



Report to Planning Committee 5 September 2024
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Julia Lockwood, Senior Planner, julia.lockwood@nsdc.info

Report Summary			
Application Number	22/01459/FULM (Major)		
Proposal	Development for 62 dwellings on grazing land, south of Dale Lane, Blidworth.		
Location	Land South of Dale Lane, Blidworth		
Applicant	Tune Nottingham One Limited & Richard Gretton Thomas	Agent	Andrew Gore – Marrons Planning
Web Link	22/01459/FULM Development for 62 dwellings on grazing land, south of Dale Lane, Blidworth. Land South Of Dale Lane Blidworth NG21 0SU (newark-sherwooddc.gov.uk)		
Registered	7 December 2022	Target Date Extension of time	8 March 2023 9 Sept 2024
Recommendation	That full planning permission is APPROVED, subject to conditions set out in Section 11 in the report		

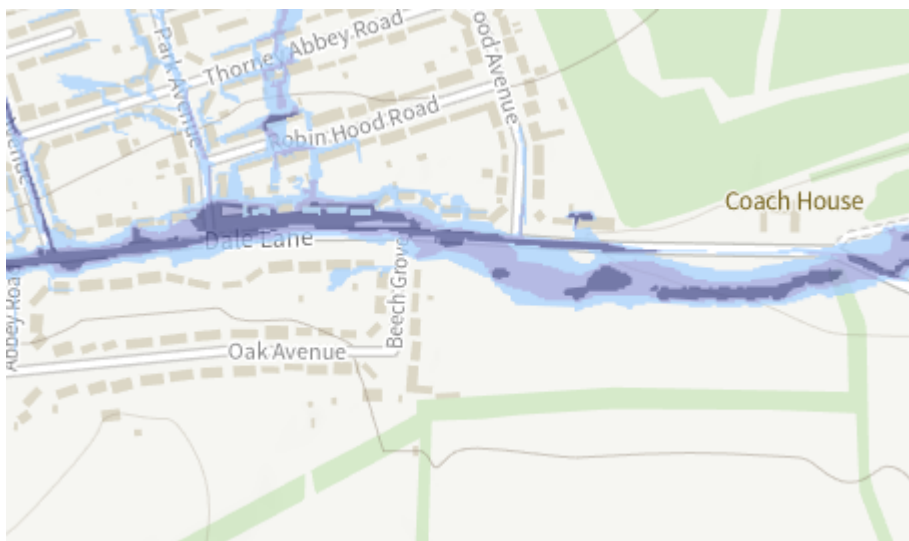
This application has been referred to the Planning Committee for determination by the local ward member, Councillor Tina Thompson, on the grounds that the development is a far denser than stated by the site allocation and it is therefore an over intensification of the site and adjacent land has not been allocated, yet the submitted plan leaves access routes for additional housing in the future but this would be result in a highly dangerous highway issue for the future.

1.0 Background

The delay in forming a recommendation on this application is due to enabling the applicant the opportunity of addressing various concerns raised by the case officer and consultees on numerous occasions. This has resulted in the number of dwellings proposed on the site reducing from 73 to 62. This has demonstrated that the Local Planning Authority has sought to work positively and proactively with the applicants as required by the NPPF and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2.0 The Site

- 2.1 The application site comprises a rectangular shaped 1.81ha of greenfield land used for agriculture on the south side of Dale Lane, to the east side of Beech Grove and opposite Sherwood Avenue on the eastern edge of the settlement of Blidworth.
- 2.2 There are residential properties to the north fronting Dale Lane, set behind a grass verge often occupied by mature trees and to the west where houses back onto the site and front Beech Grove. There are open fields to the south and east, which fall within the Nottingham-Derby Green Belt, whose designation surrounds Blidworth village on all sides. The southern and eastern boundaries of the site extend into the designated Green Belt. However, the vast majority of the site itself is excluded from the Green Belt. Dale Lane represents one of the main entrances into the village from the east.
- 2.3 There is a fall in ground levels across the site from the south-west (ground levels of 97.33m AOD) to the north-east (89.98m AOD), a difference of 7.35m. The land is situated within Flood Zone 1, at lowest risk from main river flooding. However, the site does have areas at high (dark blue), medium (medium blue) and low (light blue) risk of surface water flooding, towards the northern (Dale Lane) boundary of the site (see the plan below).



- 2.4 An international designation located approx. 11km to the north of the site is the Birklands and Bilhaugh Special Area of Conservation (SAC), designated due to its old acidophilous oak woods. There are no national ecological designations within 2km of the site. Non-statutory designations within 1km of the site include a Local Nature Reserve, Tippings Wood 900m to the north-west, Blidworth Colliery Spoil Local Wildlife Site (LWS) 22m to the north and Blidworth Playing Fields LWS approx. 470m to the north-east. The site is within 400m of Sherwood Forest ppSPA for woodlark and nightjar.
- 2.5 In heritage terms, opposite the side on the other side of Dale Lane is a Non-Designated Heritage Asset known as Blidworth Colliery Village comprising early to late 20th

century development set out in a planned layout with similar designed housing, for colliery workers.

3.0 Relevant Planning History

3.1 10/01648/OUTM – Residential development and new vehicle access, refused 25.03.2011 on the grounds that it represented inappropriate development in the Green Belt, insufficient information on impact on protected species and that the Council were able to demonstrate the provision of a 5 year land supply of housing.

4.0 The Proposal

4.1 The application seeks full planning permission for the erection of 62 dwellings comprising the following:

House Type	Tenure: Affordable rent/Shared ownership	No of Units	No of Beds/Persons	Type	Plot Nos
HT1A	AR	4	1B/2P	Flat	21-24
HT1B	AR	2	1B/2P	Flat	1, 2
HT1C	AR	2	1B/2P	Flat	3, 4
HT1D	AR	4	1B/2P	Flat	15-18
HT1E	AR	2	1B/2P	Flat	9, 10
HT1F	AR	2	1B/2P	Flat	19, 20
HT1H	AR	2	1B/2P	Bungalow	35, 36
HT2A	AR	8	2B/4P	Semi	25-28, 39-42
HT2B	AR	6	2B-4P	Semi	13,14; 31-34
HT2C	AR	4	2B/4P	Semi	11,12,37,38
HT2C	SO	2	2B/4P	Semi	49, 50
HT2D	AR	2	2B/4P	Semi	7, 8
HT3A	AR	2	3B/5P	Semi	29, 30
NT3A	SO	2	3B/5P	Semi	47, 48
HT3B	SO	8	3B/5P	Semi	51-58
HT3C	AR	2	3B/5P	Semi	43,44,
	SO	6			45, 46, 59-62
HT3D	AR	2	3B/5P	Semi	5, 6
Totals	AR 44; SO 18	62			

4.2 All the house-types are two storey, apart from the two bungalows located in the north-west corner of the site. The plans have been amended on more than one occasion during the life of the application, reducing numbers down from the initial 73 to the current 62, as well as seeking to address the case officer and other consultee concerns. The gross internal floor area of each of the house types range from 48 sqm (1 bed flat) to 85 sqm (3 bed house). The application form states materials proposed would a multi red brick with timber cladding panels in a dark stain and no roof materials have been confirmed.

- 4.3 The whole development is served by a single vehicular access point from Dale Lane towards the north-east corner of the site, although there is also a pedestrian footway link to Dale Lane at the north-west corner of the site. The position of the access road would result in the loss of 1 of the existing trees along the site's frontage.
- 4.4 All of the dwellings would be defined as affordable housing, with 70% being affordable rent and 30% shared ownership. The application has been accompanied by a draft Heads of Terms document which confirms the intention to assist towards a number of contributions, including libraries and community facilities (full details are set out below in the S106 section of the report).
- 4.5 An area of public open space is proposed to the eastern side of the site, which includes an attenuation pond in the north-east corner, and a children's play area (LEAP) in the south-east corner. The plan shows that the southern and eastern boundaries of the site, extend narrowly beyond the allocation site and therefore includes designated Green Belt. The Green Belt land includes a belt of newly planted trees along the southern boundary and proposed new planting along the eastern boundary to provide a landscaped buffer to the site.



Plans and Documents submitted and considered:-

- OS Location Plan (Drawing No: PL-001B);
- Topographic Survey (Drawing No: 25878_06_170_01);
- Proposed Site Plan – External Finishes (Drawing No: PL-005M);
- House Type 1A: 1B/2P – 48/61sq.m GIA (Drawing No: PL-010C);
- House Type 1B: 1B/2P – 48/61sq.m GIA (Drawing No: PL-011A);
- House Type 1C: 1B/2P – 48/61sq.m GIA (Drawing No: PL-012A);
- House Type 1D: 1B/2P – 48/61sq.m GIA (Drawing No: PL-013D);
- House Type 1E: 1B/2P – 48/61sq.m GIA (Drawing No: PL-014B);
- House Type 1F: 1B/2P – 48/61sq.m GIA (Drawing No: PL-015A);
- House Type 1H: 1B/2P – 48sq.m GIA (Drawing No: PL-017B);
- House Type 2A: 2B/4P – 70sq.m GIA (Drawing No: PL-020A);
- House Type 2B: 2B/4P – 70sq.m GIA (Drawing No: PL-021A);
- House Type 2C: 2B/4P – 70sq.m GIA (Drawing No: PL-022A);
- House Type 2D: 2B/4P – 70sq.m GIA (Drawing No: PL-023A);
- House Type 3A: 3B/5P – 85sq.m GIA (Drawing No: PL-030A);
- House Type 3B: 3B/5P – 85sq.m GIA (Drawing No: PL-031A);
- House Type 3C: 3B/5P – 85sq.m GIA (Drawing No: PL-032);
- House Type 3D: 3B/5P – 85sq.m GIA (Drawing No: PL-033A);

- Street Scene Elevations (1 of 2) (Drawing No: PL-150E)
- Street Scene Elevations (2 of 2) (Drawing No: PL-150G)
- Photomontage - Approach to Blidworth from Dale Lane (Jan 2024)
- Northern Boundary Position (Drawing No: PL-008)
- General Arrangement & POS Planting Plan (Drawing No: 09808-FPCR-XX-XX-DR-L-0001 Rev P13);
- Detailed Landscape Proposal Onplot (Sheet 1 of 2) Drawing No: 09808-FPCR-XX-XX-DR-L-0002 Rev P13);
- Detailed Landscape Proposal Onplot (Sheet 2 of 2) (Drawing No: 09808-FPCR-XX-XX-DR-L-0003 Rev P13);

- Tenure Plan – 62 units (Drawing No: TE-001M);
- Accommodation Schedule
- Storey Heights (Drawing No: PL-0009);
- Adoption Plan (Drawing No: PL-006D);
- Bin Collection Points (Drawing No: PL-007D);
- Proposed Play Area Layout (Scheme No: 2587rev1 Date:19/4/24);
- Design of Children’s Play Equipment (Scheme No:25870/NOT Date: 24/1/24);
- S278 General Arrangement Option 3 (Drawing No: DLB-MT-XX-XX-DR-C-0012 Rev P1);
- S38 Swept Path Analysis (Drawing No: DLB-MT-XX-XX-DR-C-0004 Rev P4);

- Energy Report by Tune dated 21 March 2023;
- Ecological Appraisal by FPCR dated July 2022;
- Archaeological Desk-Based Assessment by Midland Archaeological Services dated Feb

2023 V1;

- Arboricultural Assessment Rev A by FPCR dated July 2024;
- Flood Risk Assessment & Drainage Strategy by BSP dated November 2022;
- Drainage Strategy Statement by Mortec Projects dated 1 February 2024;
- Drainage Strategy – Infiltration Basin Detail (Drawing No: DLB-MT-XX-XX-DR-C-0501 Rev P1);
- Soakaway Testing report by GeoDyne dated 14 June 2022;
- Sections through and soil logs from GeoDyne;
- Combined Phase I Desk Study & Phase II Exploratory Investigation Report by Geodyne dated October 2021;
- Transport and Accessibility Statement by Mortec Projects dated Sept 2023 (Rev 1 – Jan 2024)
- Proposed Developer Contributions (Draft Heads of Terms) dated 30.01.2024;
- Email from Agent sent 03.05.2025 responding to Request from NCC for contribution to bus transport facilities to serve the development;
- Email from Agent sent 30.07.2025 responding to issues regarding trees.

5.0 Departure/Public Advertisement Procedure

5.1 Occupiers of 46 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

5.2 Site Visit 03.01.2023

6.0 Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 4A – Extent of the Green Belt
Spatial Policy 4B– Green Belt Development
Spatial Policy 6 – Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport
Core Policy 1 – Affordable Housing Provision
Core Policy 3 – Housing Mix, Type and Density
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

6.2 Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM2 – Development on Allocated Sites

DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development
Policy BI/Ho/1 – Blidworth Housing Site 1

6.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of all the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan, with consideration to the Draft Amended DPD, as applicable.

6.4 **Other Material Planning Considerations**

- National Planning Policy Framework 2023
- Planning Practice Guidance (online resource)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
- Newark and Sherwood District Wide Housing Needs Survey by Arc 2020
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021
- Landscape Character Assessment SPD 2013
- Affordable Housing SPD 2013
- Developer Contributions and Planning Obligations SPD, December 2013 (as amended by 2016 indexation figures)
- NCC Developer Contributions Strategy 2021
- Fields in Trust Guidance for Outdoor Sport and Play
- Building for a Healthy Life 2022, Homes England

7.0 **Consultations**

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

(a) **Statutory Consultations**

- 7.1 **Environment Agency** – No formal comment to make as no fluvial flood risk concerns given the site is within Flood Zone 1.
- 7.2 **NCC, Lead Local Flood Authority** – No Objection, subject to a standard condition requiring details of disposal of surface water from the development.
- 7.3 **National Highways** – No Objection.

7.4 **NCC, Highway Authority** – No objection, subject to conditions relating to a Construction Management Plan, details of new roads, no development to be occupied until the access has been provided, no dwelling to be occupied until parking for that unit is in hard bound material with measures to prevent egress of surface water to the public highway, traffic management measures to control parking in turning heads, details of boundary treatments, infrastructure for an EV fast charging point must be installed for each dwelling and improvements to two bus stops.

7.5 **NCC, Planning Policy** - The planning obligations sought by NCC in order to mitigate the impact of the proposed development are:

- Transport - The imposition of conditions to seek improvements of 2 bus stops NS0375 Sherwood Avenue and NS0376 Sherwood Avenue and requiring a scheme for introductory bus passes to occupiers.
- Education – Primary – there is a forecasted surplus of places in the planning area and the impact of the development would not lead to a deficit in provision, so no primary education contribution is sought. Secondary and post 16 education – based on current pupil projection data there would be insufficient places in the planning area to accommodate the additional pupils that would be generated by this proposal. However, this is funded through the Community Infrastructure Levy.
- Library stock contribution of library stock of **£2,190** for Blidworth Library.

They also refer to the Nottinghamshire Spatial Planning and Health Framework, referencing Active Design principles.

(Full justification for all the above is set out in the response received from NCC Policy).

7.6 **The Coal Authority** – The site falls within the Development Low Risk Area so no comments to make.

(b) Town/Parish Council

7.7 **Blidworth Parish Council** – Object on the following grounds:

- Overdevelopment – allocation refers to 55 units and spacings (gardens and privacy distances etc) are very tight;
- Design and Visual impact - due to being former green belt and used as agricultural land high density, layout and design will have negative impact on the landscape;
- Drainage – the area is subject to severe surface water flooding with standing water on the site during heavy rain and water runs down Dale Lane due to insufficient run off capacity. Concern that attenuation basin would likely overflow. Residents of Beech Grove and Dale Lane particularly concerned and worry over not being able to insure their homes against flood risk if development goes ahead;
- Loss of light and privacy to properties near to the development;
- Noise, smell and pollution – no explanation as to how pollution to groundwater would be controlled or mitigated which is essential. Severn Trent Water should be commenting on local infrastructure capacity. Mains drains in the village (on Mansfield

Road) have constant problems with blockages and in heavy rain Severn Trent regularly attend Dale Lane to pump and clean up sewerage that has overflowed. As water and sewerage infrastructure is already inadequate, the proposed development will only compound this extremely significant public health and quality of life issue;

- Access and Traffic – significant cumulative impact of additional traffic driving through and causing congestion, increasing likelihood of accidents, increasing pollution to detriment of Blidworth residents due to other local developments – 81 dwellings on New Lane, 201 dwellings on Blidworth Lane and further development in Rainworth/Mansfield/Ravenshead. Traffic surveys need to be carried out before further developments are proposed. Dale Lane already experiences minor collisions due to number of roads joining it and limited visibility due to parked cars and shrub beds and this development will only exacerbate this. The development would result in further pressure on junction of Dale Lane with Mansfield Road and traffic control needs to be considered here. Traffic speeds along Dale Lane and do not respect local speed limits;
- Health and Safety – from sewerage and flood water, traffic making it hazardous for children walking to school, current roads and pavements are neither safe nor suitable for walking/cycling within the village;
- Ecology/Landscape – Development would significantly harm local wildlife within the area due to loss of habitat and food sources through urban sprawl. Submitted Ecology Assessment has been submitted but not very informative and little reference to maintaining existing habitat and no mention of Biodiversity Net Gain which needs to be considered;
- Archaeology – no information submitted even though policy requires appropriate assessment;
- Crime and fear of crime – this will increase with increased population and diminishing police presence;
- Community Facilities – local schools and doctors surgeries in Blidworth and neighbouring villages of Rainworth and Ravenshead are at full capacity with long standing villagers having to travel outside the village for such services. This development will put additional strain on these resources and is unviable without provision for the services that the village already needs;
- Design and Access Statement does not provide a robust design story or justification for the proposal;
- Lack of sustainability information or any BREEAM rating;
- Blidworth is an important historic village and dates back before the Domesday Book and has significant historic feature – Church of St Mary of the Purification dates back to 1066, Rockings ceremony and sculpture, Will Scarlet’s grave, the Druid Stone and memorial to Mathew Clay and Mill refurbishment and does not receive the due care and respect it deserves. Blidworth should have its own conservation appraisal and be afforded similar protections afforded to Southwell;
- There is no joined up thinking in terms of adjacent/area developments and the Parish Council expects Newark and Sherwood District Council to listen to local communities required under the Localism Act;
- The land should be removed from the Development Plan due to its unsuitability for development of any kind.

(c) Representations/Non-Statutory Consultation

- 7.8 Severn Trent Water** – Foul is proposed to connect not the public combined water sewer, which will be subject to a formal section 106 sewer connection approval. Surface water is proposed to connect into the public surface water sewer, which will be subject to a formal 106 sewer connection approval. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available and an alternative other sustainable method should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water is to enter the foul or combined water system by any means.
- 7.9 NHS Nottingham/Nottinghamshire Clinical Commissioning Group** - Confirm that local health practices are working at capacity and this scheme would lead to pressure upon services. A financial contribution of £982 per dwelling is sought towards enhancing capacity/infrastructure with existing local practices at any one of the three closest to the site – Abbey Medical Group, Rainworth Health Centre, Hill View Surgery.
- 7.10 NSDC, Archaeology Adviser** – No Objection subject to a condition that requiring an archaeology condition for a mitigation strategy, including a phased approach to investigation followed by mitigation work, should it be necessary.
- 7.11 NSDC, Conservation** – Do not wish to comment.
- 7.12 NSDC, Strategic Housing** – support proposals as it will provide the level of need identified in the Arc4 District Wide housing needs survey (2020) and the Council’s housing register.
- 7.13 NSDC, Environmental Health** – To protect existing residents from potential disturbance during construction, a construction management plan should be submitted to be implemented during the construction phase of the development.
- 7.14 NSDC, Contaminated Land** – No Objection, no further investigation is required.
- 7.15 NSDC, Community Facilities** – A community facility contribution should be secured in accordance with the Council’s current Developer Contributions SPD that would be used to support the provision or improvements to the community assts in the Parish of Blidworth for the benefit of the wider community.
- 7.16 NSDC, Trees and Landscape Officer** – **Tree Survey (July 2024)** states the mature trees on the north side of Dale Lane to be Category A, while the younger trees on the south side are stated to be Category B trees, which appears to be an oversight, as the trees on the south side are healthy and contribute to a distinct linear feature, justifying the need for a tree preservation order. One Category A tree would be removed to provide access, which should be avoided however, if removal is unavoidable, then suitable compensation should be ensured. This standard has not been met. It is also highly concerning that the design does not

account for the anticipated growth of the retained trees.

Proposed landscaping – previous comments have not been taken into account, the proposed “prunus” selected are suggested to be de-minimus, to respond poorly to the urban environment, with a high nuisance factor to residents. None of the suggested street trees are intended for public ownership, contradicting the NPPF, is misaligned with the scale of development and provided with inadequate space to mature properly.

7.17 NSDC, Lead Biodiversity and Ecology Officer – No overall concerns but recommends three conditions requiring a Construction Environmental Management Plan (CEMP), one relating to the provision of bat and birds boxes and one relating to external lighting details to be submitted and approved.

7.18 Notts Police – Secured by Design recommends that a cul-de-sac is not linked by footpaths (as here where Road C is connected to Dale Lane) as ‘leaky cul-de-sacs’ experience the highest levels of crime when compared to a true cul-de-sac and so should be avoided.

7.19 Cadent – No objection, informative note required.

7.20 Representations from 69 third parties/local residents can be summarised follows:

- Blidworth needs heavy and much needed Investment before you propose additional housing;
- Don't want any more houses in the village;
- The application proposes more properties than the allocation states;
- There is not enough infrastructure with the village for these houses;
- The doctors surgeries are full, with a 3 to 4 week wait for a non urgent appointment;
- Local dentists are no longer taking new patients;
- The primary school is full and over subscribed, neighbouring village schools within catchment are the same;
- Two secondary schools that feed the village are also over subscribed;
- S106 money would be insufficient to deal with these issues;
- The land should be used to build small bungalows that are warden aided and run by the Council to enable elderly residents to remain independent and free up family homes within the village;
- All this was exacerbated by The Green development influx;
- The introduction of hundreds of cars onto Dale Lane, the main route in and out of the village;
- Public transport is almost non-existent and the extra cars will contribute to carbon emissions;
- It will result in the loss of agricultural and equestrian land, where stables have not been approved and so these houses should not be approved;
- This plot of land should remain as part of the countryside and remain a green space;
- It is acknowledged there is a housing crisis and more homes need to be built, especially affordable homes;

- There needs to be more joined up thinking in relation to new housing development;
- The land is stated as Green Belt on my deeds and so should be prevented from being built on;
- Should build on derelict land before greenfield, there are plenty of alternative sites within the local area;
- My garden is shorter than previously built council houses;
- There are no separate footpath/cycle paths within the development, segregating vehicles and pedestrians on any of the development;
- There should be a pavement along the whole frontage of the site along Dale Lane;
- The parking spaces are not big enough;
- The site should include a small park as the nearest one is at the top of Sherwood Avenue, which is very steep;
- With 200 dwellings built down Blidworth Lane and 81 houses built on the Meadows, some of which have not yet been sold – is there any need for anymore? These issues are not addressed in the Transport Statement;
- The development is too dense and above the number stated in the policy;
- Parking at the local shops is horrendous;
- Anti-social driving, speeding, road noise and pollution are also primary concerns, that would be exacerbated by the development and are not mitigated in anyway;
- Will increase the risk of accidents at Dale Lane/Rufford Road junction;
- Will cause even more damage to the road surface that is not being repaired;
- At certain times of day the roads in the village become gridlocked with traffic without this development;
- Traffic problems and disturbance/disruption during the construction period;
- Dangerous blind corner pre-entrance to the development;
- It would destroy habitats of hedgehogs, foxes, hares, mice and red kites in the field, as well as more importantly insects and micro-organisms;
- The proposed design would cause a net loss of ecological value;
- Loss of important trees, hedge and other vegetation, destroying traditional field patterns and diminishing the local equestrian culture of the village;
- Apart from the trees none of the planting plans is native or wildlife friendly;
- Tree are drawn smaller than the real eventual size, eg oaks can mature to more than 8m of spread, whereas all trees are drawn with 3 or 4m spread;
- Mixed meadow and wet grasslands would need annual maintenance to ensure genuine ecological value;
- Hedgerows are drawn 1m wide, and made up only of beech. Hedges needs a mix of species and be at least 1.5m wide to have any genuine wildlife value;
- The loss of native hedgerow along the northern boundary to allow the access and footpath to the development reduces value of this existing habitat;
- The Ecological Appraisal is provided by the same company as the planting and landscaping design, which amounts to a conflict of interest given the commercial benefit to minimise ecological objections;
- Will have an adverse visual impact on the local landscape;
- The local vernacular is 1930s red brick and Mansfield stone up in the old part of the village, the proposed layout, design and cladding does not compliment but jars against the appearance of the village;
- Designs are over-bearing and out of scale and out of character, due to over

- development and over-crowding on the site;
- Its changing the village into a town;
- Flood risk is a concern due to the additional surface water run-off;
- The corner of Dale Lane and Bulker Lane floods regularly causing road safety and sewerage smell issues for residents;
- Residents are fed up with sewerage running down Dale Lane;
- I have witnessed over 2ft of water funnelling through the middle of this site from the surrounding fields;
- The development will cause flooding at the top part of Beech Grove and lower part of Dale Lane;
- Flooding was cited in a number of objections on the previous application rejected in 2013 (10/01648/OUTM) and there has been no material change;
- The sewers are not big enough to support the properties already in place;
- The site accommodates an aquifer but no account is given of how the risk of pollution to the ground water will be controlled or mitigated;
- Loss of privacy to houses adjoining the development;
- The land is full of sink holes and the land is unstable for development;
- I have had an amazing view for the last 30 years, which would be lost;
- It will de-value properties so who will reimburse this?

8.0 Comments of the Business Manager – Planning Development

8.1 The key issues are:

- Principle of Development
- Housing Type, Mix and Density
- Impact on Land Use and Character
- Impact of Design and Layout
- Impact on Residential Amenity
- Impact on Highway Safety
- Impact on Flooding and Drainage
- Impact on Ecology and Trees
- Impact on Archaeology
- Other Matters
- Development Contributions

8.2 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

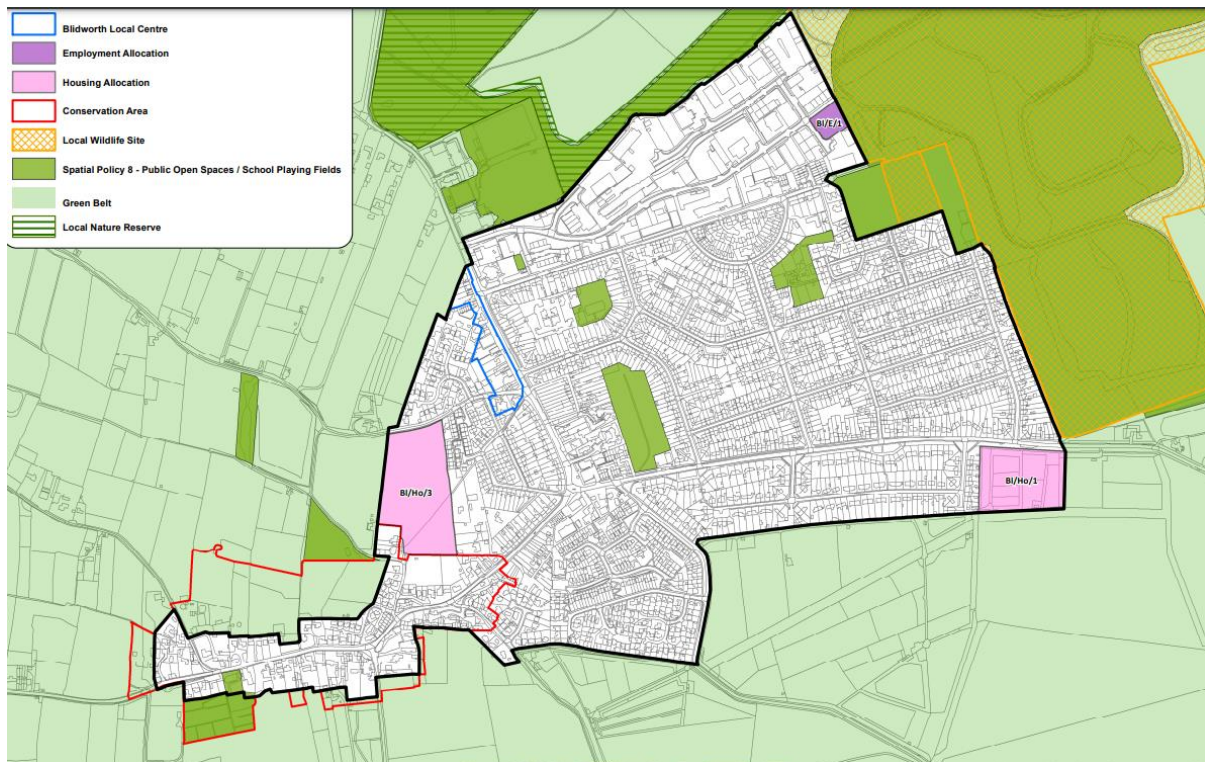
- 8.3 Spatial Policies 1 (Settlement Hierarchy) and 2 (Spatial Distribution of Growth) of the adopted Amended Core Strategy, identify Blidworth as a Principal Village where the focus, as a sustainable settlement, is for housing and employment growth. Blidworth is expected to accommodate 20% of housing service centre growth over the development plan period. The majority of the site is located within the defined Urban Boundary of Blidworth as identified on the proposal map in the Allocations and Development Management DPD, however there are narrow strips along the southern and eastern boundaries of the site that extend into the designated Green Belt. The majority of the site forms part of an allocation for housing development under policy Bl/Ho/1 (Blidworth- Housing Site 1). The policy states the land has been allocated for residential development providing around 55 dwellings and as a consequence, the site is no longer part of the Nottingham-Derby Green Belt.
- 8.4 Spatial Policy 5 (Delivering the Strategy) states that to ensure the housing and employment needs of the District are delivered over the plan period, sufficient sites have been allocated to more than meet the requirements. Over the plan period, the supporting text to this policy anticipates that development of additional housing and employment will occur in sustainable locations across the District.
- 8.5 Policy DM1 (Development within Settlements Central to Delivering the Spatial Strategy) of the Allocations & Development Management Development Plan Document (DPD) refers to proposals being supported for housing within the Village Envelopes of the Principal Villages that are appropriate to the size and location of the settlement, its status in the settlement hierarchy and in accordance with the Core Strategy and other relevant Development Plan Documents.
- 8.6 The site allocation Policy Bl/Ho/1 is being proposed to be carried through as part of the Amended Allocations & Development Management DPD. No objections have been received in relation to the new wording of the policy within the Review. As such the Review Policy can be afforded weight.
- 8.7 The emerging policy is set out below with the proposed changes to the current adopted policy showing wording proposed to be removed 'struck through' and new wording proposed to be inserted in red:

"Land at Dale Lane has been allocated on the Policies Map for residential development providing around 55 dwellings. ~~Consequently, the site is no longer part of the Nottingham-Derby Green Belt.~~

In addition to the general policy requirements in the Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites and Policy DM3 Developer Contributions, development on this site will be subject to the following:

- *The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas of the existing drainage regime.*

- *That as this allocation is within 400m of Sherwood Forest ppSPA, and the risk based approach set out in DM7 Biodiversity and Green Infrastructure should be followed.*
- *Appropriate design which addresses the site's gateway location and manages the transition into the main built up area. To support this approach landscape buffering will be required along the eastern edge of the allocation; and*
- *Pre-determination archaeological evaluation submitted as part of any planning application and post-determination mitigation measures secured by condition on any planning consent are likely to be required."*



Extract of Inset Map from Allocations and Development Management Plan Review

- 8.8 Whilst the concerns of the Parish Council and local residents are noted and acknowledged in relation to the provision of further housing on this site, the majority of it is in fact allocated for housing in the Allocations and Development Plan and has been since 2013. As such, the principle of housing development on this site has already been considered at the plan making stage and found to be acceptable and this application therefore accords with the adopted Development Plan.
- 8.9 The only parts of the red line application site beyond the boundaries of the allocated site are narrow edges along the southern and eastern boundaries. The submitted plan shows that these areas are to be used for new tree and hedgerow planting to buffer the impact of the development on the surrounding open green fields to the south (10m deep) and east (7m deep), in accordance with policy BI/Ho/1. New planting does not represent development and therefore there would be no policy justification to object in Green Belt terms. This does not undermine the purpose and function of the Green Belt. Indeed the buffer planting is important along these boundaries to soften

the built form from the open landscape and Green Belt and could be secured by condition.

Housing Type, Mix and Density

- 8.9 Core Policy 3 (Housing Mix, Type and Density) sets out that densities in all housing developments shall normally be no lower than 30 dwelling per hectare. The overall site area comprises 1.96ha. Based on this figure, a scheme of 62 dwellings would create a site density of around 31 dwellings per hectare. This quantum of development therefore complies with these density requirements.
- 8.10 In terms of the mix of units, Core Policy 3 sets out that the District Council will seek to secure a housing development which adequately addresses the housing need of the District, namely family housing of 3 bedrooms or more, small houses of 2 beds or less and housing for the elderly and disabled population. It goes on to say that the Council will seek to secure an appropriate mix of housing to reflect local housing need and reflect the local circumstances of the site which may include viability considerations.
- 8.11 The proposal seeks permission to provide a 100% affordable housing scheme. The Housing Needs Study and Sub Area Summaries 2020 for the Mansfield Fringe Area set out that the overall housing mix for affordable dwellings required in this area is:

House Type	Affordable Rent (homes needed per annum)	Shared Ownership (Homes needed per annum)	Proposed Scheme	
			AR	SO
1-2 bed house	23	15	20	2
3 bed house	9	6	6	16
1 bed flat	3	2	16	-
1 bed bungalow	5	3	2	-
2 bed bungalow	10	7	-	-
3 bed + bungalow	4	3	-	-

- 8.12 It appears from the table above that the proposed scheme is providing an excess of 1 bed flats and 3-bed houses and not enough 2 bed bungalows compared to the Housing Needs Survey published in 2020. Having said that, the Council’s Strategic Housing Officer has confirmed that they are happy to support the proposal as it will support the level of need identified in the Housing Needs Survey and on the Council’s housing register. It is also considered that as the applicant is Nottingham Community Housing Association, they are highly unlikely to want to build a development that would not be occupied and therefore to a certain extent, greater weight is given to these two local experts in affordable housing who know the current market well. On this basis then, the mix is not considered to be fatal to the scheme to warrant refusal of permission. The dimensions of all units are above the national described space standards minimums (best practice).
- 8.13 Paragraph 66 of the NPPF sets out that planning decisions for major development involving the provision housing should expect at least 10% of the total number of homes to be available for affordable home ownership. Exemptions to this 10%

requirement is made for development that is exclusively for affordable housing as in this case.

- 8.14 In relation to affordable housing, Core Policy 1 seeks to secure 30% of all qualifying new housing development as affordable housing. The submitted Heads of Terms for the S106 agreement indicate that 100% affordable housing is proposed. The policy states the split between Affordable Rent and Shared ownership should be split into the proportion of 60%/40%. This scheme has a split of 70%/30%, with the majority being for affordable rent. Again, although this does not strictly comply with the split set out in Core Policy 3, weight is given to the Council's Strategic Housing Officer and the proposed managers of the site Nottingham Community Housing Association that they have an up to date and greater local knowledge of the current affordable housing sector to warrant support. This is particularly so, given that we would be achieving more affordable housing overall than if it were just a policy compliant 30% offer. It is however disappointing that only two 1 bed bungalows have been provided out of the proposed 62 dwellings.
- 8.15 It is fully acknowledged that this 100% affordable scheme does not strictly comply with the Affordable Housing SPD where the preferred approach would be to provide a mixed development of affordable and market housing on the same site. However, it is also recognised that there are very high levels of affordable housing need in the Blidworth area, as in most areas of the District and it is considered that the provision of 100% affordable housing would be of considerable benefit in meeting this need. It is generally accepted that the policy compliant 30% affordable provision on market housing sites across the District in the last 5-10 years or so has not been achieved (often on viability grounds) which has led to a shortfall in affordable housing delivery. It is also acknowledged, that some may take the view that a 100% affordable development could be seen as an undesirable, over-concentration, resulting in an exclusive, homogenous tenure community, rather than a more appropriate mix of market and affordable units. However, in the overall balance, it is considered that the provision of the much needed affordable housing weighs heavily in favour of the development in this case. The provision would need to be secured within an associated legal agreement as discussed further in the relevant section below.

Impact on Land Use and Character

- 8.16 Core Policy 13 of the Core Strategy addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.
- 8.17 Paragraph 128 of the NPPF states that: 'Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limited future car use;

- d) the desirability of maintaining an area's prevailing character and setting... and
- e) the importance of securing well designed and beautiful attractive and healthy places.

- 8.18 Whilst the NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed; the NPPF does not promote a sequential approach to land use and there is no presumption that greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land.
- 8.19 Paragraph 180 of the NPPF indicates that local planning authorities should take into account economic and other benefits of the best and most versatile agricultural land. The loss of the land from agricultural land has already been accepted in principle through the site allocation process. It would therefore be inappropriate to resist the current application on this basis.
- 8.20 The District Council has undertaken a Landscape Character Assessment (LCA) to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for assessing the varied landscape within the District and contains information about the character, condition and sensitivity of the landscape. The LCA has recognised a series of Policy Zones across the 5 Landscape Character types represented across the District.
- 8.21 The application site is within the Blidworth and Rainworth Wooded Estate lands Policy Zone 18 where the landscape condition and sensitivity are both defined as moderate. In terms of built features, the landscape actions are to conserve the sparsely settled character of the area by concentrating any new development around the existing urban fringe of Blidworth village and maintaining existing field boundaries. It is also to create by adding new woodland planting, which would be secured along the southern and eastern boundaries to some extent. The application site is within the village envelope for Blidworth as defined through the Allocations Map and thus the proposal would meet the aspirations of the LCA.
- 8.22 There is no doubt that a scheme for residential development as proposed would alter the existing character of the site, a matter which was indisputable in its allocation for residential development. The development would necessitate not only the built form of the dwellings, but also internal infrastructure such as the road network and boundary treatments between the dwellings and on the boundaries of the site itself. The development proposed on the other hand would introduce the rear elevations of two storey dwellings to the settlement edge. However, having considered the specifics of the site surroundings it is not considered that this would be necessarily fatal in landscape character terms. Specifically, the site is immediately adjacent to residential curtilages to the north which offer similar relationships with the boundary of the Green Belt.

- 8.23 Overall, and indeed in line with the site allocation, Officers have not identified the proposal to be detrimental to landscape character in itself. The proposal is therefore compliant with Core Policy 13. The impacts of the design and layout of the proposal in terms of the internal intricate arrangements are discussed in further detail below.

Impact of Design and Layout

- 8.24 Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 (Design) 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.
- 8.25 The site would be adjacent to existing housing development to the west from properties fronting Beech Grove and to the north by properties fronting Dale Lane, with the adjacent land to the east and south remaining open fields and designated as Green Belt. The land slopes upwards away from Dale Lane and with the open land to the east, and so the proposed development could be a prominent visual feature. However, the properties are limited to two storey only and in line with the allocation policy, landscape buffers are proposed along the eastern and southern boundaries which would assist in softening the transition from the rural setting in the east and south into the main built up area of the village, with the setting of the Green Belt beyond.
- 8.26 Matters of layout and design were raised as a cause for concern in respect to the original scheme for 73 units, including streets dominated by rows and rows of car parking. Many of those concerns the applicant has attempted to address through revised plans. However, matters that remain an issue include the fact that the dwellings adjacent to the Dale Lane frontage have their backs to the main road instead of facing it, which can be considered poor design. However the tree belt along the frontage of Dale Lane would be retained (apart from one) offering a moderate level of screening in mitigation. The regimented road layout and rows of two storey semi-detached properties with simple forms, would largely reflect the layout of colliery housing, which represent a Non-Designated Heritage Asset. The lack of street trees set out in proper grassed verges (in public rather than private owned land) along the main thoroughfares is also disappointing. The applicant's response to this request is that the soft landscaping on the site would be managed by Nottingham Community Housing Association. As such, the occupiers of the development would be prevented from removing any trees and they would be appropriately retained and maintained by the Housing Association staff only. On this basis, it was considered that there would be a much greater degree of control over and above that which would arise in an open market type development.
- 8.27 The overall design approach is modern in interpretation but with a reflection of the traditional colliery housing, which is as to be expected from a regional housebuilder on a scheme of this size. Street scenes have been submitted which do show there would be a rhythm of similar sized blocks. Overall, officers do not intend to be overly prescriptive on matters of design. The revisions submitted during the life of the

application have taken on board some of the comments of Officers and Consultees and made meaningful improvements to the overall design approach of the proposal. Whilst there are still small areas of compromise, these are considered acceptable in the context of a major development of this size and would not in their own right justify refusal of the application.

Impact on Residential Amenity

- 8.28 Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. The NPPF seeks to secure high standard of amenity for all existing and future users of land and buildings.
- 8.29 Some local residents have commented on the proposal resulting in a loss of a view out onto green fields, however, this is not a material planning consideration that can be given any weight in reaching a planning decision on this case. Loss of privacy is material. It is noted that the nearest dwellings to the proposed development are those along the western boundary which front Beech Grove and back onto the application site. Their closest distance between the rear elevation of those existing two storey properties and the rear elevation of two storey proposed properties that back onto this boundary is 22.5m. However, the general slope of the land is likely to result in the proposed houses being set at a lower level than the existing fronting Beech Grove. Plot 35 is much closer to this common boundary (2.5m) but this is a bungalow and it is not set directly to the rear of any Beech Grove house. The distance between the nearest two storey flats (Plots 1 and 2) and the two storey houses fronting Dale Lane is 30m.
- 8.30 These sorts of relationships are not uncommon between houses and it is not considered sufficient to represent any unacceptable loss of privacy, light or overbearing impact.
- 8.31 Other matters raised by local residents relate to noise and disturbance from the additional vehicles accessing the development. Whilst it is accepted that the development would result in an increase of traffic and therefore its associated noise, it is not considered that the level of noise is likely to increase to an unacceptable level as a result of this development.
- 8.32 The living environment presented by the scheme for future occupiers is considered to be satisfactory. Overall, the amenity impacts are considered acceptable against the provision of Policy DM5.

Impact on Highway Safety

- 8.33 Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision. In addition, the Council has adopted a Supplementary Planning Document (SPD) to guide the design and quantum of new residential development.

- 8.34 Nottinghamshire County Council as the Highway Authority (NCC HA) initially raised a number of objections to the scheme due to various highway safety issues, mostly connected to access works on the highway and internal layout. Through amendments (several iterations) these are finally resolved and the Highway Authority have removed their objection to the scheme. They remain concerned that the turning heads will end up being used for parking and the fact that previous indications were that agricultural access adjacent to Plots 48 and 62 may be used, however, these matters can both be controlled by conditions.
- 8.35 A number of conditions are recommended by NCC HA, most of which are reasonable and necessary and have been included in the list of recommended conditions. A condition is recommended to deal with surface water disposal from the drives and parking areas (which must be hard bound) to prevent it from running onto the public highway. It is also noted that a condition is requested to require each dwelling to be fitted with electric vehicle fast charging points. This is also a matter encouraged by the Council's SPD. However, building regulations now require all new dwellings to have these for each associated parking space and it is therefore not appropriate to duplicate these controls. The condition is therefore not reasonable as it is covered by other legislation and is not imposed.

Parking

- 8.36 Building for a Healthy Life (design guidance) acknowledges that well designed development will make it more attractive for people to choose to walk or cycle for short trips. Parking should also be sufficient and well-integrated. With regards to the latter, the Council has adopted a supplementary planning document (SPD) for cycle and car parking standards which sets a number of expectations on design and quantum for residential developments.
- 8.37 For Bildworth, the quantum of car parking spaces required (as a minimum) per dwelling would be as follows to meet the requirements of the published Parking SPD:

1 bed	1 space
2 bed	2 spaces
3 or more beds	3 spaces

- 8.38 Visitor parking is only required where the minimum number of spaces has not been met. Parking spaces are expected to meet the minimum dimensions set out in the SPD including garages where they are relied upon for parking. Secure undercover cycle is also expected at a minimum rate of 1 space per 1 bedroom dwelling, 2 spaces for 2 or 3 bedroom dwellings.
- 8.39 No garages are proposed within the development at all and so timber sheds are provided for each dwelling within private gardens for secure cycle storage.

- 8.40 The layout relies on a variety of parking solutions including frontage parking and parking to the sides in tandem. No triple tandem parking is proposed. The parking is legible and generally well related to each dwelling they are intended to serve. In addition, 4 visitor spaces are proposed adjacent to Plot 49 and 2 on front of Plots 19 and 20. It is therefore considered that the parking quantum is acceptable.
- 8.41 Subject to appropriate conditions, set out within Section 11 below, the proposal would not result in unacceptable impacts in terms of highway safety and would accord with Spatial Policy 7 and Policy DM5 and the associated SPD.

Impact on Flooding and Drainage

- 8.42 Core Policy 9 requires new development proposals to pro-actively manage surface water. The land is classified as being within Flood Zone 1 and as such it is not at risk from main river flooding. However, according to the Environment Agency maps there is a section of the site at high risk of surface water flooding. The size and nature of the development nevertheless warranted the submission of a Flood Risk Assessment (FRA).
- 8.43 The submitted Flood Risk Assessment identifies the majority of the site is at very low risk of surface water flooding but that there is a risk ranging from low to high, indicating a flow route through the north of the site. This surface water flood flow appears to follow the course of Dale Lane, running in an easterly direction before entering the site at the north-western corner and existing to the north-east corner before returning to the highway as Dale Lane turns into Baulker Lane.
- 8.44 The surface water mapping suggests a low spot between Dale Lane and the site which allows surface water to enter the site and run between a raised verge and higher ground within the site. However, the topographical survey of the site shows the site is consistently at a higher level than the adjacent highway. As such, should surface water flooding occur, it is likely that this would be contained on Dale Lane rather than entering the site. This modelling does not account for the presence of sewers and culverted watercourses, in particular the 370-450mm diameter combined sewer and 675mm diameter surface water sewer which are likely to convey much of the indicated surface water. Therefore the FRA concludes site is considered to be at very low risk of surface water flooding.
- 8.45 In relation to the implications of climate change for surface water drainage, the upper end allowance of 40% is applied to design rainfall intensity to allow for potential implications of climate change.
- 8.46 The local sewers are operated and maintained by Severn Trent Water and there are no public sewers within the site boundary. There are however, a number of public combined sewers in close proximity, at Beech Grove to the west and Dale Lane to the north, the latter comprising 370-450mm diameter public combined sewer running from west to east, a 225mm diameter combined rising main running alongside in the opposite direction and a 675mm diameter public surface water sewer running from west to east. The Assessment identifies the sewers in Dale Lane to present the most significant risk to the site, however with ground levels on site falling towards Dale

Lane, the site would unlikely be affected from flooding from these sewers should such an event occur and STW have not raised any concerns regarding existing flood issues or capacity problems.

- 8.47 There are no canals or other manmade watercourses within close proximity of the site and it is not near any reservoirs or wet process industrial works. The report concludes that the sewers and infrastructure flood risk source can therefore be discounted as a significant source of flood risk to the site. The FRA states the site is not at risk of flooding from ground water or tidal sources.
- 8.48 Severn Trent Water have made comments on the application and they state that foul is proposed to connect into the public combined sewer, which will require a formal section 106 sewer connection approval. Surface water is proposed to connect into the public surface water sewer, which will also be subject to a formal section 106 (of the Water Industry Act 1991) sewer connection approval.
- 8.49 Further comments from Severn Trent are summarised in the consultation section above, but they conclude that no surface water is to enter the foul or combined water system by any means. They state that a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.
- 8.50 The proposal has been assessed by NCC as the Lead Local Flood Authority with their comments listed in full in the consultation section above. They raise no objection to dealing with any surface water disposal through the imposition of a condition. There is therefore no justifiable reason to resist the application on flood or drainage grounds.
- 8.51 Subject to conditions, it is considered that the surface water disposal can be adequately controlled through condition and the proposed development would need to be able to deal with any surface water that comes onto their site without passing it on and increasing flood risk elsewhere. In this regard the proposal would comply with Core Policy 9 of the Amended Core Strategy.

Impact on Ecology and Trees

- 8.52 Core Policy 12 states that the District Council will:
“Expect proposals to take into account the need for continued protection of the District’s ecological, biological and geological assets. With particular regard to sites of international, national and local significance, Ancient Woodlands and species and habitats of principal importance identified in Section 41 of the Natural Environment and Rural Communities Act 2006 and in the Nottinghamshire Local Biodiversity Action Plan;
Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and

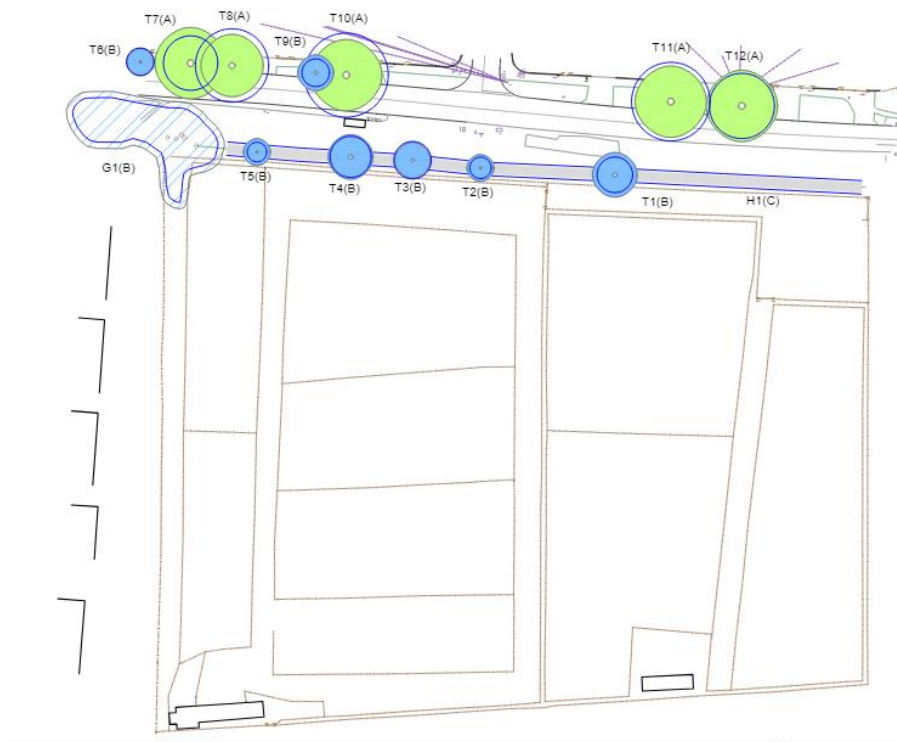
access to, green infrastructure within the District;...”

- 8.53 Paragraph 180 of the NPPF states:
“Planning policies and decisions should contribute to and enhance the natural and local environment by:...
- ...a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - ...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- 8.54 Paragraph 186 states:
“When determining planning applications, local planning authorities should apply the following principles:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;”
- 8.55 The submitted Ecological Appraisal supports the proposed application and assesses the potential ecological impacts of the proposed development.
- 8.56 The assessment has concluded that there would be no impact on any site afforded either a statutory or non-statutory designation because of biodiversity interest and the Council’s Lead Biodiversity and Ecology Officer concurs with this conclusion.
- 8.57 The grassland forming most of the application site is species-poor with ruderal species and is of low biodiversity value. The single hedgerow within the site meets the criteria for ‘hedgerow’ habitat of principal importance, although this is being formed by a single species and some loss will occur to facilitate access into the site. As such, some loss would not be a significant impact and can be mitigated by utilising native species in the landscaping scheme and creation of wildflower areas in the Public Open Space. The hedge along the north boundary would just be beech and the one along the eastern boundary would just be hawthorn. The Council’s Ecologist considers this is a missed opportunity to create hedgerow of a higher biodiversity value by using more diverse planting mixes.
- 8.58 The assessment has identified the following potential impacts on protected and/or notable species.
- 8.59 Bats: There would be potential impacts on foraging and commuting bats from increased lighting on the hedgerow along Dale Lane and removal of short sections. Proposed mitigation would be a sensitive lighting scheme and the creation of ‘hop-overs’ which are both appropriate and proportionate. ‘Hop-overs’ are formed by the use of heavy standard trees at the edges of the gaps in the hedgerow. However, these again are not reflected in the landscaping scheme submitted.

- 8.60 Birds: The habitats present form limited suitable habitat for a range of common and widespread species and consequently loss of this habitat would be mitigated by the proposed landscaping within the areas of Public Open Space. In addition, the gardens of the proposed dwellings will likely provide more foraging and nesting opportunities than currently available. Any clearance within the bird nesting period (March to September inclusive) should involve a pre-clearance check by a suitably experienced ecologist.
- 8.61 Reptiles: the site contains limited suitable habitat for reptiles and as such no survey was undertaken. However common lizard has been identified close to the site in the past and a proposed method of working vegetation removal has been proposed which is acceptable and required.
- 8.62 Potential enhancements for bats and birds have been recommended in the form of boxes which would be integrated within some of the proposed dwellings, which can be conditioned.
- 8.63 The Council's Biodiversity and Ecology Officer has advised that there would be no significant harm to biodiversity and the mitigation measures proposed are both appropriate and proportionate. The proposed soft landscaping and the development gardens are likely to represent a net gain for biodiversity given the poor existing grassland and therefore the proposals are in accordance with the requirements of the NPPF and CP12, subject to the three conditions requiring a Construction Environmental Management Plan (CEMP – to secure mitigation measures for reptiles and breeding birds) to be submitted, details of bird and bat boxes and details of external lighting.
- 8.64 Given the comments made regarding the submitted soft landscaping scheme, it is recommended that the submitted landscaping schemes not be approved and that new proposals be required to be submitted.
- 8.65 The submitted desk top study has failed to identify the fact that the application site is within an area concerned with the possible future classification of parts of Sherwood Forest as a Special Protection Area. Currently no formal consultations have been started which would then classify the area as a potential Special Protection Area (pSPA), so this area is referred to as a possible, potential SPA (ppSPA). There continues to be uncertainty about the future classification of a SPA within the Sherwood Forest area, but a possibility of there being a recommendation for classification in the future. Therefore, Natural England have recommended a precautionary approach in the interim when Local Plans are made and planning decisions made. This advice is set out in their Advice Note, which states that:
- “...LPAs [should] seek to ensure that plans and proposals are accompanied by an additional and robust assessment of the likely impacts arising from breeding nightjar and woodlark in the Sherwood Forest Area.”
- This advice is then expanded further, “We also advise that LPAs should seek to satisfy themselves that planning applications contain sufficient objective information to ensure that all potential impacts on the breeding nightjar and woodlark populations

have been adequately avoided or minimised as far as is possible using appropriate measures and safeguards.”

- 8.66 Although there is no formal boundary of any future SPA, the Advice Note includes a plan showing Natural England’s Indicative Core Areas (ICA) for breeding nightjar and woodlark, the RSPB Important Bird Area (IBA) boundary and a 5km buffer around the IBA. The desktop study has failed to identify that the site is located ca. 330m to the west of one of the ICAs and is within the IBA 5km buffer. Consequently, there has been no consideration of the ppSPA in the assessment.
- 8.67 The ppSPA is a material consideration within the planning process, despite the lack of assessment undertaken. However, the Council’s Biodiversity and Ecologist has advised that given the habitats present, and its proximity to existing residential development forming part of Blidworth, they are confident that the site would not be suitable to support breeding nightjar or woodlark.
- 8.68 It must be acknowledged that the site has been allocated for residential development for around 55 dwellings. As part of the plan making process, the LPA were required to undertake appropriate habitat assessments (including consideration of cumulative impacts) which would have included consideration of this site. There is therefore no requirement to proceed to take an appropriate assessment (under the HRA regulations) for this specific application.
- 8.69 Policy DM5 states that in accordance with Core Policy 12, natural features of importance should, wherever possible, be protected and enhanced. A Tree Survey has been submitted which identifies that the most visually prominent trees as existing are long the northern boundary with Dale Lane. The Tree Survey identifies these existing trees as Category B. However, the Council’s Tree and Landscape officer considers that the Trees are Category A trees and worthy of a Tree Preservation Order. The Tree Survey identifies that only one of these trees needs to be lost as a result of the proposed development as it would be located in the middle of the proposed access road into the site. The plan below shows the existing trees with Category B trees in blue and Category A trees in green. So T1 (English Oak), the easternmost blue tree would be lost to allow for the access road.



8.70 T2 and T3 are Field Maples with T4 and T5 English Oak. G1 at the western end is a group of Wild Cherry trees, multi-stemmed from the base and it is proposed to remove two of the Wild Cherry trees, but this would not result in any detrimental impact on the G1 grouping. The hedgerow (H1) is intended to be retained save for the removal required to facilitate the site access. In response to the Council's Tree and Landscape Officer's concern about the loss of T1, the agent has submitted justification as to why the access point cannot be moved from its current position and it relates to the new location of the east-bound bus stop given the number of existing trees and access driveways on the opposite side of Dale Lane. Having fixed the bus stop position, the new pedestrian refuges requested by the Highway Authority had to be located in a safe position. The highway splitters areas had to be designed to not impinge on the proposed access point or impinge too greatly on existing road /driveway access points to the north side of Dale Lane. To seek to keep T1 and move the access point further east, it would result in vehicles leaving the site and turning eastwards having to potentially manoeuvre directly behind a stationary bus or cross a hatched splitter area. Either way this would not be satisfactory in highway safety terms. As a compensation for the loss of T1, the agent has agreed to place 2no. heavy standard Oaks within the new trees to the north side of the Public Open Space along the Dale Road frontage, which is allowed for in the latest Landscape Plans. This is considered to be acceptable compensation for the necessary tree removal.

8.71 The Council's Tree and Landscape Officer has also raised concerns regarding the impact that T2 and T3 trees along the site frontage would have on the plots sitting adjacent to the northern boundary. The concern is that these trees are young specimens currently but when they grow, the branches of the trees will grow out over the rear gardens of these properties and it would result in pressure to remove the trees. In response, the agent say they disagree and state that as the trees are set to

the north of the proposed properties, they would not have any over-shadowing effect on the garden space. The built properties would not impact on the Root Protection Areas of these trees. Furthermore, they state it is subjective to try and predict what the spread of these trees will likely have at full maturity. The trees sit within a strip of land to be dedicated to the maintenance of Nottingham Community Housing Association and would therefore be maintained accordingly.

- 8.72 The agent acknowledges that that the units in the far north-west corner, would have an impact on the Root Protection Area of the T5 Oak tree. Therefore, the design was amended and the bungalows were moved 90 degrees to face Dale Lane, which has reduce the impact on the oak (T5) but would result in the loss of two of the Wild Cherry trees in G1, however, it would not result in any material impact on the group.
- 8.73 Amendments have been made to the Soft Landscaping Details. It proposes 71 new trees within the development, all Heavy Standard as a minimum. They have also altered the species that do not give off sap or residue. The trees are ornamental trees, due to it not being a large development but also due to the highly permeable soils present in the ground.
- 8.74 Whilst I acknowledge the views of the Tree and Landscape Officer, in this case it is considered that the loss of T1 is regrettable but necessary to form a safe access. It would be pragmatic and appropriate to ensure it is replaced with two heavy standard trees. It is also considered that the other tree impacts are acceptable and can be mitigated through new soft heavy standard planting as part of the scheme. To conclude, tree replacements would be secured by condition within the soft Landscaping proposals which would ensure the development is appropriately mitigated and compliant with Policy DM5.

Impact on Archaeology

- 8.75 Core Policy 14 relates to the historic environment and states that the District has a rich and distinctive historic environment and that the Council seeks, 'the continued preservation and enhancement of the character, appearance and setting of the Districts heritage assets and historic environment....including archaeological sites...'
- 8.76 Policy BI/Ho/1 requires the investigation of potential archaeology on the site and any necessary post determination mitigation measures. An Archaeological Desk-Based Assessment has been submitted. The Council's Archaeological Consultant has raised no objection to the proposed development but subject to a condition for a mitigation strategy, including a phased approach to investigation followed by mitigation work, should it be necessary. The standard archaeological condition should therefore be imposed on any planning permission granted.

Other Matters

- 8.77 Community Infrastructure Levy (CIL)** - The site is located within Housing Low Zone 1 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such residential development in this area is rated at £0m² for CIL purposes.

8.78 Biodiversity Net Gain (BNG) – In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development. However, there are some developments that are exempt from the BNG such as the application was submitted prior to the legislation coming into force.

Developer Contributions

8.79 Spatial Policy 6, Policy DM2 and Policy DM3 set out the approach for delivering the infrastructure necessary to support growth. This states that infrastructure will be provided through a combination of the Community Infrastructure Levy, developer contributions and planning obligations and where appropriate funding assistance from the District Council. It is critical that the detailed infrastructure needs arising from development proposals are identified and that an appropriate level of provision is provided in response to this. The Developer Contributions and Planning Obligations SPD provides the methodology for the delivery of appropriate infrastructure. The following contributions are appropriate to this scheme (policy position set out and the provision achieved follows) and would be secured by way of a section 106 planning obligation.

	Contribution Based on 62 Dwellings (all index linked)		
Affordable Housing	<p>Policy Requirement: 30% on site provision (60% social/affordable rent; 40% shared ownership)</p> <p>Proposed: 100% affordable housing (70% social rent; 30% shared ownership)</p>		
Open Space / Children's Play Area/Outdoor Sports Facilities	<p>Policy Requirement: On site provision & maintenance of amenity green spaces and for children and young people including:</p> <p>Provision of Amenity Green Space 14.4 sqm per dwelling = 892.8 sqm (Policy Requirement 892.8 sqm).</p> <p>Provision for children and young people 18 sqm per 2 bed and above dwellings = 792 sqm (Policy Requirement 792 sqm).</p> <p>Total required: 892.8 + 792 = 1,684.8sqm Total provision in the north-east corner of the site: 2,884.61sqm</p> <p>Natural and Semi-natural Green Space (Policy Requirement 10 hectares per 1000 population or commuted sum in lieu of provision of no existing facility within 300m of site) Proposal: Boundary Wood is within 100m of the development site and therefore satisfies the requirement</p> <p>Long term maintenance of the on-site public open space will be undertaken by Nottingham Community Housing Association.</p>		
Education	None required		
Community Facilities	Off-site community facilities contribution £1,384.07 x 62 = £85,812.34 + indexation		
Libraries	£2,190 towards library stock		
NHS/Health (for 65+ dwellings)	Development is less than trigger of 65 houses - No contribution required.		
Monitoring Fees (sums for each phased payment / monitoring event, if applicable)	Financial Obligation	Community Facilities	£390
		Libraries	£390
	Physical Obligation	Affordable Housing	£595
		Open Space	£595
		Transport	£595

- 8.80 The developers have confirmed that the scheme would be fully policy compliant in terms of the required Developer Contributions that could be secured through a S106 agreement.
- 8.81 Concerns have been expressed by the Parish Council and local residents that the development will put increased pressure on services that are already under significant pressure. Nottinghamshire County Council have confirmed that there are sufficient existing education places at primary school level to accommodate the children that would live at the proposed development. The secondary and post 16 education contribution requested by Nottinghamshire County Council has not been included above as this is covered by Community Infrastructure Levy contributions. Should planning permission be granted, financial contributions necessary to support occupiers of the development in terms of libraries and community facilities as set out above, would be secured through an obligation. No health contribution could be secured because the number of units has now fallen below the 65 trigger point.

9.0 Implications

- 9.1 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.

10.0 Conclusion

- 10.1 The proposal relates to an allocated site in the settlement of Blidworth which is considered sustainable in principle. There is no doubt from the level of neighbour representations received that the site is highly contentious in the local community and all comments received have been carefully considered.
- 10.2 The applicant has accepted a willingness to provide the contributions requested in all aspects which would be secured by an associated legal agreement. The applicant has taken on board some comments of Officers and consultees during the life of the application through the submitted revised plans. The revisions made during the life of the application are an improvement in comparison to the original scheme presented for 73 units.
- 10.3 Taking all material considerations into account, Officers have attached meaningful positive weight to the housing delivery of an allocated site in a sustainable settlement for 100% affordable units. There are some compromises such as loss of trees but mitigation can be secured to deal with this. However, overall, the scheme as revised can be appropriately mitigated by conditions and therefore, despite the significant level of local objections which have been received, the recommendation is one of approval as outlined below.

11.0 RECOMMENDATION:

Approve full planning permission subject to:

- 1) The completion of a signed S106 agreement to secure the details set out in the table at paragraph 8.77 above; and**
- 2) The conditions set out below.**

Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

Notwithstanding the details submitted relating to elevation materials which are not hereby approved, no development above damp-proof course shall take place until details of all external materials 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.

Reason: In the interests of the impact on the Non-Designated Heritage Asset.

03

Notwithstanding the soft landscaping works that have been submitted that are not hereby approved, prior to first occupation of any of the dwellings hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- proposed finished ground levels or contours;
- means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.

- proposed and existing functional services above and below ground and their proximity to proposed new trees within the streets (for example, drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

Reason: In the interests of visual amenity and biodiversity.

04

The approved soft landscaping shall be completed during the first planting season following the first occupation of the 30th dwelling hereby approved. 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 next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

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

05

Prior to any landscape work being undertaken a landscape management plan, including long term objectives, management responsibilities and maintenance schedule for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out within an agreed appropriate period and thereafter properly maintained in the interests of visual amenity and biodiversity.

06

No development shall commence until an arboricultural method statement and scheme for protection of the retained trees has been agreed in writing with the Local Planning Authority. This scheme shall include

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, hard surfacing).

- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained trees/hedgerow on or adjacent to the application site.
- f. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All development shall be carried out in full accordance with the approved tree/hedgerow protection scheme. The protection measures shall be retained during the development of the site.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

07

No development shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Scheme of Investigation for a geophysical survey and trial trench evaluation and provision for further mitigation work as necessary. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (ie preservation by record, preservation in situ or a mix of these elements)
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

08

The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

09

A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced. The post-investigation assessment shall be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

010

No part of the development hereby approved shall commence until a details surface water drainage scheme based on the principles set forward by the approved BSP Flood Risk Assessment (FRA) and Drainage Strategy drawing ref: BWNS-BSP-XX-XX-D-SK-001 P03 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to any occupation of any dwelling. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS through-out the site as a primary means of surface water management and that design is in accordance with CIRClA C753 and NPPF Paragraph 169.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.
Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
No surcharge shown in a 1 in 1 year;
No flooding shown in a 1 in 30 year;
For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (eg condition, capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of the site drainage infrastructure.

- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with the NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

011

Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include:

- a) Measures to minimise the transfer of mud and deleterious material to the public highway to include wheel washing facilities for construction traffic and provision of mechanical sweeper.
- b) A layout of the construction access and compound.
- c) Details regarding parking provision for construction workers and plant on the site.

Once approved, the Construction Management Plan shall be adhered to at all times throughout the construction process.

Reason: In the interests of highway safety.

012

No works above foundation level shall be carried out until full details of the new roads have been submitted to and approved in writing by the Local Planning Authority to include as a minimum: longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals and construction specifications. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is constructed to safe and suitable standards.

013

The development shall not be occupied until the access as indicatively shown on Drawing No: DLB-MT-XX-XX-DR-C-0012 P1 has been provided.

Reason: In the interests of highway safety.

014

Each dwelling shall not be occupied until the access and parking space(s) for that dwelling have been provided in a hard bound material with measures to prevent the egress of surface water to the public highway.

Reason: To reduce the chance of delirious material and surface water being transferred to the highway.

015

No dwelling shall be occupied until an application for suitable traffic management measures to control parking in the turning heads has been made to the Highway Authority. The approved measures shall then be implemented prior to any dwelling being occupied.

Reason: To reduce the chance of obstruction on the public highway in the interests of highway safety.

016

No dwelling shall be occupied until the boundary treatments at the end of the turning heads between Plots 48 and 49 and between Plot 62 and the LEAP have been provided in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority. Only the approved boundary treatments shall be implemented within the development.

Reason: To prevent off site access by large vehicles into the land beyond in the interests of highway safety.

017

No part of the development hereby permitted shall be occupied unless or until the improvements to two bus stops have been made to the satisfaction of the Local Planning Authority, and shall include:

- a) NS0375 Sherwood Avenue – removal of current brick bus stop/shelter and foundations, provide real time bus stop poles and displays, low voltage power sources to within 1metre of the real time pole location, polycarbonate bus shelter, solar or electrical lighting, raised boarding kerbs, lowered access kerbs, enforceable bus stop clearway.
- b) NS0376 Sherwood Avenue - provide real time bus stop poles and displays, low voltage power sources to within 1metre of the real time pole location, polycarbonate bus shelter, solar or electrical lighting, raised boarding kerbs, lowered access kerbs, enforceable bus stop clearways and extended hardstands/footways.

Reason: To encourage sustainable forms of public transport and the reduction of carbon dioxide and greenhouse gases.

018

No part of the development hereby permitted shall be occupied until the details of a scheme for provision of free bus passes to residents of the development upon occupation are submitted and approved by the Local Planning Authority. The scheme should include details of the bus pass(es) including period of validity or equivalent, the area of coverage, arrangements for promoting the passes, application and monitoring arrangements. The approved scheme shall then be implemented in full in accordance with the approved details.

Reason: To encourage sustainable forms of public transport and the reduction of carbon dioxide and greenhouse gases.

019

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In the interests of protecting biodiversity during the construction period.

020

No development shall take place (including ground works, vegetation clearance) until bat box and bird nesting box plan has been submitted to and approved in writing by the Local Planning Authority. The annotated plan shall include the details of the numbers, location, type and installation details (i.e., orientation, height etc.). The annotated plan shall be fully implemented on each dwelling prior to its first occupation.

Reasons: In the interests of biodiversity.

021

No development shall take place (including ground works, vegetation clearance) until an external lighting scheme (excluding highway street lights) has been submitted to and approved in writing by the Local Planning Authority. The scheme should identify how measures have been undertaken to minimise lighting impacts on the features highlighted in the supporting Ecological Appraisal (i.e., the boundary features alongside Dale Lane, and created vegetation in the area of Public Open Space) which are likely to be utilised by foraging/commuting bats.

Reasons: in the interests of biodiversity.

022

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

- OS Location Plan (Drawing No: PL-001B);
- Proposed Site Plan – External Finishes (Drawing No: PL-005M);
- House Type 1A: 1B/2P – 48/61sq.m GIA (Drawing No: PL-010C);
- House Type 1B: 1B/2P – 48/61sq.m GIA (Drawing No: PL-011A);
- House Type 1C: 1B/2P – 48/61sq.m GIA (Drawing No: PL-012A);
- House Type 1D: 1B/2P – 48/61sq.m GIA (Drawing No: PL-013D);
- House Type 1E: 1B/2P – 48/61sq.m GIA (Drawing No: PL-014B);
- House Type 1F: 1B/2P – 48/61sq.m GIA (Drawing No: PL-015A);
- House Type 1H: 1B/2P – 48sq.m GIA (Drawing No: PL-017B);
- House Type 2A: 2B/4P – 70sq.m GIA (Drawing No: PL-020A);
- House Type 2B: 2B/4P – 70sq.m GIA (Drawing No: PL-021A);
- House Type 2C: 2B/4P – 70sq.m GIA (Drawing No: PL-022A);
- House Type 2D: 2B/4P – 70sq.m GIA (Drawing No: PL-023A);
- House Type 3A: 3B/5P – 85sq.m GIA (Drawing No: PL-030A);
- House Type 3B: 3B/5P – 85sq.m GIA (Drawing No: PL-031A);
- House Type 3C: 3B/5P – 85sq.m GIA (Drawing No: PL-032);
- House Type 3D: 3B/5P – 85sq.m GIA (Drawing No: PL-033A);

- Street Scene Elevations (1 of 2) (Drawing No: PL-150E)
- Street Scene Elevations (2 of 2) (Drawing No: PL-150G)
- Photomontage - Approach to Blidworth from Dale Lane (Jan 2024)
- Northern Boundary Position (Drawing No: PL-008)

- Tenure Plan – 62 units (Drawing No: TE-001M);
- Accommodation Schedule
- Storey Heights (Drawing No: PL-0009);
- Adoption Plan (Drawing No: PL-006D);
- Bin Collection Points (Drawing No: PL-007D);
- Proposed Play Area Layout (Scheme No: 2587rev1 Date:19/4/24);
- Design of Children’s Play Equipment (Scheme No:25870/NOT Date: 24/1/24);
- S278 General Arrangement Option 3 (Drawing No: DLB-MT-XX-XX-DR-C-0012 Rev P1);

- S38 Swept Path Analysis (Drawing No: DLB-MT-XX-XX-DR-C-0004 Rev P4).

Reason: So as to define this permission.

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) Order 2010 (as amended).

03

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe in legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

04

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewers Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will

seek to assist you in obtaining a solution which protects both the public sewer and the building.

05

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA, 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 road works.

- a) The advanced Payments Code in the Highways Act 1980 applied and under Section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the HA with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore it is recommended that the developer contact the HA as early as possible.
- b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc with which compliance will be required in the particular circumstance. It is essential that design calculations and detailed construction drawing for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.

Correspondence with the HA should be addressed to hdc.north@nottscc.gov.uk

06

In order to carry out the off-site works required, the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highway Act 1980 (as amended) and therefore land over which the applicant has no control. In order to undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant contacts the Highway Authority as early as possible. Work in the public highway will not be permitted until the Section 278 Agreement is signed by all parties.

07

The applicant should email: hdc.north@nottscc.gov.uk to commence the technical approval process, prior to submitting the related discharge of conditions application. The Highway Authority is unlikely to consider any details submitted as part of the discharge of conditions application prior to technical approval of the works being issued.

08

Planning permission is not permission to work on or from the public highway. In order to ensure all necessary licences and permission are in place you must contact licences@viaem.co.uk

09

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

010

List of Supporting Reports and Documents:

- Energy Report by Tune dated 21 March 2023;
- Ecological Appraisal by FPCR dated July 2022;
- Archaeological Desk-Based Assessment by Midland Archaeological Services dated Feb 2023 V1;
- Arboricultural Assessment Rev A by FPCR dated July 2024;
- Flood Risk Assessment & Drainage Strategy by BSP dated November 2022;
- Drainage Strategy Statement by Mortec Projects dated 1 February 2024;
- Drainage Strategy – Infiltration Basin Detail (Drawing No: DLB-MT-XX-XX-DR-C-0501 Rev P1);
- Soakaway Testing report by GeoDyne dated 14 June 2022;
- Sections through and soil logs from GeoDyne;
- Combined Phase I Desk Study & Phase II Exploratory Investigation Report by Geodyne dated October 2021;
- Transport and Accessibility Statement by Mortec Projects dated Sept 2023 (Rev 1 – Jan 2024)
- Proposed Developer Contributions (Draft Heads of Terms) dated 30.01.2024;

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/01459/FULM

