number of plots alongside the A1 (to the north, within Phase 3) and the railway line to the east (falling within Phases 2 & 3) exceed the guidance in terms of acceptable noise both internally and externally (within the garden). Mitigation is therefore proposed to a number of plots. Externally this would be in the form of 3m high fencing to the (mainly side) gardens of the

following Plots (195, 303, 307, 326, 332, 334, 335, 338, 510, 598, 599, 514, 515, 590, 611, 775, 779, 803, 845, 848, 857, 880) as identified in Appendix C of the Noise Report. The report states that with such mitigation (acoustically sound garden fencing to a minimum specification as set out with the Noise Report), which would need to be secured by condition, it would meet the guideline value of 55dB(A).

In terms of the visual appearance of these fences, no details of either the hard or soft landscaping proposals have been provided for Phases 2 or 3 and these would be controlled by condition. However it was known at outline stage that there would be a need for high levels of acoustic screening, which could be softened with some soft planting.

In my view it may be preferable to have landscaped high walls/fences/screens alongside a limited number of plots (that in any case can be softened with planting) than an earth bund alongside the noise sources which would have appeared more alien to the landscape. These are matters that will be for submission via condition with the relevant phases. Overall I am satisfied that this approach is acceptable and I am also mindful that existing development on the other side of the A1 (in Balderton) is closer to the trunk road than the proposed dwellings are on this site.

In order to meet minimum recommended internal sound levels, a higher than average specification for windows/ventilation systems serving habitable rooms has been identified as necessary for a number of plots identified within the Noise Report. However with the implementation of an appropriate glazing and ventilation strategy, sound levels at the proposed development can be attenuated to achieve recommended internal sound level criteria. A condition is required to achieve this and is therefore recommended.

No noise mitigation for the construction phase of the development was identified as being necessary either at outline or via the updated Noise Report now submitted with this reserved matters application. Normal construction management practices are controlled via the outline.

Our Environmental Health Officer has reviewed the Noise Assessment and concurs with the conclusions subject to securing the recommendations of the report. These recommendations are necessary to mitigate the scheme and make it acceptable and as such conditions are proposed to secure these come forward with the development. Subject to the imposition of suitable conditions, I consider that the proposal adequately deals with noise in line with the requirements of DM5 (criterion 3; amenity) and the NPPF. The pre-commencement requirement of Condition 10 of the outline consent can also be discharged as part of any approval that is issued.

Highways and Parking Matters (including legibility and appearance of parking)

Policy DM5 is explicit in stating that provision should be made for safe and inclusive access to new development and appropriate parking. Spatial Policy 7 encourages proposals which place an emphasis on non-car modes as a means of access to services and facilities. It also seeks to minimise the need for travel through measures such as travel plans, provide safe convenient and attractive accesses for all and provide links to the network of footways etc to maximise their use, be appropriate for the highway network in terms of volume and ensure the safety, convenience and free flow of traffic are not adversely affected, provide appropriate and effective parking provision and ensure that the traffic generated from a proposal does not create new or exacerbate existing on street parking problems.

Policy NP1 requires that layouts integrate car parking into the scheme so that it does not dominate the street and that the street layout encourages low vehicle speeds and which ensures streets function as safe social spaces.

Policy NP3 (Residential Parking on New Development) provides that schemes for major residential development should provide a street layout and housing design that accommodates the car parking required based on Fernwood's location and associated car ownership levels and in accordance with NPPF criteria. Proposals are required to be in accordance with; a) Residential Car Parking research, Highways and Development Control Guidance (or equivalent); and b) the findings in the Fernwood BFL12 Assessment at Appendix A. It goes on to say that proposals should demonstrate how parking solutions are integral to a high quality, well designed scheme in accordance with NP1.

Policy NP7 (Supporting Better Movement and Connections) provides that major development proposals are required to demonstrate that they have taken into account the findings of the Fernwood BFL12 Assessment and that;

a) street layout has made use of a more gridded structure to better integrate parts of the development with each other; and

b) streets offer something to all users and not just to cars; shared surfaces for very quiet streets where speeds are particularly low by design, good seating, lighting and street trees should be used to distinguish major roads from side streets; and

c) a hierarchy of streets should be used so that people can understand from the street they are in whether it is an important route or a more local access route; and

d) the layout of the scheme has enabled connections to existing cycling, walking and vehicular routes both within and out from the proposed development site.

2. Major development should include proposals which enhance the local transport network and associated infrastructure, in accordance with the tests as set out in the Community Infrastructure Levy Regulations 2010.

3. Proposals which improve and extend the footpath network across the Parish will be encouraged.

Assessment

As can be seen from the latest highway comments, discussions are still on going in respect of a limited number of plots in respect of a highway safety audit. The developers are seeking to address these outstanding matters prior to the Planning Committee and have commissioned consultants to undertake the necessary safety audit as requested by NCC. An update will be therefore provided at the Planning Committee as to the outcome of this. However the vast majority of the scheme is now to the satisfaction of NCC Highways Authority in terms of highway safety. The design of the layout has utilized a grid like-system and incorporate bends in the highway to encourage vehicles to slow which complies with NP1.

NCC Highways have suggested conditions subject to the safety audit revealing no issues. These are reasonable and necessary, aside from the proposed condition which seeks to control the timings and delivery of the bus stop infrastructure which is not necessary as this is already covered by Condition 34 of the outline consent.

I am well aware of certain parking solutions that have not been well favoured at Fernwood such as rear parking courts which tend to be under used and have resulted in on-street parking. In general this approach has been largely moved away from and I note that Building for Life 12 (modern

design standard) encourages parking that is both of sufficient in quantity and that is designed in a way that is well integrated. Parking that is not convenient, that cannot be seen from the home and that does not discourage anti-social behaviour is to be avoided.

I am also aware that car ownership in Fernwood is higher than the District and national average with nearly half of all households owning 2 cars which is almost double the County average. In terms of the quantum of the parking spaces, the vast majority of the proposed houses have at least two parking spaces. Only the one bedroom dwellings have one space and generally have a limited number of associated visitor spaces nearby. Having counted the quantum of spaces from the plan (including garages) the 1050 plots have 2653 parking spaces provided on site (giving an average of 2.53 spaces per dwelling) which I consider is appropriate and acceptable even taking into account the higher than average car ownership levels at the site. The table below sets out the detail:

	No of Dwellings	No. of Parking Spaces	Average Spaces Per Dwelling
1 Bed	34	37	1.08
2 Bed	162	326	2.012
3 Beds	436	965	2.21
4 Beds	394	1188	3.015
5 Beds	24	138	5.75
Visitor Spaces		9 (located near to 1 bed dwellings)	
Totals	1050	2663	

The vast majority of parking is proposed to be in plot followed by parking in front of dwellings which are the most convenient for occupiers. Those spaces in front of the dwellings can be broken up by soft landscaping which is the proposed case for Phase 1 and the remaining in plot landscaping for phases 2 & 3 will be controlled via condition.

There are areas where the car parking is more dominant, for example the plots alongside the A1 to the north in Phase 3. However these are located to ensure the dwellings are further away from the A1 and tend to be overlooked by the associated dwelling providing natural surveillance and bound by public open space corridors such that I do not consider this would be unacceptable. In some plots parking is located to the side of plots, but I consider that it is convenient enough that it will be utilized. In latter phases 2 & 3 the parking plots have not been annotated and I consider that this should be provided to ensure that the parking allocation is clear and legible such that it is used. This is dealt with via a condition.

There are a handful of parking courts proposed. However I have carefully considered these and find that the associated parking spaces are legible and reasonably convenient for the occupiers with footpaths and rear gates provided to ensure these are as convenient as possible. Importantly they are not located on the main spine road/bus route but on side roads where there would be no better alternative in terms of on-street parking which will in my view encourage their use. An example of this is shown below.



Delivery timings of Strategic Landscaping and POS

The applicant has provided the following schedule for the delivery of strategic landscaping (as is required by Condition 14);

Phase 1 (Years 1-3)

- *Spring Green/Phoenix Square (to be delivered in conjunction with Show Homes)*
- *Associated SUDS features.*
- *Landscaping adjacent to bus route (to be delivered in line with occupations of associated units facing onto landscaped areas)*

Phase 2 (Years 4-9)

- *Proposed sports pitches*
- *Woodland/shrub planting to north of Allotments*
- *Central NEAP and POS areas*
- *Wildlife corridor/planting adjacent to Mainline Railway*
- *All other landscaping to be delivered in accordance with occupation of associated units facing adjacent landscape areas.*

Phase 3 Years 10 – 15

- *Remainder of wildlife corridor/planting adjacent to mainline railway.*
- *POS areas with associated planting (wildlife corridor) adjacent to A1*
- *Hedgerow planting along bus route*
- *LEAP*
- *Associated SUDS features*
- *Hedgerow gapping up along Spring Lane*
- *All other landscaping to be delivered in accordance with occupation of associated units facing adjacent landscape areas.*

Plot Landscaping Delivery

All on plot landscaping will be delivered prior to the occupation of each unit.

I am satisfied that the Phase 1 delivery programme is clear and achievable.

In terms of Phase 2, the provision of the sports pitches, NEAP and POS is controlled via triggers within the S106 Agreement in any event. However I consider that it is necessary to condition that the woodland/shrub planting to the north of the allotments and the wildlife corridor alongside the railway line is provided/planted at a set point in time otherwise it could be left until the final plot of Phase 2 which would not be ideal.

Likewise for Phase 3 the actual provision of POS is controlled via the Section 106 Agreement and the associated SUDs feature is required by condition on the outline consent so the programme for implementation in these respects is satisfactory. However there are elements that could be left until the last remaining plot, which if the developer chose to not built out might never come forward. Therefore I consider it appropriate to control these elements as part of any reserved matters approval.

Landscaping/Ecology and Trees

Core Policy 13 (Landscape Character) sets out a framework for assessing landscape character and sets expectations that development proposals should positively address the implications, aims and objectives of each landscape policy zone. The adopted Landscape Character Assessment (SPD) is a district level assessment of landscape character (that sits hand in hand with CP13) and is a useful tool in assessing local landscape character in relation to specific sites.

Policy NAP2C also sets out that the provision of Green Infrastructure in line with SP8 will be required which secures landscaping and structural planting throughout the development, buffer zones to the A1, railway and boundaries with the countryside amongst others.

The application site falls within the South Nottinghamshire Farmlands regional character area, partly within the Cotham Village Farmlands (SN08) and partly within the Cotham Meadowlands (SN09) character types. The topography in this area is flat and open with land use being predominantly intensively arable with hawthorn hedgerow boundaries where views are interrupted by power lines, pylons and the A1. Landscape condition here is defined as poor and there is a low-medium sensitivity to change.

A range of landscape plans have been provided that details the landscaping proposals for the areas of public open space (the strategic landscaping referred to in Condition 14 of the outline consent). With amendments to both the revised Landscape Masterplan and the detailed proposals having been submitted as requested, I am satisfied that the densities, disposition and species proposed (which are largely native along important ecological corridors) for tree, shrub and hedgerow planting are appropriate for the public areas. I am satisfied that the planting also provides for sufficient mitigation in respect of hedgerows and trees which will be lost as a consequence of the development.

It should be noted that details of the 'in-plot soft landscaping' has only been provided for Phase 1, which I have reviewed and found to be acceptable. 'In plot' landscaping details for plots in Phases 2 & 3 are not yet known but can be controlled via condition.

Ecology

A thorough assessment of the likely ecological impacts was undertaken as part of the outline submission and was ultimately found to be acceptable. In order to comply with policies CP12 and

DM7 of the Development Plan a number of conditions (16 to 18) were imposed in order to safeguard the ecological value of the site and provide for appropriate mitigation.

Condition 16 of the outline consent requires that prior to commencement of development within any phase, a scheme to update the Extended Phase 1 Habitat Survey and any associated protected species surveys will be submitted for approval along with an agreed timetable. As part of this reserved matters application the applicant has submitted a Phase 1 Habitat Survey Report by FPCR dated January 2018 which covers part of Phase 1 only. Appropriate surveys in respect of latter phases will be undertaken to a timetable that will need to be agreed through this condition.

The green infrastructure alongside A1 is considerably wide at c25m and alongside the railway is formed by hedgerow and trees with a footway in between c7m at its narrowest in parts due to easements and to set dwellings away from the noise sources. However these spaces will provide good habitat links and dispersal routes for many species and is a matter which Natural England as statutory consultee promoted at outline stage. Indeed 14.01ha of the site would be given over specifically to natural and semi-natural grassland as per the provisions at outline stage. I am satisfied that the scheme overall will bring about a variety of habitat including a hedgerows network that will assist in providing ecological corridors running through/across the site, the provision of less formal space such as meadowland, grassland, woodland planting and wetland habitat which is appropriate in terms of the consent already been granted.

In addition Condition 17 of the outline consent, which is yet to be discharged, requires that a Habitat Creation and Management Plan be submitted to and approved prior to the commencement of any phase. This will provide further opportunities to consider ecology moving forward.

Over the whole site, a loss of 619 linear meters of hedgerow will be removed to accommodate the development. However new hedgerows of 1995 linear meters will be planted which in my view is acceptable and appropriate in terms of mitigation and will over a period of time lead to enhancements, as envisaged at outline stage.

Phase 1 Ecological Impacts & Mitigation

This part of the site comprises arable fields with boundary hedgerows to the south, west and north some of which has been ploughed and comprises bare earth and some low seeding crop. Boundary hedgerows are single species dominated with narrow rough grassland verges. It should be noted that Phase 1 of the updated Protected Species Survey does not cover the full extent of Phase 1 and its associated public open space as shown on the updated Phasing Plan. Therefore I will be unable to recommend the discharge of condition 16 in respect of Phase 1 at this stage. However the condition does allow for this to be done prior to the commencement of development outside of the reserved matters application and via the discharge of conditions route.

Phase 1 would involve the loss of hedgerows which have been assessed as providing a low to moderate ecological value. Despite the necessary (in accordance with the outline access and masterplan) loss of 100m of hedgerow (H2), where existing hedgerow can be retained is has been. For example Hedgerow 2 which would in part be retained and would run through the NEAP diagonally which will be gapped up with appropriate species.

Badgers

No badger sett was found to be present within the area forming phase 1 or within 30m of the site boundary. However as these are transient creatures and their noted presence in the local area it is considered sensible to attach a condition which sets out a precautionary approach which could cover the entire site, notwithstanding that updated ecology surveys will be required before the developer can commence later phases.

Bats

The updated survey concludes that boundary hedgerows provided limited potential foraging and this confirms that survey results associated with the outline permission. I note the comments from one local interested party who has made representations regarding the presence of bats alongside the northern edge of existing Fernwood. I would point out for the benefit of Members that updated ecological surveys would be required before the developer can commence later phases in years to come and therefore up to date mitigation may be employed where necessary. However for the purposes of Phase 1 I am satisfied that bats have been adequately considered. This does not however include the 'Pre-Development Infrastructure' Phase as shown on the revised phasing plan and this will need to be dealt with via a discharge of condition before any development can commence.

Reptiles

At outline stage it was found that there were low populations of reptiles recorded and given the sites agricultural use there were limited opportunities on site for them. The County Ecologist recommended that the LPA secure a Reptile Mitigation Plan to avoid the killing of reptiles present within the development area and to make provision for their passive displacement or translocation to areas outside of the development footprint, which will be included in a condition. The report is silent on reptiles which would need to be addressed before the relevant condition is discharged.

Great Crested Newts, Amphibians and Water Voles

The site contains no existing ponds thus breeding opportunities within the site itself are low. A number of ponds are within 250m of the wider site, one of which is Balderton Railway Pond (LWS) less than 20m from the wider site (Phase 2) which was not subject to a survey because of access limitations. At outline stage NWT considered that this could support amphibians and strongly recommended that a Great Crested Newt survey is carried out which was dealt with via condition.

Within Phase 1 the updated survey concluded that the area was of low to negligible suitability to support commuting or foraging Great Crested Newts Features which are suitable to support limited commuting/ foraging by GCN and that features which could be commuting habitat were too far away to support them. There was no suitable habitat to support water voles either within Phase 1.

The report is silent on amphibians which would need to be addressed before the relevant condition is discharged.

Nesting Birds

Given that hedgerow and some trees on site are to be removed there is potential loss of habitat for nesting birds. Groundwork and clearance works should be undertaken outside of the bird nesting season unless otherwise agreed which would be secured via a proposed condition. Whilst new nesting opportunities will be secured through the new habitat creation scheme (to be dealt with via the discharge of condition), these will take time to mature and therefore more immediate enhancements need to be secured through nest boxes on new buildings. For Phase 1 this is proposed within the updated Ecological Survey but precise details of the numbers and plots are required which would be controlled via condition.

Flood Risk/Hydrology

A Flood Risk Assessment accompanied the outline consent and there is no requirement for a further assessment to be provided at reserved matters stage. Condition 24 of the outline consent requires internal finished floor levels to be agreed before development can commence for each phase. Details for the disposal of foul sewage and surface water drainage scheme also need to be provided in respect of Conditions 19 & 20 respectively. Condition 21 of the outline consent also requires an updated FRA in respect of the proposed sports pavilion building that will be delivered within Phase 2 but this would only need to be provided prior to commencement of Phase 2. No further details have been provided with this reserved matters application. In any event it is noted that none of the flood risk authorities have raised any objections to the scheme based on the layout.

Whether the site would prejudice the ability of remaining allocation to be developed out

There is a modest parcel of land to the north of existing properties at Dale Crescent that forms part of the strategic site of Fernwood as defined in the Core Strategy. This belongs to a third party land owner. It is expected that in due course this might come forward for development as a standalone application for housing. Therefore it is important that the proposed layout of this reserved matters application does not prejudice the ability of that landowner to come forward with development proposal in the future. The scheme as originally advanced didn't make adequate provision for a potential access into the site as it showed a dwelling in the place of an annotated potential access point. However upon request the layout has been amended to allow for a potential access to the north such that I now consider that this would safeguard the future access for the remainder of the site to come forward.

Scheme as Originally proposed

Scheme as Amended



Conditions of the Outline Permission

The majority of the pre-commencement conditions imposed at outline stage require that no development is commenced until such time as outstanding details (such as detailed drainage plans, land contamination mitigation etc) have been agreed with the Authority. Some of this information (for example noise) has been provided as part of this reserved matters submission whilst others have not yet been provided and will require the submission of a formal Discharge of Condition application, whereby statutory consultees will get the opportunity to make representations on this. It is likely that some of these conditions will be discharged on a phase by phase basis. For the purposes of clarity and transparency Appendix A includes a list of imposed condition together with commentary as to how this scheme fits with each where appropriate.

Other Matters

With respect to Fernwood Parish Council's comments regarding the wording of Condition 29 of the outline permission, I can confirm that the decision notice correctly states that construction traffic should only use the route from the B3626 Great North Road via Hollowdyke Lane.

Planning Balance & Conclusion

The principle of this development and the necessary mitigation including off site highway works and infrastructure has already been agreed at outline stage. This application, rather unusually represents a reserved matters for the entire 1,050 dwellings proposed to enable the developer to acquire the whole site and commence as soon as practicable. This is a developer who has a track record of delivering residential development at Fernwood having previously developed out the vast majority of the existing settlement. Whilst matters of principle have already been addressed Members will be aware that this reserved matters (together with relevant conditions) represents that final planning requirements required to allow a start on-site. This site, and the Fernwood SUE as a whole makes a significant contribution to the Council's 5 year land supply position, a position which is now supported by the Secretary of State. Failure of this site to deliver will affect this position.

Scale, appearance, layout, strategic landscaping (including public open space as well as 'in plot' landscaping for phase 1) and internal highway layouts have all been carefully considered. The design and layout is considered to offer a good quality development that will complement existing Fernwood and create a sense of place that will be attractive. The details in respect of public open

space and strategic landscaping are all considered to be acceptable and will bring about ecological enhancements over time. Impacts upon residential amenity are found to be satisfactory and noise mitigation measures will also protect future occupiers from nearby noise sources.

Whilst the housing mix is not fully policy compliant with the now adopted neighbourhood plan, taking into account the accepted outline viability position and its timing in relation to the adoption of the Neighbourhood Plan the overall mix of the development is found to be acceptable when weighed against the positives of the scheme.

In terms of highways matters, whilst some details for limited plots are still in discussions in terms of finalising the highway safety audit, this is not expected to reveal any insurmountable issues (if it does it can in any event be dealt with via an additional condition to essentially remove these plots from consideration). In terms of the provision of car parking spaces, I am satisfied that the quantum and layout of parking is acceptable.

RECOMMENDATION

For all of these reasons it is recommended that Reserved Matters be approved subject to the conditions and reasons shown below:

Conditions

01 (Internal Sound Levels Mitigation)

Prior to first occupation of each affected dwelling hereby approved, the associated noise mitigation measures contained within the Noise Assessment dated June 2018 by MEC Acoustic Air in respect of internal sound levels identified on the following drawing numbers 23983-04-120-02 (Glazing; required sound reduction to achieve internal daytime sound levels (living rooms) and 23983-04-120-03 (Glazing: required sound reduction to achieve internal night time sound levels (bedrooms)) shall be implemented on site in full.

Reason: In order to afford adequate noise protection to proposed occupiers of the site in line with the recommendations of the Noise Assessment submitted with the application.

02 (External Sound Levels)

None of the dwellings hereby approved that have been identified as requiring external sound level mitigation by the Noise Assessment dated June 2018 by MEC Acoustic Air (specifically as shown on drawing no. 23983-04-120-01: Barrier Heights: Required Sound Reduction to Achieve External Daytime Sound levels) shall be occupied until full detailed specifications of the proposed acoustic barriers have been submitted to and approved in writing by the Local Planning Authority. The approved acoustic barriers shall then be installed on site prior to first occupation of each affected dwelling and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to afford adequate noise protection to proposed occupiers of the site in line with the recommendations of the Noise Assessment submitted with the application.

03 (Phase 1 bird nesting mitigation)

Prior to first occupation of any dwelling within Phase 1, a scheme shall be submitted to and shall be approved in writing by the Local Planning Authority (LPA) which provides for a minimum of 8 bird boxes attached to/within new buildings. The scheme shall detail the type of bird box proposed (manufacturers details etc) the precise plots upon which they will be located and the height of the bird boxes. The approved scheme shall be implemented in full on site prior to occupation of the associated dwelling upon which they are cited or to an alternative timetable which may be agreed in writing with the LPA.

Reason: To provide 'immediate' mitigation in the form of alternative nesting opportunities in the period of landscape planting establishment in line within the *recommendations of the Phase 1 Habitat Survey Report* by FPCR dated January 2018 which forms part of this submission

04 (Precautionary approach to badgers (overarching))

During the construction phase of the development, the following precautionary measures shall be adhered to in order to protect badgers and other wildlife that may roam onto the development area:

- Any trenches or deep pits within the site that are to be left open overnight must be provided with a means of escape should a Badger enter such as a plank of wood used as a ramp;
- Any trenches/pits shall be inspected each morning to ensure no animals have become trapped overnight and should be removed if found;
- The storage of any chemicals on the sites will be contained in such a way that they cannot be accessed or knocked over by any roaming animals;
- Fires will only be lit in secure compounds and not allowed to remain lit during the night; and
- Food and litter will not be left within the working area overnight.

Reason: In order to afford adequate protection to badgers which are transient creatures and in line with the recommendations of the Phase 1 Habitat Survey Report by FPCR dated January 2018 which forms part of this submission.

05 (External Materials for Phases 2 & 3)

No development shall be commenced in respect of Phases 2 or 3 (as shown on Phasing Plan H5950/13 Rev C or any later version that may be approved by the Local Planning Authority) until details of the external facing materials (bricks, roofing tiles, render, cladding) of the buildings contained within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

06 (Programme of Implementation for Strategic Landscaping (Phases 2 & 3))

Notwithstanding the submitted details, prior to the commencement of each phase (save for phase 1) a revised Programme of Implementation (POI) to implement the Strategic landscaping detailed

on drawing numbers: Infrastructure Soft Landscaping Proposals, Sheet 1 of 6, GL0817 01G Soft Landscape Proposals (received 09/07/2018), Sheet 2 of 6, GL0817 02F (received 09/07/2018) Sheet 3 of 6, GL0817 003E (received 09/07/2018), Sheet 4 of 6, GL0817 04D, Sheet 5 of 6, GL0817 05D and Sheet 6 of 6, GL0817 06C; shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include but is not limited to:

- Precise timings of delivery for the provision of all planting including the woodland/shrub planting to north of the allotments (Phase 2);
- Precise timings of delivery of the wildlife corridor/planting adjacent to Mainline Railway (Phases 2 & 3);
- All other soft landscaping within Public Open Areas that are not within curtilage (Phases 2 & 3);
- Hedgerow planting along bus route (Phase 3);
- Hedgerow gapping up along Spring Lane (Phase 3).

The approved revised POI shall be implemented in full accordance with the agreed programme.

Reason: Insufficient detail on the timing and delivery of the strategic landscaping accompanies this application and this condition is therefore necessary in order to ensure that this comes forward in a satisfactory manner and timescale.

07 (Highway requested condition, provision of parking and turning)

No dwelling forming part of the development hereby permitted shall be occupied until its associated driveway and any parking or turning areas is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced driveway and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

08 (Highway requested condition garage doors)

Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the garage doors are opened /closed and to protect the free and safe passage of traffic, including pedestrians, in the public highway.

09 (Highway requested condition, verge planting phase 1)

Notwithstanding the details submitted, prior to occupation of any dwelling in a phase or sub phase, details of all planting in road-side verges on that phase or sub phase shall be firstly submitted to and agreed in writing by the LPA. The approved details shall be implemented in accordance with an agreed timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order for prevent potential damage to underground services and prevent 'shadowing' of street lighting that may be detrimental to highway safety.

010 (Parking Allocation Plan for Phases 2 & 3)

Prior to the commencement of development of any phase that includes the development of residential units (save for Phase 1 as shown on drawing number H5950/13 Rev D) a Parking Allocation Plan for car parking spaces shall be submitted to and be approved in writing by the Local Planning Authority. The Plan shall annotate each parking spaces with the corresponding plot number, in addition to visitor spaces. The development shall thereafter be implemented in accordance with the approved plan.

Reason: Insufficient information has been provided with this reserved matters application for Phases 2 and 3 and this condition is necessary to ensure that the subsequent parking allocation is appropriate in the interests of legibility, amenity, highway safety and the free flow of traffic.

011 (Provision of enclosure for the NEAP)

Prior to the erection of the Neighbourhood Equipped Area of Play (NEAP) hereby approved, details of an appropriate means of enclosure for the NEAP shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be implemented on site as approved prior to the NEAP being first brought into use.

Reason: In the interests of providing an appropriate NEAP that is fit for purpose in accordance and in interests of visual amenity.

012 (Provision of external lighting for sports pitches)

Prior to the provision of the sports pitches hereby approved a scheme for the erection of external flood lighting shall be submitted to and approved in writing by the Local Planning Authority, unless it can be justified that none is necessary. The scheme shall include the numbers, precise position, design and type of lighting, luminance levels, beam orientation and measures to reduce glare. The approved scheme shall be implemented on site prior to the sports pitches being first brought into use unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring suitable and useable sports pitch provision is made and in the residential amenity.

013 (In plot Hard and Soft Landscaping for phases 2 & 3)

Prior to commencement of development in respect of all phases that include residential development (with the exception of Phase 1), a hard and soft landscaping scheme (relating to individual housing plots) shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.

- means of enclosures/boundary treatments
- car parking layouts and materials;
- any other hard surfacing materials;

Reason: In the interests of visual amenity and biodiversity.

014 (implementation of hard and soft landscaping for Phases 2 & 3)

The approved 'in-plot' soft landscaping scheme (agreed as part of Condition 13 of this approval) shall be completed during the first planting season following the first occupation of each plot or as otherwise may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. The approved hard landscaping scheme shall be completed prior to first occupation of each corresponding plot unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

015 (Implementation for 'in-plot' landscaping for Phase 1 only)

The approved 'in-plot' soft landscaping scheme for Phase 1 (as shown on drawing references: Soft landscape Proposals, 1 of 4, GL0817 08C, Soft landscape Proposals, 2 of 4, GL0817 09C, Soft landscape Proposals, 3 of 4, GL0817 10C, Soft landscape Proposals, 4 of 4, GL0817 11C shall be completed during the first planting season following the first occupation of each plot or as otherwise may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. The approved hard landscaping scheme as shown in the drawings detailed as part of Condition 16 of this approval shall be completed prior to first occupation of each corresponding plot unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

016 (Plans Condition)

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, references:

Layout plan Ref: H5950/BDWH/102

Greater Fernwood Composite Planning Layout Ref: H5950/BDWH/P100 (Rev V) submitted 11th July 18

Greater Fernwood Planning Layout 1-500 1of 5 ref: H5950/BDWH/P101 Jun18 (Rev R)
 Greater Fernwood Planning Layout 1-500 2of 5 ref: H5950/BDWH/P102 Jun18 (Rev D)
 Greater Fernwood Planning Layout 1-500 3of 5 ref: H5950/BDWH/P103 Jun18 (Rev D)
 Greater Fernwood Planning Layout 1-500 4of 5 ref: H5950/BDWH/P104 Jun18 (Rev D)
 Greater Fernwood Planning Layout 1-500 5of 5 ref: H5950/BDWH/P105Jun18 (Rev D)
 Materials Layout ref: H5950/106 Rev A (Phase 1)
 Phasing Plan ref: H5950/13 Rev D (received 13/07/2018)
 GL0817 07C Play Proposals
 GL0817 12B Landscape Masterplan (received 09/07/2018)
 GL0817 13 Feature Square Hard Landscape Details
 Illustrative Landscape Masterplan Plan, GL0817 12A
 Infrastructure Soft Landscaping Proposals, Sheet 1 of 6, GL0817 01G Soft Landscape Proposals (received 09/07/2018)
 Infrastructure Soft Landscaping Proposals, Sheet 2 of 6, GL0817 02F Soft Landscape Proposals (received 09/07/2018)
 Infrastructure Soft Landscaping Proposals, Sheet 3 of 6, GL0817 003E Soft Landscape Proposals (received 09/07/2018)
 Infrastructure Soft Landscaping Proposals, Sheet 4 of 6, GL0817 04D Soft Landscape Proposals (received 10/07/2018)
 Infrastructure Soft Landscaping Proposals, Sheet 5 of 6, GL0817 05D Soft Landscape Proposals (received 10/07/2018)
 Infrastructure Soft Landscaping Proposals, Sheet 6 of 6, GL0817 06C Soft Landscape Proposals (received 10/07/2018)
 D109A -111B Preliminary Floor Levels
 D109A -112B Preliminary Floor Levels
 D109A -113B Preliminary Floor Levels
 D109A -114B Preliminary Floor Levels
 D109A- 106E Refuse Vehicle Tracking
 D109A- 107D Refuse Vehicle Tracking
 D109A- 108E Refuse Vehicle Tracking
 D109A- 115B Private Car Tracking
 D109A- 116B Private Car Tracking
 D109A- 117B Private Car Tracking
 1800 Screen Wall detail 2010/DET/203
 1200 Close Boarded timber fence 2010/DET/209
 900mm Post and Rail fence 2010/DET/214
 450mm Timber Knee rail 2010/DET/216
 1200mm Estate Railings 2010/DET/219
 Various Topped Railings 900-1200mm 2010/DET/220
 450mm Knee Rail Detail SD/600/11
 1200mm Post and Rail Fence SD/600/12
 1800mm Close Board Fence SD/600/13
 1800mm High Screen Wall Detail SD/600/02
 2016 DWH Sales marketing suite (6x3 Triple Garage Left hand entrance) (63.91m²)
 DWH Floor Plans & Elevations Twin Garage (hipped) Ref: LDG2H7 (c44.82m²)
 DWH Floor Plans & Elevations Single Garage (hipped) Ref: LSG1H7 (c23.44m²)
 DWH Floor Plans & Elevations Triple Garage Ref: LTG2H7 (67.19m²)
 DWH Floor Plans & Elevation Double Garage Ref: SDG1H7 (31.19%)
 Barratt Double Hipped Garage Ref: G2 (31.21m²)
 Barratt Double Hipped Garage Ref: G3 (31.19m²)

Barratt Single Hipped Garage Ref G1 (16.46m²)
BH_M_2016 Sales Garages- Triple Garage Right Hand Entrance (received 05/07/2018) (38.72m²)
DWH_M_DWH_2017_G – 6X3M Triple Garage Left Hand Entrance (received 05/07/2018) (58.59m²)
SF11-5 (DWH) Elevations (Opp) , SF11-5 Floor Plans (Opp), SF11-5 Elevations (AS), SF11-5 Floor Plans (AS)
Archford (DWH) - P382-I-7 drawing no.13 (Floor Plans and Elevations) & P382-E-7 drawing no. 13 (End elevations and floor plans)
Washford - P385-E-7 drawing no.13 (Floor and Elevations)
Fairway - P332-P7 drawing no. 13 (plans & elevations)
Hadley (DWH) - P341-D7 – Elevations (OPP), P341-D7 – Floor Plans (OPP), P341-WD7 (drawing no.15) floor plans, P341-WD7 (drawing no.14) end floor plans, P341-WD7 (drawing no.14) detached floor plans, P341-WD7 (Elevations) P341-E-7 drawing no. 13 (end elevations) P341--D7 drawing no. 13 (detached elevations) P341-D7 (Elevations (AS) P341-D7 (Floor Plans(AS
(DWH)H536 06EM.04 (OPP) Planning Elevation Drawings, H536 06EM.03 (OPP) Floor Plans H536 06EM.02 (AS) Planning Elevation Drawings, H536 06EM.01 (AS) Floor Plans
DWH)H536 06EM.04 (OPP) Planning Elevation Drawings, H536 06EM.03 (OPP) Floor Plans H536 06EM.02 (AS) Planning Elevation Drawings, H536 06EM.01 (AS) Floor Plans
Lichfield (DWH)- H533.04.7 Elevations (OPP), H533.03.7 Floor Plans (OPP), H533.02.7 Elevations (AS), H533.01.7 Floor Plans (AS), H533-7 drawing no.15 (Floor plans), H533-7 drawing no. 14 (elevations)
Ashtree (DWH) - H455.7 (drawing no. 14) floor plans, H455-7 (DRAWING NO. 13) elevations, H455.04-7 Elevations (OPP)
H455.03-7 Floor Plan (OPP) H455.02-7 Elevations (AS) H455.01-7 Floor Plan (AS)
Winstone (DWH) - H421.7 drawing no. 14 Elevations, H421.7 drawing no. 13 Elevations), H421.04-7 Elevations (OPP), H421.03-7 Floor Plan (OPP), H421.02-7 Elevations (AS)
H421.01-7 Floor Plan (AS)
Exeter (DWH) - H418-7 drawing no. 14, floor plans, H418-7 drawing no.13 (elevations)
H418.04-7 Elevations (OPP) H418.03-7 Floor Plan (OPP) H418.02-7 Elevations (AS) H418.01-7 Floor Plan (AS)
Millford - H411-7 drawing no. 14 (floor plans) H411-7 drawing no. 13 (elevations), H411.04-7 Elevations (OPP) H411.03-7 Floor Plan (OPP) H411.02-7 Elevations (AS) H411.01-7 Floor Plan (AS)
Kennett - T310-E-7 Drawing No.16 (Kennett End Floor Plans) T310-I-7 Drawing no. 16 (Kennett Floor Plans), T310-E-7 Drawing No. 15 (Kennett & Elevations), T310-I-7, Drawing no. 15 (Elevations)
Hertford- H470-7 Floor Plans drawing no. 16, H470-7 Elevations Drawing no. 15
Baywater - H406-7 Baywater Floor Plans drawing no.16, H406-7, drawing no.15 (Elevations)
Layton (DWH) - H436-X7, Drawing no. 15 (floor plans) H436-X7 Drawing no..16 (elevations)
Henley (DWH) H588-7 drawing no. 14 (Rev A), (floor plans), H588_7 drawing no.13 (detached elevations)
Cornell (DWH)- H433-7 drawing no. 14 (Rev A) floor plans, H433_7 drawing no. 13 elevations
Bradgate (DWH) - H417-7 drawing no. 14 Rev A (floor plans) H417-7 drawing no. 13 (elevations)
Chelworth (DWH) - H497-7 drawing no. 14 (floor plans) H497-7 drawing no. 13 (elevations)
Severn Washington Mews (Barratt) - BSEV 00CF/BWAS 00CI drawing no.02 (elevations)
BSEV 00CF/BWAS 00CI drawing no.01 (floor plans)
Wilford - P204-EC7 drawing no. 02 (plans and elevations)
Ingleby - H403-C7 drawing no.16 (plans & elevations)
Radleigh Classic (det) - BRAD 00CD drawing no.01 (plans and elevations) BRAD 00CD R303 drawing no.1 (classic render) plans & elevations,
Kingsley Classic (det) - BKEY 00CD drawing no. 1 (plans & elevations)BKEY 00CD R301 drawing no.

1 render (plans & elevations)

Alderney Classic (det) - BALD 00CD drawing no. 1 (plans and elevations)

Windermere Classic (det) - BWIE 00CD drawing no.1 (plans & elevations)

Woodcote Classic (det) - BW00 00CE drawing no. 1 (plans & elevations)

Moresby Classic (det) - BMMS 00CE Drawing no. 001 (plans & elevations), BMMS 00CD, Drawing no. 01 (plans & elevations)

Maidstone Classic (end) -BMAI 00CE Drawing no. 001 (plans & elevations)

Kenley Classic - BKNL 00CI drawing no. 01 Mid (plans & elevations) BKNL 00CE drawing no. 01 End (plans & elevations)

Kingsville - BKIS 00CE Drawing no. 001 End (plans & elevations)

Derwent - BDER 00CD Drawing no. 001 Classic detached (plans & elevations)

Haversham - BHVR 00CE Drawing no. 001 end (plans & elevations)

Hesketh - BHSK 00CD Drawing no. 001 classic det (plans & elevations)

Eskdale - BESK 00CD Drawing no. 001 classic det (plans & elevations), BESK 00CD R303 drawing no. 1 render, (plans and elevations)

Brentford - BBNF 00CE Drawing no. 001 (plans & elevations)

Chudleigh/Dursley - Drawing no. 001 (plans & elevations)

NGF TYPE 69 (Affordable) - B69F 00CE/B69 00CI drawing no.1 (plans & elevations) NGF TYPE 58 and **TYPE 59 (Affordable)**

B69F 00CE/B69 00CI drawing no.1 (plans & elevations)

NGF TYPE 67 (Affordable) - B67f 00CE 01 A

Chester - BCSR 00CD 01

Holden - H469_X7-17 floor plans, H469_X7_16 elevations

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this approval.

Notes to Applicant

01

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential

annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

03

The applicant should note that notwithstanding any reserved matters approval that if any highway forming part of the development is to be adopted by the Highways Authority the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

BACKGROUND PAPERS

Application case file.

For further information, please contact **Clare Walker** on ext **5842**.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb
Business Manager – Growth and Regeneration

