



Report to Planning Committee 16 March 2023

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Helen Marriott, Senior Planner, ext. 5973

Report Summary			
Application Number	22/02427/RMAM		
Proposal	Reserved matters application pursuant to application 20/01452/OUTM Erection of one distribution building (Use Class B8) together with ancillary offices, plot access, car parking and landscaping.		
Location	Land Off A17, Coddington, Nottinghamshire		
Applicant	Tritax Acquisition 39 Limited	Agent	Delta Planning - Mrs Karin Hartley
Web Link	22/02427/RMAM Reserved matters application pursuant to application 20/01452/OUTM Erection of one distribution building (Use Class B8) together with ancillary offices, plot access, car parking and landscaping. Land Off A17 Coddington Nottinghamshire (newark-sherwooddc.gov.uk)		
Registered	20.12.2022	Target Date	21.03.2023
Recommendation	Approve, subject to conditions set out in Section 10 of the report.		

This application is being referred to the Planning Committee for determination because the Officer view differs from the view of Coddington Parish Council and the scheme is a major development.

1.0 The Site

The application site relates to a parcel of land immediately to the south of the A17 and immediately adjacent to the large commercial storage and distribution buildings currently occupied by the Knowhow business group (including Dixons Carphone) and known as Newlink Business Park. The application site measures 16.6Ha in total area, is located outside of the established Newark urban boundary and within the open countryside. To the north of the site is Newark showground and to the south and east is open countryside. The A1 is located

approximately 500 metres to the south west of the site. The village of Coddington including its Conservation Area is located approximately 500m to the south of the application site.

The site is generally flat greenfield land, having been regularly cultivated and cropped as part of a larger arable field unit. The red line boundary also includes part of the A17, a bridge over it and a strip of land located on the opposite side of the A17. Access to the site is currently gained via farm access tracks from the south and from the north via the bridge across the A17.

A public footpath (Coddington FP4A which connects the villages of Coddington and Winthorpe) which connects to the bridge over the A17 runs through the northern section of the site in a roughly north-east to south-west direction. This path is located in between and on the edge of a buffer of trees which are located adjacent to the north boundary of the site. Further tree/vegetation buffers are located in the north west corner of the site. A hedgerow (along with a wider buffer containing woodland to the east) is located adjacent all other sides of the site.

The entire application site is located within Flood Zone 1 and outside of an area identified as being at high risk of surface water flooding.

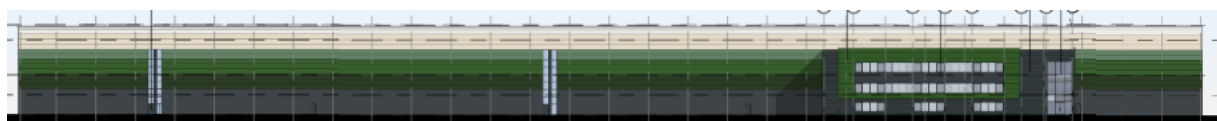
2.0 Relevant Planning History

20/01452/OUTM Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping – refused by Planning Committee 03.11.2021 but subsequently allowed at appeal 29.11.2022 (APP/B3030/W/22/3292692)

20/SCR/00003 Environmental Impact Assessment (EIA) Screening Request for land east of Newlink Business Park – EIA not required.

3.0 The Proposal

The proposal seeks reserved matters (including appearance, landscaping, layout and scale) for the erection of a distribution building (B8 use class) with ancillary offices, plot access, car parking and landscaping. The building would have a floorspace of 36,910m² including 34,998m² of warehouse floorspace and 1,999m² of ancillary offices. A gatehouse (controlling access to the service yard) with a floorspace of 24m² is also proposed. The building would measure 239m long by 147m wide approx.. The parapet height would be 18m. The proposed floorspace and height is consistent with the parameters set at outline stage. The proposed external surfaces would comprise cladding which would graduate in colour from anthracite at lower level through to dark green, lighter green and grey/sky-coloured tones at upper level.



Extract of proposed south elevation

A service yard would be located to the west of the building with 38 dock level doors and 89

trailer spaced for parking of HGVs.

Part of the site includes the A17 and land to its north and east in order to accommodate proposed access and pedestrian infrastructure, including a new vehicle access off a new 3-arm roundabout junction on the A17 and an extension to the public footpath/cycleway network from the A17/long Hollow roundabout to the proposed site. This access was approved as part of the outline planning permission.

The 307 space car park would be located to the east of the building and include 12 accessible spaces, 62 EV charging spaces, 14 motorbike spaces and 96 cycle parking spaces.

A surface water attenuation basin would be located in the north west of the site and would provide an area of amenity space (with picnic table and paths) for employees and visitors. Retained and new areas of landscaping are proposed along the site boundaries with new area of landscaping also proposed within and around the parking areas.



Extract from Proposed Site Plan

A pedestrian route connection from the existing public right of way which runs along the north of the site and the existing Knowhow building to the west of the site is also proposed.

In terms of likely occupier, the Agent has advised that 'Curry's have remained committed to the site (as they have done throughout the outline planning application and Reserved Matters process) and continue to see it as an opportunity to consolidate and grow their business. Legal

negotiations are now at an advanced stage and will hopefully reach a positive conclusion shortly'.

The application has been considered on the basis of the following:

Plans:

- 110001 A Site Location Plan
- 310101 P01 Gatehouse Elevations
- 210101 Gatehouse GA Plans and Sections
- 121002 Rev P11 Unit 1 Proposed Site Plan
- 12 Rev E Landscaping Cross Sections
- 110002 Existing Site Plan
- 11F Landscape Concept Plan
- 101301 P111 Elevations
- 101105 P1 Roof Plan
- 101102 P111 Office Plans
- 100101 P111 Warehouse Floor Plan
- 16 Diamond Tree Pit in Car Park Construction

Documents:

- Covering Letter 15 December 2022
- Photomontages December 2022
- Highways and Transport Note December 2022 including amended Swept Path Analysis 12m Single Deck Bus (Ref. 17146-TR003 Rev. B)
- External Impact Lighting Assessment P03 September 2022
- Energy and Sustainability Statement Rev 002 14/11/22
- Biodiversity/Landscape Environmental Management Plan Rev B December 2022

4.0 Departure/Public Advertisement Procedure

Occupiers of 100 properties have been individually notified by letter. A site notice has been posted and the latest site visit was undertaken on 12.01.2023 and an advert was placed in the local newspaper.

Site visit undertaken on 23.01.2023

5.0 Planning Policy Framework

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1 Settlement Hierarchy

Spatial Policy 2 Spatial Distribution of Growth

Spatial Policy 3 Rural Areas

Spatial Policy 6 Infrastructure for Growth

Spatial Policy 7 Sustainable Transport

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

Allocations & Development Management DPD

DM4 Renewable and Low Carbon Energy Generation
DM5 Design
DM7 Biodiversity and Green Infrastructure
DM8 Development in the Open Countryside
DM9 Protecting and Enhancing the Historic Environment
DM10 Pollution and Hazardous Substances
DM12 Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021
Planning Practice Guidance (online resource)
Planning (Listed Buildings and Conservation Areas) Act 1990
Landscape Character Assessment SPD (December 2013)
Employment Land Availability Study 2019

6.0 Consultations

Coddington Parish Council – The failure to provide a screening opinion for the whole of the masterplan for this site, rather than only on phase 1 of the development, not in compliance with the official guidance. The need for an Environmental Impact Assessment prior to any development, given the scale of the Masterplan extending to the vicinity of housing and historically important woodland.

The impact on Coddington residents during construction, and the need for additional conditions, for example:

- Design and planting of new screening trees before occupation, taking account of the visual impacts on the Masterplan for the whole site
- Diversion routes during construction of the roundabout must exclude Beckingham Road and Drove Lane in Coddington

The impact on Coddington residents during operation, and the need for additional conditions, for example:

- Increased enforcement of HGV restrictions through Coddington, including changes to road design to provide physical barriers to HGVs
- Controls on employee traffic through Coddington village
- Controls on noise during night operations
- Controls to limit excessive light pollution in a rural environment

Winthorpe with Langford Parish Council – The proposed site is in open countryside and there is no identified need for which this development would benefit the local community. The additional roundabout will add to an already congested single carriageway road. The Parish Council have been made aware that this application is only the first step, with a further six buildings envisaged – this is an unnecessary and excessive development which should be refused. We add our objection to the significant number of objections to the original application.

Newark Town Council – no comment.

Natural England – no comment.

National Highways – No objection.

Environment Agency – no comment.

Trent Valley Internal Drainage Board – The Board maintained Winthorpe Airfield Drain, an open and culverted watercourse, exists to the North of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies. An informative note advising requirements is recommended.

NCC Highways Authority – No objection following receipt of revised plans which show the provision of a shuttle bus stop with adequate swept paths through the proposed car park.

NCC Public Rights of Way – Coddington Footpath No.4A crosses the site edged in red. We welcome the applicant's acknowledgement of the legal route of the Public Footpath on the proposed site plan and the concept landscape plan. The proposal will impact on the use of the PROW and the applicant has not shown how the public will be kept safe. Particularly where the PROW crosses the access road close to the proposed mini-roundabout junction on the A17. We can see from the site plan that new surfaced footways and a safe crossing point to cross the access road are proposed – however these do not correspond with the legal line of the PROW. The applicant will therefore need to apply for a legal diversion of the PROW to reflect where the public will actually walk.

NCC Lead Local Flood Authority – no objection.

NSDC Tree Officer – no objection confirmed verbally following submission of a revised landscape plan which included increased numbers of trees within proposed car park and made changes to planting species proposed.

NSDC Conservation Officer – No comment.

NSDC Archaeology Advisor – The site contains known archaeological remains dating to the late Iron Age and Roman periods and has been identified during limited previous archaeological work on the site (previous application 20/01452/OUTM). The results of this work suggest dense settlement activity on a significant portion of the site and conditions were imposed at outline stage to ensure further evaluation is undertaken to inform an appropriate scheme of mitigation work.

NSDC Economic Development – the application provides activity which supports the NSDC Economic Growth Strategy 2021-2026 and the identified objectives. The proposal is a positive move for the district with job creation initially for the build process, and further skilled opportunities as well as roles in IT, engineering, warehouse operatives, HGV drivers and administration staff. The links that are already in place with Newark College could be further built on to create more training opportunities. Newark and Sherwood have a growing reputation as a centre for logistics, therefore the £30million will help the district to develop as a bigger payer in the logistics and distribution market.

NSDC Environmental Health (Contamination) – I would recommend continued use of the full contamination condition imposed at outline stage.

NSDC Environmental Health (Reactive) – The external lighting report has specified details of a proposed lighting scheme. This scheme appears compliant with obtrusive light limitations specified by Institute of Lighting Engineers guidance. The lighting scheme should therefore be installed and maintained in accordance with the proposed scheme.

Representations have been received from 7 local residents/interested parties.

2 support the proposed development as it would create jobs and attract business and investment into the area.

5 object to the proposed development, the reasons are summarised as follows:

- Failure to see how the outline consent was approved.
- Speculative development without a current need
- Development is in the open countryside, should be small scale in nature, should not generate excessive car-borne traffic and ensure free flow of traffic.
- Junction around A17/A1/A46 are congested even without this development. Proposed roundabout would impede traffic flow.
- Increased likelihood of a serious accident at junctions
- The proposed no of permanent jobs is not justified and overestimated due to automation
- Newark is becoming an industrial estate. Benefits for Newark would be minor at best.
- Loss of farmland
- Impact on local environment
- Noise and light pollution
- The proposed unit is one of seven units planned
- No mention is made of numerous species including birds and insects that inhabit the area
- Footpath preference to be through the fields and countryside not through units with haulage coming in and out.
- Footpath as proposed would be another disincentive to any to use it as there is already no safe way of crossing the road
- Existing public footpath would be severed by the road
- Drainage and flood risk issues

7.0 Comments of the Business Manager – Planning Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Principle of Development

The principle of development has been established through the granting of outline planning permission at appeal (application no 20/01452/OUTM) with the Inspector concluding that *'the proposed development would involve a loss of greenfield land but in considering the environmental role, this is balanced against the very significant benefits to the economic and social roles through the construction of the proposed development, the support of a resilient business sector and the generation of a notable number of job opportunities, particularly available to those in the study area of the draft study. In my view the benefits of the proposed development clearly outweigh the conflicts with the development plan.'*

This decision-making process included consideration the issues previously raised at outline stage by Coddington Parish Council and in representations received from neighbours/interest parties (reiterated in the 'Consultations' section above with regards to issues of principle including need the development, impacts of its open countryside location and highways impacts). It is neither necessary nor appropriate to appraise any issue relating to the principle of development or access to the site at this reserved matters stage.

It is important that the detailed reserved matters relating to scale, layout, landscaping and appearance can satisfy the relevant aspects of the District's development plan. It is also necessary for the reserved matters application to comply with the conditions (including approved parameters) attached to the appeal decision (application no 20/01452/OUTM). The table below submitted with the application summarises compliance with the parameters as follows:

Development Principles	Approved Parameters	Reserved Matters Application
Permitted Uses	B8	B8
No. of Units	1 or 2	1
Maximum Floorspace	37,000 sq.m.	36,910 sq.m.
Maximum Height	18m	18m

Impact on Visual Amenity including Landscape and the Setting of Heritage Assets

Core Policy 9 requires a high standard of sustainable design that protects and enhances the natural environment and contributes to the distinctiveness of the locality and requires development that is appropriate in form and scale to the context. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in

the scale, form, mass, layout, design, materials and detailing of proposals for new development. The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 13 requires the landscape character of the surrounding area to be conserved and created.

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.

The site is situated within Landscape Character Zone: ES PZ 4 Winthorpe Village Farmlands. The landscape condition here is defined as moderate and landscape sensitivity is also described as moderate. The policy zone has a landscape action of conserve and create. This includes new hedgerows and enhancing tree cover and landscape planting generally and conserving what remains of the rural landscape by concentrating new development around existing settlements and reflecting the local built vernacular.

The details proposed a single unit building which would be 18 metres in height, which would be slightly taller than those on the existing Curry's PC World/Knowhow site which are approximately 14 metres in height. It was accepted at outline stage that a development of this scale would alter the character of the current site from predominantly arable land to an industrial development as a consequence, harm to landscape character and visual amenity would result.

The proposed landscape scheme seeks to minimise this harm by retaining the existing structure planting where possible. The existing belt of woodland running along the eastern boundary of the site would be retained along with the existing hedgerow boundaries, which border the site. Tree removal would be limited to the area around the proposed site access (discussed in more detail in the 'Impact on Trees and Ecology' section below). The submitted Landscape Concept Plan includes rows of trees along the site access road to provide a green boundary to soften the building elevation, ornamental shrub planting, grassland areas, attenuation basin planted with reed beds and other aquatic species, woodland planting in two areas adjacent to the A17 and trees within the frontage parking area to break up the more publicly visible areas of hard landscaping.

It is also proposed that the warehouse elevations be camouflaged using a graduated range of cladding colours that relate to the existing context. The proposed cladding colours would range from a palette of dark greys and greens at low level, responding to existing landscaping tones and further up the elevation the greens will merge to a whiter palette that responds to sky tones. The proposed service areas would face internally towards the existing Knowhow building to the west.

A Landscape and Visual Impact Assessment (LVIA) was submitted at outline stage and the building now proposed is very similar to that assessed. Updated photomontages has been submitted with this application. The photomontage below is one of 9 viewpoints and is the closest viewpoint to the site.



Photomontage with proposed Unit.

Viewpoint 1 – Farmers track over A17

In relation to the setting of heritage assets, it is agreed that there would be no intervisibility of the proposed development with the Winthorpe Conservation Area and there would be limited intervisibility of the proposed development within the Coddington Conservation Area. Overall, the Conservation Officer concurs with the conclusions set out in the Heritage Impact Assessment submitted at outline stage that the proposed development would result in a neutral impact on the setting of Coddington CA and other heritage assets.

In summary, whilst the proposal would result in a change to the existing landscape the building would be of comparable height (albeit higher) to other industrial units in the area, with particular reference to the Dixons/Knowhow building to the west of the site. Taking into account the proposed graduated range of cladding colours and proposed landscape planting which have sought to mitigate impacts, the harm to visual amenity and the countryside in this location would be minimised. The development would not result in harm to the setting of heritage assets (including the character or appearance of the nearest Conservation Area or any listed buildings). The reserved matters submission is therefore considered acceptable with regards to impact on visual amenity and is compliant with the parameters defined at outline stage, subject to conditions requiring implementation of the development in accordance with the approved plans and a condition requiring details of existing and proposed site and finished floor levels as this is a matter not yet defined. Overall, the reserved matters details are considered compliant with the requirements of Core Policy 9, 13 and 14 and Policies DM5 and DM9 of the DPD.

Impact on Residential 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. The NPPF promotes 'an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'.

Matters relating to noise impacts (during construction and operation) were considered at outline stage (based on the parameters defined at outline stage and in acknowledgement that the proposed development would likely operate 24 hours a day). The Environmental Health Officer raised no objection to the outline application on this basis as the submitted Noise Assessment concluded that the proposed warehouse development would not be expected to have an adverse impact on health or quality of life overall.

Condition 6 requires the submission and approval of a Construction Method Statement prior to commencement of development to ensure the impacts of dust from site works and

construction can be mitigated through good practice construction techniques was imposed by the Planning Inspector. This condition refers to several matters including details of construction access, hours of work including deliveries and routing of construction traffic (and would specifically deal with matters raised by Coddington Parish Council in this regard).

Condition 18 of the outline consent also required the submission and approval of a detailed lighting scheme at reserved matters stage. The Environmental Health Officer has confirmed that the submitted External Impact Lighting Assessment and details lighting design is acceptable as proposed as it does seek to ensure that light spillage from the site is minimised. The Assessments confirms that the *'proposed lighting would be switched via a combination of photocells and timelocks. The time clocks would act as a master control and be set to set off at times when the development is not in operation. For security purposes, some lighting may be required to stay on throughout the night although this would be kept to a minimum'*.

Overall, subject to compliance with the outline conditions and implementation of the lighting scheme in accordance with the submitted details, it is not considered that the proposal would have a significant adverse impact on neighbouring land uses in accordance with Policy DM5 of the DPD.

Highway Matters including Public Right of Way

Spatial Policy 7 indicates that development proposals should be appropriate for the highway network in terms of the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision. The 3-arm roundabout off the A17 and acceptance with regards to traffic impacts has been approved/accepted at outline stage.

Condition 22 of the outline consent required the submission of a Transport and Parking Appraisal with this reserved matters application (submitted in the form of a Highways and Transport Note December 2022) in order to assess the level of on-site parking required for staff and visitors alongside details of a shuttle bus stop. The Highways Officer raises no objection to the application following the receipt of amended plans which demonstrate adequate swept paths for the proposed shuttle bus would be provided within the proposed car park. The shuttle bus would one of the requirements of the Travel Plan (Condition 13 of the outline consent) which would connect the site with the main travel hubs including Newark's train stations and the main bus stops in Newark.

The submitted Highways and Transport Note (required by Condition 22 of the outline consent) provides a parking accumulation survey based on two TRICS surveys used for the approved outline application. Whilst the revised plans have necessitated the loss in the overall number of parking spaces in order to accommodate the shuttle bus, the provision of the bus itself is considered to represent mitigation for any periods of higher parking demand i.e. on shift changes. The A17 itself is subject to a clearway order so parking should not occur there.

Overall, the Highways Officer is satisfied with the level of parking (for cars, HGV's and cycles) proposed and raises no objection to the application, subject to securing these measures

(including conditions already attached to the outline consent requiring detailed road design (Condition 9), provision of the roundabout junction (Condition 11), provision of footway and cycle facilities (Condition 12), a Travel Plan (Condition 13) and cycle parking (Condition 14).

An application to divert the public footpath would be required under section 257 of the Town and Country Planning Act 1990 - Condition 25 was imposed at outline stage to control this requirement.

Overall, I am satisfied that the proposal would not amount to a detrimental impact on highway safety in accordance with Spatial Policy 7 and Policy DM5 of the DPD.

Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy DM7 states that new development should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network.

Condition 17 requires the reserved matters application to be accompanied by a Biodiversity/Landscape Environmental Management Plan (LEMP). This document is considered acceptable as proposed and sets out several measures to ensure that habitat creation/enhancement measures would be provided and managed, including a timetable of works.

As detailed in the 'Outline Consent Conditions', Condition 5 (Construction Environmental Management Plan (CEMP) to incorporate Reasonable Avoidance Measures (RAMS)), Condition 16 (No clearance during bird nesting season) were imposed by the Planning Inspector, to ensure that the proposed development is acceptable with regards to the potential ecological impacts of the proposed development. An additional condition in relation to the provision of bird/bat boxes is recommended as their design and locations on site are not included in the submitted LEMP. Overall, the reserved matters details are considered compliant with the requirements of Core Policy 12 and Policies DM5 and DM7 of the DPD.

Details of sustainability measures

An Energy and Sustainability Statement was submitted at outline stage and Condition 26 of the consent required the submission of details of the sustainability measures and environmentally sustainable features proposed and to be incorporated into the design of the development both during construction and operation, at this reserved matters stage.

Measures proposed include a range of environmentally sustainable features including photovoltaic panels (6800 panels are proposed on the roof), energy efficient and motion-sensor lighting, electric vehicle charging points and air source heat pumps. Precise details in terms of location and design of all of the external measures have not been submitted. As such, it is considered appropriate to impose a condition requiring more details in this regard in

accordance with the requirements of Core Policy 10 which seeks to mitigate the impacts of climate change through ensuring new development proposals minimise their potential adverse environmental impacts during their construction and eventual operation.

Other

As detailed in the 'Outline Consent Conditions' section below, the acceptability of all other detailed matters in relation to archaeology, trees/hedgerow, flooding/drainage and contaminated land would be assessed through discharge of planning conditions.

Outline Consent Conditions

No conditions have been discharged since the time of the outline approval (February 2022). For the avoidance of doubt the conditions attached on the outline application would remain relevant to the development and therefore their repetition is not necessary in any reserved matters approval.

Outline planning consent condition	20/01452/OUTM Requirement	Reserved Matters (RM) Compliance
1	Time limit RM to be submitted within 1 year and development to begin not later than 2 years of approval of last RM	Submission date complied with. Timescales for commencement to be complied with.
2	Approved plans	RM in accordance with approved plans/parameters and generally in accordance with illustrative plans approved at outline stage
3	RMs to be submitted and approved	To be complied with prior to the commencement of development
4	Full phased contamination condition	To be complied with prior to the commencement of development.
5	Construction Environmental Management Plan (CEMP) to incorporate Reasonable Avoidance Measures (RAMS)	To be complied with prior to the commencement of development.
6	Construction Method Statement	To be complied with prior to the commencement of development.
7	Surface water drainage scheme	To be complied with prior to the commencement of development.
8	Arboricultural Method Statement	To be complied with prior to the commencement of development.
9	Detailed road design	To be complied with prior to the commencement of development.

10	Archaeology investigation and mitigation	To be complied with prior to the commencement of development.
11	Provision of roundabout junction	To be complied with prior to occupation/use of the development.
12	Provision of footway and cycle facilities	To be complied with prior to occupation/use of the development.
13	Travel Plan	To be complied with prior to occupation/use of the development.
14	Cycle parking	To be complied with prior to occupation/use of the development.
15	Parameter plans	RM in accordance with approved plans/parameters
16	No clearance during bird nesting season	To be complied with.
17	Biodiversity/Landscape Environmental Management Plan (LEMP)	Submitted with RM for approval.
18	Lighting Scheme	Submitted with RM for approval.
19	Prohibited activities near trees	To be complied with.
20	Landscape Scheme	Submitted with RM for approval.
21	Implementation of landscape scheme	To be complied with.
22	Transport and Parking Appraisal including provision of a shuttle bus stop	Submitted with RM.
23	Implementation of archaeology mitigation to be approved under Condition 10	To be complied with.
24	Submission of archaeology findings to be approved under Condition 10/23 to the Historic Environment Record (HER)	To be complied with.
25	Public right of way (PROW) diversion	No obstruction of PROW until a detailed design and specification has been submitted and approved.
26	Details of sustainability measures and environmentally friendly features	Submitted with RM.

8.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

The site benefits from an extant outline consent allowed at planning appeal for the proposed development. The reserved matters submission is therefore considered acceptable with regards to impact on visual amenity and is compliant with the parameters defined at outline stage. The development would not result in harm to the setting of heritage assets (including the character or appearance of the nearest Conservation Area or any listed buildings). The application is not considered to result in any adverse impact upon highway safety, public rights of way, trees and ecology, flood risk or drainage, archaeology or residential amenity subject to conditions (many of which were previously imposed at outline stage). As such, the recommendation is for approval as set out below.

10.0 Conditions

That Reserved Matters approval is granted subject to the following conditions:-

01

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

- 121002 Rev P11 Unit 1 Proposed Site Plan
- 12 Rev E Landscaping Cross Sections
- 11F Landscape Concept Plan (implementation linked to condition 14 of Outline consent 20/01452/OUTM)
- 16 Diamond Tree Pit in Car Park Construction
- 101301 P111 Elevations
- 101105 P1 Roof Plan
- 101102 P111 Office Plans
- 100101 P111 Warehouse Floor Plan
- 310101 P01 Gatehouse Elevations
- 210101 Rev P01 Gatehouse GA Plans and Sections
- Biodiversity/Landscape Environmental Management Plan Rev B December 2022 (implementation linked to condition 17 of outline consent 20/01452/OUTM)

Reason: So as to define this permission.

02

Notwithstanding the submitted details, no development above slab level shall be carried out until details of the external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

03

No raw materials, equipment, finished products or waste materials shall be stored outside buildings other than in accordance with details to be approved in writing by the Local Planning Authority prior to the commencement of such storage. Thereafter any external storage shall be located in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

04

No development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved buildings have been submitted on a single plan/or document and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of visual amenity.

05

Prior to the installation of any external lighting on the site, an updated external lighting scheme in general accordance with Drawing No. 5460-CBC-00-XX-DR-E-63001 Rev P02 contained in Appendix 9 of the External Impact Lighting Assessment P03 (September 2022), shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed in accordance with the approved lighting scheme.

Reason: In the interests of biodiversity, residential and visual amenity.

06

No building on site shall be occupied until details of bat boxes (including their design and location) in accordance with the recommendations set out in the Biodiversity/Landscape Environmental Management Plan Rev B December 2022 have been submitted to and approved in writing by the Local Planning Authority. The bat boxes shall then be installed, prior to occupation, in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: In the interests of maintain and enhancing biodiversity.

07

Prior to the installation of any of the features identified below, full details of their design and location shall be submitted to and approved in writing by the Local Planning Authority.

- external accretions;
- structures or above ground plant including substation(s);

- totem sign;
- sprinkler tanks;
- enclosures; and
- any equipment proposed to be installed as recommended in the Energy and Sustainability Statement Rev 002 14/11/22.

The features specifically recommended in the Energy and Sustainability Statement Rev 002 14/11/22, shall then be installed on site prior to first occupation of the building(s) and retained for the lifetime of the development, in accordance with the approved details. Any other features shall be installed in accordance with the approved details.

Reason: In the interests of visual amenity and climate change.

Informatives

01

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/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

02

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) (England) Order 2015 (as amended).

03

It is recommended that early discussions are held with the RoW team at NCC (Via) on any impact a development might have on a right of way (surface, width, location etc) or potential change to the route, before the development commences. Contact countrysideaccess@nottsc.gov.uk.

The proposed development requires a public right of way to be diverted. The granting of planning permission does not permit the obstruction of the public right of way. A separate statutory approval for the stopping up or diversion order will be required under the provisions of the Highways Act 1980 or the Town and Country Planning Act 1990 or any other statutory provision

The safety of the public using the path should be observed at all times. A Temporary Traffic Regulation Order (TRO) to prevent or restrict access of the PROW may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information

and costs may be obtained by contacting the Rights of Way section countryside.access@nottscc.gov.uk. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. A TRO application will only be granted on a PROW to be temporary closed and diverted as a result of the development once the application to stop up or divert the PROW under the TCPA 1990 has been accepted by the LPA.

04

The Board maintained Winthorpe Airfield Drain, an open and culverted watercourse, exists to the North of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies. The Board's consent is required to erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any Board maintained watercourse or the edge of any Board maintained culvert. The Board's consent is required for any works, whether temporary or permanent, in, over or under, any Board maintained watercourse or culvert. 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 Board's Planning and Byelaw Policy, Advice Notes and Application form is available on the website - www.wmc-idbs.org.uk/TVIDB The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required). The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works. The applicant should therefore note that the proposals described within this planning application may need to be altered to comply with the Board's requirements if the Board's consent is refused. 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.

BACKGROUND PAPERS

Application case file including the outline consent file 20/02427/RMAM.

Committee Plan - 22/02427/RMAM

