



Report to Planning Committee 13 February 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Craig Miles, Senior Planner x5865

Report Summary			
Application No.	22/01528/RMAM		
Proposal	Application for reserved matters approval comprising the erection of 207 dwellings including relevant demolition, landscaping and car parking, with new pavilion sports pitches, associated landscaping and associated car parking pursuant to outline planning permission 22/00426/S73M; (redevelopment of parts of the Yorke Drive Estate)		
Location	Land at Yorke Drive and Lincoln Road Playing Field, Lincoln Road, Newark on Trent		
Applicant	Lovell Partnership and Newark & Sherwood District Council	Agent	Pegasus Group Pavilion Court Green Lane Garforth Leeds LS25 2AF
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RFZUVTLB04M00		
Registered	03.08.2022	Target Date	31.01.2023
Recommendation	That planning permission is approved subject to the conditions at Section 10.0 of the report		

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation due to Newark and Sherwood District Council being the Applicant.

1.0 Background

1.1 This application relates to the regeneration scheme of Yorke Drive, Newark, which primarily involves the redevelopment and reprovision of housing and playing fields. The purpose of this report is to consider the remaining reserved matters (including siting, layout, landscaping, and design) associated with outline planning permission

previously granted. The original outline application provided permission in principle for up to 320 new dwellings and for the site to be accessed from Lincoln Road in November 2019. This included an illustrative masterplan, phasing plan and parameter plan detailing areas of the site that would be development.

- 1.2 After the outline application was approved, a separate application was made (Ref: 20/02484/S73M) to amend the original outline consent. The main change included 'swapping' the developable area onto the existing playing field from the north-east part of the site to the south east part of the site. This was to move proposed dwellings further away from Brunel Drive industrial estate given significant noise mitigation that would be otherwise required in the original location. The consideration of this reserved matters application is therefore made pursuant to this amended outline consent (Ref: 20/02484/S73M).
- 1.3 It should be noted that revisions have been made to the application since it was originally submitted. Previously there were two reserved matters applications, one for the playing provision and other for the residential aspect. Following changes to highways (as required by the highway authority), the size and location of playing pitches (as required by Sport England) and for design reasons, it was agreed with the applicant that a single reserved matters application for the entirety of the site would be appropriate.

The Site

- 2.1. The 11.5ha site relates to an existing housing estate containing 355 homes and adjacent playing fields located within the urban area of Newark, approximately 1km north east of the town centre. The existing homes consist of a range of house types including flats, terraces, bungalows and semi-detached, some of which were previously maisonettes that were converted as part of the 'Tops-Off' programme. The majority of the site has a 1960's estate layout with the majority of dwellings overclad with insulated render more recently. The existing dwellings are predominantly two-storey although there are some 3-storey maisonette and flat blocks. The estate is mostly comprised of social rented properties, although there are also a number of owner-occupiers.
- 2.2. The site adjoins Brunel Drive/Northern Road industrial estates to the North West, east and south. To the north east corner of the site is a Co-Op store along with Bridge Community Centre, St Leonard's Church and Lincoln Road Play Area (LEAP). Lincoln Road forms the west boundary of the site, part of it is defined by a line of trees/hedgerow. Parts of Yorke Drive and Clarks Lane forms the southern boundary of the site and is predominantly a residential area with a small local shop serving the Yorke Drive estate located adjacent to this boundary. Other than the industrial estate buildings (which are equivalent to the height of 2-3 storey residential buildings), the adjoining area predominately comprises two-storey dwellings, although there are some three-storey apartments to the north of the site.
- 2.3. The playing fields are 7.43ha in size and comprise a site capable of accommodating 9 pitches in addition to a sports pavilion and car park. Beside football, the playing fields are commonly used for dog walking and on occasion, local community events. The

southern part of the existing area of open space is a former allotment area. A mature hedgerow is located around the boundary of the existing fields adjacent to the industrial estate. A Public Right of Way (PROW) is located around the existing field and through the existing estate onto Lincoln Road.

- 2.4. The estate has a single vehicular access from Lincoln Road (to the south west corner of the site). A number of Public Rights of Ways (PROWS) pass through the site including east to west from Lincoln Road along the north side of the site to the playing fields and north to south from Middleton Road, around the edge of the playing fields to Whittle Close and Clarks Lane.
- 2.5. In accordance with Environment Agency flood zone mapping the entire site and surrounding land is designated as being within Flood Zone 1, which means it is at lowest risk of fluvial flooding.
- 2.6. The estate along with the playing fields is allocated within the Newark and Sherwood Allocations and Development Management Development Plan Document (2013) as being part of the Yorke Drive Policy Area (Policy NUA/Ho/4). This is an area allocated for regeneration and redevelopment. This allocation remains within the pending Amended Allocations & Development Management DPD with the Inspectors report expected imminently.

2.0 Relevant Planning History

- 2.1. 22/00426/S73M - Application to vary conditions 3, 4, 5, 6, 7, 12, 24 and 25 attached to outline planning permission 20/02484/S73M (redevelopment of parts of the Yorke Drive Estate) to amend the proposed site layout and associated parameter plans. Approved 03.05.2022
- 2.2. 20/02484/S73M Application to vary conditions 8, 24 and 25 attached to planning permission 18/02279/OUTM to amend the timescale for completion of the conditions – permission 03.03.2022
- 2.3. 22/00114/FUL Demolition of 4 properties (in line with approved OUT scheme) – permission 16.03.2022
- 2.4. 22/00115/FUL Demolition of existing sports pavilion (in line with approved OUT scheme) – pending determination
- 2.5. 18/02279/OUTM Selective demolition and redevelopment of parts of the existing Yorke Drive Estate and the erection of new mixed tenure housing, community and recreational facilities on the adjoining Lincoln Road Playing Field site, resulting in the development of up to 320 homes – permission 06.11.2019

3.0 The Proposal

- 3.1 As discussed above, permission is sought for reserved matters consent (including the siting, layout, landscaping and design) following original outline approval, and the subsequent variation Ref: 22/00426/S73M).

- 3.2 The proposed development details the layout of a total of new 207 dwellings, proposed sports pitches, new pavilion, landscaping, and car parking. To facilitate the development, a total of 130 dwellings would be demolished together with the existing sports pavilion, and a row of garages.
- 3.3 The residential part of the proposal would comprise of 133 open market units and 74 affordable homes that would provide a range of housing types, sizes and tenures.

Housetype	Beds	Storey/ Height	Area (Sqft)	Number
Affordable Housing				
1B-A-GF M4(3)	1	1	608	5
1B-A GE	1	1	608	4
1B-A FF	1	1	693	9
HT-2C-2IS	2	2	851	17
HT-2C-22S	3	2	1004	29
HT-A-4B6P	4	2.5	1210	7
HT-4B-A	4	2	1223	3
Minimum Affordable Housing Total				74
Private Market Dwellings				
Henbury +	2	2	855	37
Lansdowne +	3	2	936	51
Newbury	3	2	1013	32
Osbourne	3	2.5	1223	5
4B CT-P	4	2.5	1210	5
4B-P Gateway	4	3	1373	3
Maximum Private Market Total				133
Total				207

Affordable housing within the scheme would comprise of 1 to 4 bed dwelling and apartments. There would be a total of 18 1-bed apartments, 54 2-bed houses / apartments, 117 3-bed dwellings and 18 4-bed dwelling is proposed as detailed below:

- 3.4 The scheme seeks to deliver a minimum of 74 affordable units, resulting in a 36% contribution across the site. The proposed affordable housing numbers, mix and location have been based upon a detailed assessment of the existing housing stock to be demolished. Those residents wishing to remain on the Estate and within the first phase of demolition, would be given priority to be rehoused within the first phase of new development.
- 3.5 Nationally Described Spaces Standards have also been embedded into all the affordable house type designs.
- 3.6 The proposed development generally consists of 2 storey dwellings with the addition of 2.5 and 3-storey corner-turning units. These are strategically placed at key corners to define the street hierarchy and assist with overall legibility. These units are configured as detached or semi-detached houses. The density of the proposed development 36.32 dwellings per hectare.
- 3.7 As detailed in the applicant's design and access statement, the proposed development provides 3 character areas, each with subtle character area specific details to create a

distinctive yet cohesive character. The 3 character areas are identified as follows:

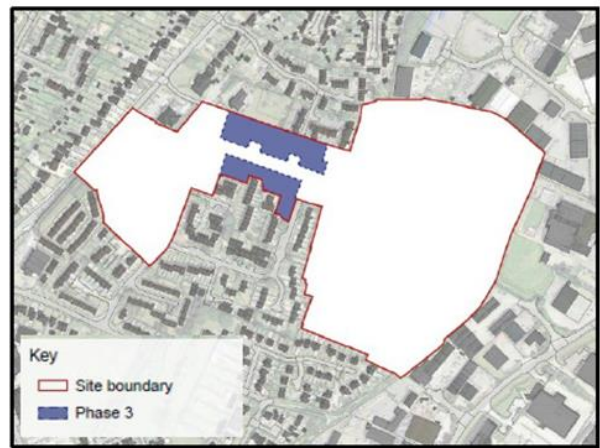
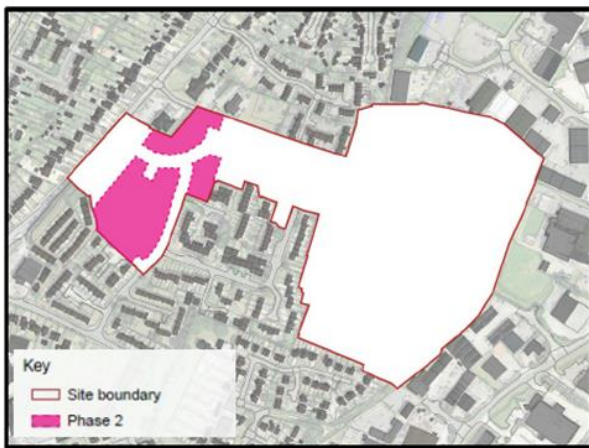
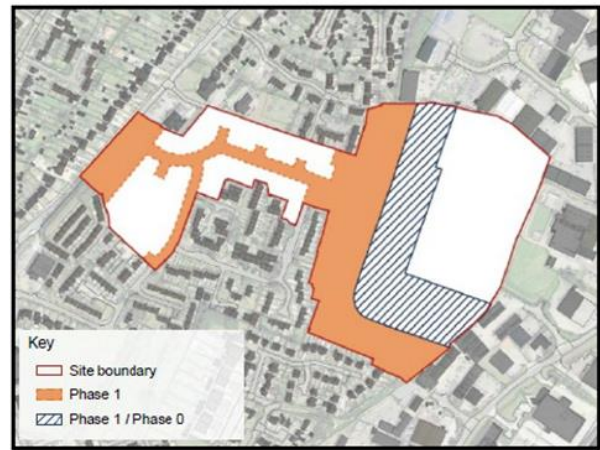
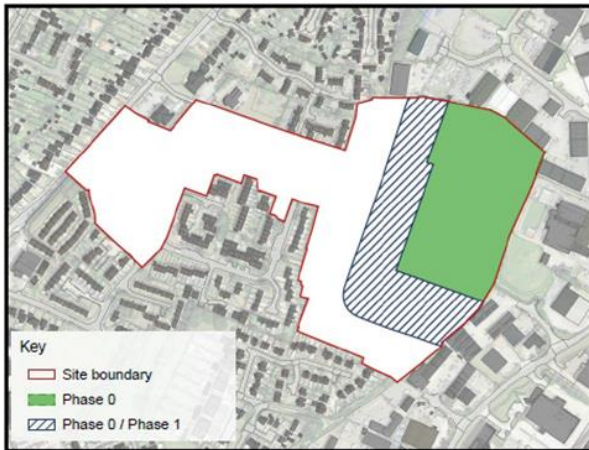
- 3.8 Character Area 1: Lincoln Road Frontage – Located along Lincoln Road to the west of the site, this Character Area acts as a gateway / arrival space to the site. The built form here draws reference to the local vernacular along Lincoln Road including gabled roof forms to create a locally distinctive architectural style. 3-storey corner-turning units are introduced to further reinforce this gateway area.
- 3.9 Character Area 2: Secondary / Tertiary Areas - This Character Area sits at the heart of the development and makes up much of the proposals. Homes are arranged in short runs of 2-4 terraced units, inspired by the surrounding urban grain. A more playful building line is adopted here with some dwellings set back from the street to reflect the urban grain along Yorke Drive and its surroundings.
- 3.10 Character Area 3: Play and Field Frontage - This Character Area fronts onto the sports and play areas within the wider masterplan. A lower density is adopted here with homes generally configured as detached and semi-detached to mirror the built form at Clarks Lane to the south of the site. Terracotta roofs are introduced here to provide a more distinctive yet locally inspired streetscene.
- 3.11 The principal point of vehicular access taken from Lincoln Road (B6166) is consistent with the outline planning approval which considered access.
- 3.12 In terms of the phasing, the previous amendment to the outline application detailed the following phases of development:

Phase 0 – Public Open Space including the sports pitches / recreation space and pavilion.

Phase 1 – Housing along the site frontage, main access roads through the site and residential development in the eastern part of the site.

Phase 2 – Residential development (approximately 80 homes however the exact figure will be confirmed once the reserved matters application is approved for this area).

Phase 3 – Residential development (approximately 50 homes however the exact figure will be confirmed once the reserved matters application is approved for this area). (As detailed on the adjacent plan)



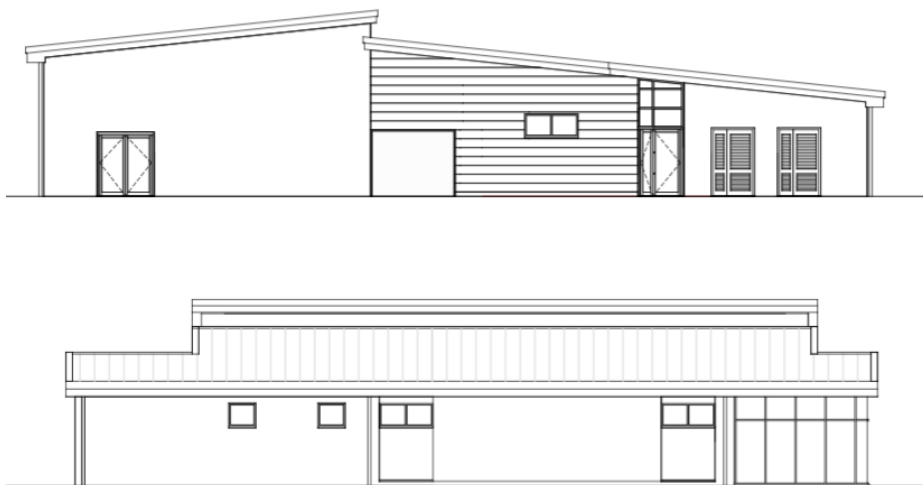
- 3.13 In terms of parking, resident parking, where appropriate would be provided in curtilage in order to minimise the visual impact of the car and de-congest the street network. Visitor parking would also be provided in locations adjacent to adopted highways.
- 3.14 The proposal provides a total of 878 residents' car parking spaces which includes 28 designated for visitor parking. In addition, 2 spaces would be provided for existing residents made up of 1 garage space and 1 on plot space. There would be a further 68 spaces provided at the sports pavilion.

- 3.15 The pedestrian routes are provided throughout the development serving both the residential parcels and leisure spaces – the intention of the reserved matters



application is to re-direct existing Public Rights of Way where necessary across the proposed masterplan.

- 3.16 The proposed development also seeks to deliver community and recreational facilities, including the provision of a pavilion and playing fields. Whilst the same uses are proposed, they would be improved and enhance and managed on a more formal basis.



- 3.17 The existing pavilion would be demolished and replaced with a larger and more

contemporary structure (a previous permission has already granted its demolition). The new pavilion would be approximately 566sqm (6,100 sqft) which is some 166sqm larger than the existing structure (Drawing Number N81:3096 312 Rev P1). The pavilion design incorporates:

- Minimum 200sqm mixed use hall
- Changing and shower facilities.
- Lockers
- Minimum 20sqm kitchen facility
- Minimum 30sqm equipment storage

3.18 In place of the existing playing field, the site would be reconfigured to include:

- 1 X Mini Soccer Under 7/Under8 pitches (37m x 27m)
- 1 x no standalone Senior Football Pitch (100m x 64m)
- 4 x. Mini Soccer Under 9/ Under 10 Pitch (55m x 37m) or 2 x Senior Football Pitches (100m x 64m)

(as detailed below)



3.19 In terms of play provision, a Local Equipped Area of Play (LEAP) and Local Area of Play (LAP) have been designed to complement the new pavilion and provide outdoor play space provision appropriate for the development. This would include:

- A 520sqm (5,600 sqft) LEAP
- A LAP/ 'kick about area'
- A circa 775m trim trail route around the periphery of the playing field (to include 'experience points')
- Various seating and signage options and
- Nature trails posts

3.20 A variety of hard and soft landscaping would also be provided to complement the redevelopment of the playing fields, improve the aesthetic of the location and enhance and improve the biodiversity of the locality through planting of native and ornamental species, creating habitat and attracting wildlife.

3.21 Access to the renovated playing fields would also be possible for pedestrian and cyclists with access points provided around the periphery of the playing fields. Private car and minibus access would be possible from Yorke Drive through the estate to the car park south and east of the pavilion. Cycle parking will also be provided at the Pavilion. To limit the impact on residents it is anticipated that access for construction would be through Telford Drive.

3.22 A car park would be formed for 70 spaces alongside the pavilion that would include disabled spaces, motorcycle parking and cycle parking. There would also be a pumping station and electrical substation alongside the car park.

3.23 In terms of landscaping as detailed on Drawing Number N0717 (08)200 (Landscape Masterplan) and the Landscape Design and Access Statement, there are a number of landscaped areas included within the wider scheme, these include but are not limited to:

- Retention of a number of existing trees and additional tree planting across the site.
- New hedgerow planting comprising at least six native species.
- Natural grassland creation in relevant areas of the site.
- Planting of wildflower grassland mixes across the site. The recommended seed mix are detailed within the Ecological Enhancement Plan.

4.0 Public Advertisement Procedure

4.1 A total of 649 neighbouring and interested parties have been notified of the proposals both in terms of the original proposals and this revised reserved matters application that encompasses the entire application site. A total of 3 consultations have been undertaken with the last being in Oct 2024 in respect of the amended plans. At that time site notices have also been displayed near to the site and an advert has been placed in the local press. There has also been regular meeting between the applicant and the Yorke Drive Residents Panel Group residents panel quarterly together with a residents newsletter.

4.2 Site visits undertaken on 30.03.2023 and 25.11.2024.

5.0 **Planning Policy Framework**

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

- Spatial Policy 1 – Settlement Hierarchy
- Spatial Policy 2 – Spatial Distribution of Growth
- Spatial Policy 5 – Delivering the Strategy
- Spatial Policy 7 – Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Spatial Policy 9 – Selecting Appropriate Sites for Allocation
- 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
- Policy NAP 1 – Newark Urban Area
- Policy NAP 3 – Newark Urban Area Sports and Leisure Facilities

5.2. **Allocations & Development Management DPD (2013)**

- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- DM2 – Development on Allocated Sites
- DM3 – Developer Contributions and Planning Obligations
- DM5 – Design
- DM6 – Householder Development
- DM7 – Biodiversity and Green Infrastructure
- DM10 – Pollution and Hazardous Substances
- DM12 – Presumption in Favour of Sustainable Development
- Policy NUA/Ho/4 - Yorke Drive Estate and Lincoln Road Playing Fields

5.3. The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024 and was examined in public in November. However, the outcome of the examination is not yet published and whilst the plan is at an advanced stage of preparation, there are unresolved objections to amended versions of the above policies emerging through that process. Therefore, 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.

5.4. **Other Material Planning Considerations**

- National Planning Policy Framework 2024
- Planning Practice Guidance (online resource)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021
- Technical Housing Standards - Nationally Described Space Standard 2015

- Fields in Trust Guidance for Outdoor Sport and Play
- Building for a Healthy Life, Urban Design Group

6.0 Consultations and Representations

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

(a) Statutory Consultations

6.2. **NCC Highways Authority** - Initially raised concerns regarding the level of parking provision for the pavilion / having the correcting track of road and junctions to allow access for refuse and emergency vehicles / road widths, and the location car parking spaces. Following amendments to the layout and providing further clarification, the Highway Authority confirm that they have no objections to the proposals subject to conditions required to address on-street parking, to limit area of planting within visibility splays, a requirement that the existing highway be stopped up and management of parking associated with the pavilion / sports pitches.

6.3. **Highways England** – No objection

6.4. **NCC Transport and Travel Services** – In relation to the bus stop infrastructure, the figure would be £48,000 (including indexing) as the bus stop improvement would still need to be in place irrespective of the number of new dwellings.

6.5. **NCC Rights of Way** – Advise that Public Rights of Ways (PROW) cross the application site namely - Newark Footpath Nos. 28, 29, 20, and 31. They confirm that Footpath No. 31 would now pass around the northeastern corner of the playing field but needs to be appropriately managed during construction. In respect of path widths, they comment that surfaced public footpaths should be a minimum 2 metres wide. The proposed development would also require that the legally recorded route of the affected Public Footpaths to be diverted because they cannot be accommodated on their current legal line. This should be addressed under the relevant provision (S.257) within The Town and Country Planning Act 1990 for the diverting and stopping up of public rights of way affected by development. That details of Path Surfacing need to be confirmed to ensure that it would be fit for purpose and would be maintained appropriately. Advise that the proposed 'restriction barriers for motorbikes' on some of the new routes of the public footpaths will need to be authorised by the Rights of Way Team if they are on a public right of way and consideration should be given not to restrict access issues for member of the public particularly those using mobility scooters, or with pushchairs etc. They recommended conditions to ensure that details of the surface treatment, maintenance, and width of the public rights of way shall be obtained from the LPA in writing before the development commences, and that no part of that development or temporary works shall obstruct or stop up the Public Rights of Way until approval has been secured and the diversion application has been received by the Local Planning Authority.

6.6. **Nottinghamshire Lead Local Flood Authority** – Confirms that they have reviewed the application and based on the submitted information we have no objection to the

proposals, subject to a condition requiring a detailed surface water drainage scheme based on the principles set forward by the approved BSP Flood Risk Assessment (FRA) and Drainage Strategy ref. YDRN-BSP-ZZ-XX-RP-C-0001-P06_FRA_&_DS dated 19th September 2024 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

6.7. **Environment Agency** – State that they will not be making any formal comment on the submission because the proposed development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site, and that there are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

6.8. **Sport England** – considers the details submitted to be satisfactory and raises no objection to this application subject to:

- Access to the playing field during phase 5 being made available to ensure access to the playing field is maintained throughout the construction period to ensure users of the playing field are not displaced.
- Delivery of the playing field, pavilion and associated car parking in accordance with the specifications provided being secured through a condition.
- A detailed programme of pitch maintenance works being secured prior to handover of the playing field. This could be secured through condition.
- A condition securing the delivery of the ball stop fencing in accordance with the specification provided.

6.9. **Active Travel** - Does not intend to comment on the application

(b) Town Council

6.10. **Newark Town Council** - Supports this application in principle and should incorporate wildlife initiatives, and that landscaping and tree planting to the south and east of the proposed football pitches should be completed prior to commencing on the replacement sport fields.

(c) Representations/Non-Statutory Consultation

6.11. **NSDC (Environmental Health - Noise)** – In respect of noise, they have reviewed the amended acoustic assessment submitted with the application and states that external amenity areas across the site will achieve an acceptable noise environment. However, a number of properties will require an upgraded glazing/ ventilation specification to achieve acceptable internal noise levels however this should be carried out in accordance with section 6.3 of the acoustic assessment report.

6.12. **Trent Valley Internal Drainage Board** – make general comments.

6.13. **NSDC (Environmental Health – Pollution Prevention)** – Confirms that two separate Geoenvironmental Appraisal reports in support of the planning application and that they concur with the conclusions that phase 1B has been adequately characterised,

and therefore part A of the condition can be discharged for this phase. However, they note that Phases 4 and 2A have not yet been considered, and therefore recommend the continued use of the full phased contaminated assessment condition for these and the remaining phases (2B and 3).

- 6.14. **NSDC – Environmental Services** – advise that they are in support of the application and comment that vehicle tracking should be undertaken for waste vehicles and waste bin collection areas identified (which has since been undertaken). They comment that in respect of Open Spaces and Play Areas is excellent and encourage the installation of accessible play equipment and access routes where possible. In relation to tree planting confirm that the inclusion of new tree planting in the area is a welcome addition, and supplementary planting around the existing trees surrounding the sports pitches could also benefit the site. Confirm that the abundance of habitat boxes is an excellent addition to the site and some good thought seems to have been given to their placement.
- 6.15. **Network Rail** – No observation to make.
- 6.16. **Cadent Gas** – Confirm that there are no National Gas Transmission gas assets affected by the proposal.
- 6.17. **NSDC Tree and Landscape Officer** – Does not object to the proposal but provides comment about the particular tree species and planting locations to include Minimum tree feeder road – small infill between large tree planting *Koelreuteria paniculata* H9m, W8m at maturity, *Cercis siliquastrum* H9m W 8m, *Parroita persica* ‘Vanessa’ H7m W 6m, Medium tree end of feeder road, intermittent on feeder roads – focal point trees minor roads - *Davidia involucreta* H12M W 7m, *Nothofagus antartica* H 12m W 7m, *Pinus pinea* H 12m W 7m. Avenue tree – main road – focal point trees - *Metasequoia glyptostroboides* H20+ W 10m, *Taxodium distichum* – wet areas, suds – not near hard surfacing tolerant of standing water H 20m + w 10m, *Ginkgo biloba* – H 20m +, W 10m, *Liquidambar styraciflua* - H 20m + W 10M, *Liriodendron tulipifera* H17m W 12m.
- 6.18. **NSDC Biodiversity and Ecology Lead Officer** – Does not object to the proposals. Comments that the submitted Ecological Enhancement Plan should be updated with the corresponding proposed layout and that does not contain any proposed monitoring, which I consider is important to ensure that any agreed enhancements are implemented. Therefore, subject to these amendments the EEP is suitable. In respect of the Bat Mitigation Strategy, they confirm that the report details internal and external assessments of the three buildings which were undertaken on 09 August 2021, along with a nocturnal emergence survey undertaken on the same date. The report highlights how “The survey results contained in this report are considered accurate for approximately two years, notwithstanding any considerable changes to the site conditions.” The report is therefore at the end of this period and needs to be updated. In addition, they advise that the development layout base plan used for Figure 1 ‘Bat Box and Lighting Strategy Plan Phase 1’ of the Bat Mitigation Strategy does not correspond with the Proposed Layout Plan. This therefore needs to be addressed in an amendment. The Bat Mitigation Strategy also states that “An ‘as built’ survey of the building[s] would be conducted to ensure compliance with this strategy

to ensure that bat features have been installed and specified correctly. Whilst they consider that this is an important element of the strategy, there needs to be clearer details as to how this monitoring survey will be reported to Newark and Sherwood District Council (NSDC). Therefore, a minor amendment to the strategy is needed to address this before the condition can be discharged. They consider that all other aspects of the strategy are acceptable.

6.19. **Archaeological Specialist** – No further archaeological input is required given the earlier site works are dissemination of the final reports.

6.20. **Representations** have been received during the course of the application. The majority have commented multiple times to the various amendments, all raising concerns and objections some of which have been addressed through the variations and some of which relate to matters considered at outline.

6.21. During previous consultations there were a total of 8 letters of representation received, 7 objections and 1 in support of the proposals which are made on the basis that:

- The proposed access to the site from Lincoln Road. Lincoln Road is congested every day and the proposals would exacerbate this issue.
- There would be a loss of the green space and trees/shrubbery between Lincoln Road and Yorke Drive.
- There would be noise disturbance and dirt to residents of during demolition.
- Access to the existing car park at Beaumont Walk needs to be retained to limit the Loss of car parking space on the same existing car park.
- There would be a loss of green space of Lincoln Road Playing Field and established wildlife area, including hedgerows which is the last open green space within the Bridge Ward.
- There would be a loss of privacy for residents of Clarkes Lane and Rosewood Close.
- Over intensive development, should be less houses
- Loss of access footpaths to local facilities
- The development would not replace a like for like sport facilities that would have a harmful impact on the health of the local community

6.22. As part of the most recent consultation (from October 2024), there has been one letter of support indicating they have no objection to the proposal and one letter of objection (from Newark Sport Association) which are made on the basis that:

- The area is already under provision in all typologies according to the population and distance standards set out in the local authority's open space supplementary planning document.
- This development would reduce provision further and increase inequality.
- The conflict between the interests of Sport England, the Football Foundation, the need to maintain football pitch provision locally have to be measured against loss of open space and the day to day needs of existing and future communities.

- The Governments 'Get Active: a strategy for the future of sport and physical activity' (2023) does not just refer solely to traditional sports facilities, but also to wider spaces for recreation and activity."
- Having more open space on Lincoln Road Playing Field can help tackle health inequalities and wider social issues and the health and well-being of the local population must be prioritised (in accordance with the NPPF).
- The plans have been adapted to meet the constraints the demands of Exception 4 of Sport England Playing Fields Policy and Guidance (2018) rather than the day to day needs of the local community.
- This application should be rejected and a reduced scheme developed replacing only the houses that are to be demolished to maximise the informal recreational use of the open space to meet the needs of the local community

7.0 Comments of the Business Manager – Planning Development / Appraisal

- 7.1. 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.
- 7.2. The application therefore needs to be considered in the context of whether the reserved matter detailed in application are acceptable and accord with the condition associated with the outline consent.
- 7.3. For clarity, the Town and Country Planning (Development Management Procedure) Order 2015 defines the reserved matters relevant to the application as follows:
- 'Appearance' – means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - 'Landscaping' – in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the rea in which it is situated and includes:
 - Screening by fences, walls or other means;
 - The planting of trees, hedges, shrubs or grass;
 - The formation of banks, terraces or other earthworks;
 - The laying out or provision of gardens, courts, squares, water features, sculpture or public art; and

- The provision of other amenity features.
- ‘Layout’ – means the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development; and
- ‘Scale’ – except in term ‘identified scale’, means the height, width and length of each buildings proposed within the development in relation to its surrounding.

7.4. The following matters have been identified as key issues:

- The Principle of development
- Housing Need, Mix and Density
- Design including layout, appearance, and scale
- Open Space / Sport Provision
- Landscaping, and Trees and Public Open Space
- Residential Amenity
- Highways and Parking
- Drainage
- Ecology and trees

Principle of Development

- 7.5. The site is allocated within the Allocations and Development Management DPD for a housing development of around 320 dwellings under Policy NUA/Ho/4 - Yorke Drive Estate and Lincoln Road Playing Fields. This allocation remains in the Amended version of the Plan Document submitted to the Secretary for State in January 2024.
- 7.6. Moreover, the principle of developing up to 320 new dwellings on this site (and the associated infrastructure requirements through developer contributions) has already been established through the granting of an outline consent. This established the quantum of development plus the means of access which would be taken from Lincoln Road. As discussed, this consent was granted on 3rd May 2022 with condition 1 requiring that applications for reserved matters approval be made no later than 3 years from that date. The application was made and validated on 3rd August 2022; so within the prescribed timeframe and if granted, would need to begin 2 years from the date of any reserved matters approval. If this application were to be refused, the extant permission would now be time expired with no opportunity for any further reserved matter applications to be made under the auspices of the outline consent.
- 7.7. The quantum of development proposed is below the maximum allowed through the outline consent. Given that the principle is already established through the site allocation and the outline consent, there is no requirement to rehearse the principle of development further. Developer contributions have been secured to mitigate any additional pressure on existing services and facilities, as can be noted in the site history section of this report. A pro-rata approach will be taken to acknowledge the lesser number promoted than the maximum cap envisaged in the outline consent.

Housing Need, Mix and Density

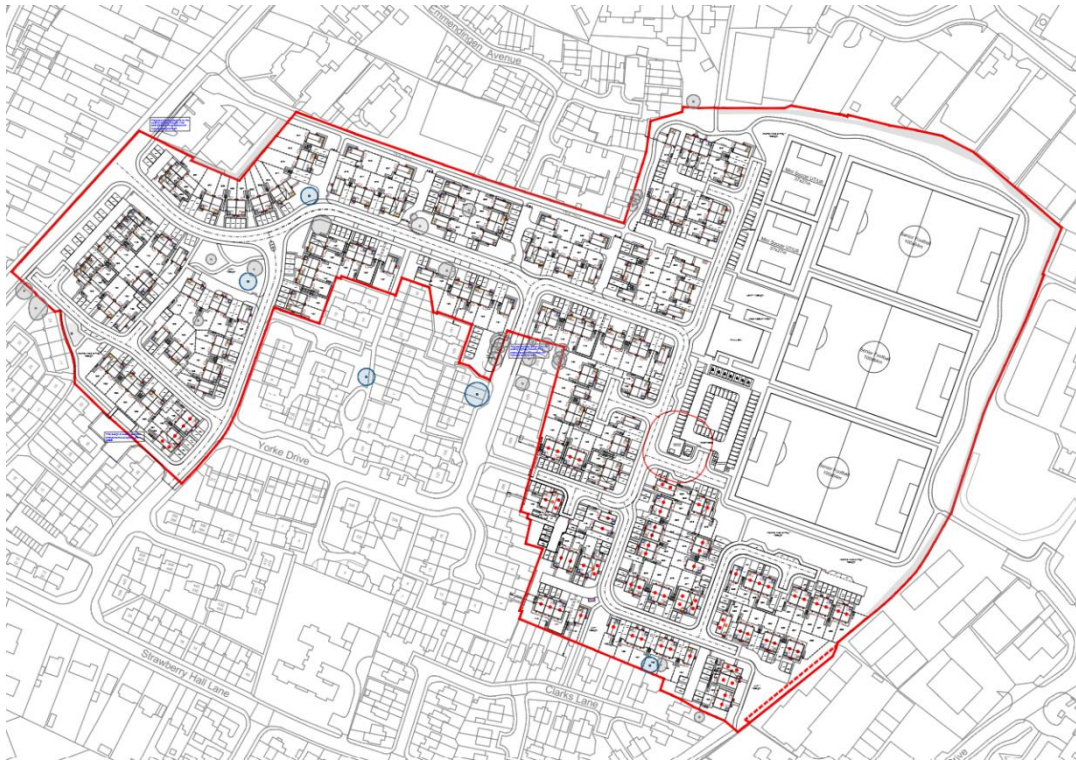
- 7.8. Policy NUA/Ho/4 – Yorke Drive Policy Area details that regeneration and redevelopment of the Yorke Drive Policy Area should be a comprehensive scheme, regenerating existing housing and developing new stock in a coordinated and sustainable manner with the primary objective of removal of poorer quality housing and replacement with new dwellings.
- 7.9. A new housing layout totalling some 207 new dwellings is proposed that includes the phased demolition 130 dwellings across the estate (previously approved), meaning that there would be a total of 77 new dwellings (net).
- 7.10. In terms of dwellings size and tenure, Core Policy 3 of the Amended Core Strategy (2019) sets out that development should secure new housing which adequately addresses the housing need of the District namely family housing of 3 bedrooms or more, smaller housing of 2 bedrooms or less and housing for the elderly and disabled population. It goes on to say that the District Council will seek to secure an appropriate mix of housing types to reflect the local housing needs. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.
- 7.11. Paragraph 61 of the NPPF (December 2024) states that the overall aim of delivering a sufficient supply of homes should be to meet as much as the area's identified housing need as possible, including with an appropriate mix of housing types for the local community.
- 7.12. In this instance the tenure and mix of housing have been dictated by the desire to rehouse existing residents as well as provide a greater choice of accommodation and tenure across the estate. Whilst the original outline application provided for up to 320 dwellings, taking account of the site constraints (such as the retention of trees, etc) and requirements for suitable sized playing pitches, it is considered reasonable that a reduced figure of 207 could be developed on the site in the manner proposed as it would still result in a density of some 36.3 dwellings per hectare.
- 7.13. Included in this provision is 77 affordable houses and 133 open market dwellings. There would be a range of 1-4 bedroom dwellings comprising of 13 different house types, the majority being 3 bed, 2 story dwellings (117 units). Internally, the proposed dwellings would exceed the national technical guidance entitled 'Nationally described space standards' 2015 that provides useful guidance on expected minimum gross internal floor space for dwellings.
- 7.14. The Council's 2020 Strategic Market Housing Assessment (SHMA) details the general size of housing by mix and tenure required across the District. The table below provides a comparison between the desired housing mix, presented in the SHMA breakdown for Newark sub-area, and the housing mix proposed for this development.

Tenure	SHMA Requirement	Proposed Mix
Market 1 to 2 Bed Dwelling	19.5%	28%
Market 3 Bed Dwelling	30.7%	66%
Market 4 + Bed Dwelling	25.5%	6%
Affordable 1 to 2 Bed Dwelling	18 (p.a)	17
Affordable 3 Bed Dwelling	23 (p.a)	29
Affordable 4 + Bed Dwelling	30 (p.a)	10
Affordable 1 Bed Flat	11 (p.a)	18

- 7.15. Overall, it is considered that the mix of dwellings as proposed meets the requirement for Newark and the wider Newark and Sherwood Authority needs, and therefore, it is considered that the proposed development accords with Policy NUA/Ho/4 and Core Policy 3 of the Local Development Framework as well the NPPF.

Design including layout, appearance, and scale

- 7.16. Core Policy 9 (Sustainable Design) seeks a high standard of sustainable design and layout that, amongst other things is capable of being accessible to all, and of an appropriate form and scale to its context complementing the existing built and landscape environments, as well as provide for development that proves to be resilient in the long-term. Policy DM5 requires all new development to ensure that the rich local distinctiveness of the District's landscape and character of built form is reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.17. The NPPF also seeks to achieve well designed places and at para. 131 sets out the following objective 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...'
- 7.18. Other design guidance such as the National Design Guide – Planning practice guidance for beautiful, enduring and successful places, September 2019 and Building for a Healthy Life set out key principles for good, sustainable design which have been used to appraise the scheme.
- 7.19. The layout has been informed by the illustrative masterplan and parameter plan and open space parameter plan approved at outline stage which also detailed the access from Lincoln Road. The submitted Design and Access Statement demonstrates a logical design process, whereby site constraints have been taken into account, and the site has been planned accordance with the illustrative masterplan and parameter plans approved at outline stage, themselves informed by public consultation. It is considered that the layout provides a logical access to and from the site whilst integrating well with the wider estate, by providing connectivity through footpath and road linkages (as detailed below).



- 7.20. In terms of scale and appearance, the proposals align with the Building Height Parameter Plan which was approved at outline stage and limited certain areas of the site to a height of two storeys. The majority of the new dwellings would be 2 storeys in height, echoing the existing character through the estate. Larger 2.5 and 3-storey dwellings are also proposed at key corners to define the street hierarchy and assist with overall legibility. These units are configured as detached or semi-detached houses.
- 7.21. The house types themselves would be varied and would be aligned to the 3 separate character areas which are broadly formed by a higher housing density towards Lincoln Road on the west part of the site and lower densities towards the playing pitches on the east part.



- 7.22. As stated in the submitted design and access statement, the architectural design within the proposals takes a contemporary approach to the local vernacular to create a locally referenced yet distinct character. Traditional architectural detailing has been adapted in a contemporary manner across house types including the use of bay windows and flat dormers. The introduction of gabled roof forms creates a more dynamic roofscape whilst ensuring the proposals are well-integrated within the surrounding context. Brick headers are incorporated into house types to further

reference the traditional vernacular which can be found across Newark, whilst the use of simple window profiles and proportions balances the traditional with the contemporary. A locally referenced materials palette including red brick and ivory and cream render provides a distinct yet cohesive elevational treatment. Grey roof tiles are generally utilised across the scheme, however the addition of terracotta roofs within the Play and Field Frontage character area reflects the style of the properties along and surrounding Yorke Drive to tie in the new proposals with the existing residential areas.

- 7.23. The house types would consist of a simple set of materials which include red and buff bricks to be applied on key street corners and frontages. However, insufficient detail has been provided in terms of manufacturing details, hence the recommended imposition of condition.
- 7.24. The scale and appearance of the housing reflects the locality, and the disposition of the housing is considered acceptable. Although the proposed dwellings would appear more modern alongside existing housing stock it is considered that it has been designed so that it would be in keeping with the character and appearance of the wider area in accordance with the design policies set out in the development plan as well as the provisions of the NPPF.

Pavilion and playing fields

- 7.25. The new pavilion would have a floor area of some 566 sqm, approximately 166 sqm larger than the existing facility. Its location has been relocated further north to a position roughly in the centre of the redeveloped estate and the western edge of the new playing fields. The playing fields and pavilion would be an essential part of the wider redevelopment project in bringing the community pavilion and community focus back to the locality with an emphasis on a shared space for the betterment of the community.
- 7.26. Access to the pavilion for pedestrians and cyclists will be adjacent to the car park along the southern elevation of the building on dedicated paved areas. Woodscape hardwood timber bollards (cycle parking) and woodscape hardwood timber (fixed bollards) with arch 1-way dome would be provided outside the pavilion.
- 7.27. The area around the playing fields is permeable and so access can be taken from the new roads and turning heads or from the playing field side. Private vehicles will access the car park to the south of the pavilion when entering the site from the from the west and it is a short walk back north to the pavilion building (where the main entrance is located).
- 7.28. Although it will be a more contemporary design, it would still retain an appropriate scale for its surroundings in that it will not dominate or overpower the newly developed or existing housing to the west and south, but would provide a high-quality community facility.

- 7.29. The submitted design and access statement details that as part of the design considerations, the pavilion is located to the east, with high-level windows to ensure any noise element will not affect the new housing; the plant room and bins store are conveniently located on the southern boundary to be accessible by refuse vehicles and service vehicles, and appropriate landscaping around the building helps to reduce noise escape and provides a pleasing aesthetic view of the facility which is a key focal part of the redevelopment of the estate. The facilities include modern changing facilities for teams and officials, a kiosk to allow 'pop-up' facilities on match days and other community events. There is also ample internal storage for various clubs and groups.
- 7.30. The contracted users of the pavilion and playing fields at the time of closure were the Fernwood Foxes Football Club and Newark Table Tennis Club. During consideration of the outline, condition no. 8 required an offsite provision during construction. It also required the playing fields to be delivered in early in one phase rather than multiple. The applicant confirms that both users have already been decanted – Fernwood Foxes are now playing at Balderton Parish, and Newark Table Tennis Club are now currently playing at the Bridge Community Centre, Lincoln - Road. As part of disturbance, the applicant has paid for their relocation until they are able to return (presently anticipated for completion is Summer 2027 as part of Phase One).
- 7.31. It is considered that the design includes all of the key elements required, surpassing the minimum requirements set out in the outline planning conditions, and would deliver a functional and aesthetically pleasing pavilion, fit for purpose in a modern local community sports hub. Therefore, it is considered the central location of the pavilion within the wider site and its design, scale and appearance would be appropriate and comply with the design requirements set out in Core Policy 9 (Sustainable Design) and the NPPF.
- 7.32. In terms of the playing fields which (are also considered as open space), at present the playing fields occupy approximately 6 hectares and is marked out for approximately 4 x full-size adult football pitches and a single junior football pitch. The proposed development would see the total playing field area reduced to approximately 26,000 square metres (279,862 square feet) or 2.6 hectares. However, the proposed renovated playing fields would provide 3 adult football pitches and 2 junior football pitches and provide flexibility and options for various iterative layouts allows the sports hub to be more reflective of the local requirement and is acceptable to Sport England.
- 7.33. In addition to the 'amount' of playing fields, it should also be noted that the proposed development offers significant improvements and enhancements to the playing fields including: removing of undulating ground into a graded and uniform level pitches to provide a more consistent and higher quality pitch surface; provision of graded platform in two parts that would allow several configurations of pitch layout allowing

future flexibility, the pitches once formed would also fit into the Sport England Pitch Type 1 category, as set out in their Natural Turf for Sport Guidance Notes document (this being appropriate for naturally well drained soils). In support of the application a Pitch Improvement Strategy Report has also been provided which provides an assessment of the existing playing field, proposals for the redevelopment of the playing field to provide qualitative improvements, recommendations for proposed redevelopment works and a programme of works.

- 7.34. The addition of the landscaping of the boundary to include a trim-trail and local areas of play, as well as landscaping enhancements, would add more to a local scale of development focused on the users of the spaces and opening access up to the footpaths and connections through the playing fields to wider estate and businesses.
- 7.35. Sport England have been consulted regarding the proposal. Originally they objected on the basis that the layout did not meet minimum size requirements taking account of a required buffer between the pitches and proximity to residential properties. In response to the consultation amended plans they confirm that “the proposed layout addresses previous concerns raised by Sport England through application 22/01529/RMAM which sought to ensure sufficient separation between the formal playing field and residential development to the south, sufficient distance between the playing field and the highway/ footway to the north west of the playing field and increased space between the footpath and the playing pitch on the north eastern part of the playing field to ensure adequate space for run-offs is provided.” They also comment that the 4.5m high ball stop fencing is now proposed between the car park and southern pitch to address the close proximity of the pitch to the car park and that a condition should be used to ensure that this is provided in accordance with the specification provided. They also request that the playing pitches are provided and that users of the playing field are not displaced during this phase of the development. Overall, they do not object to the proposals subject to a condition requiring that the playing fields, pavilion and associated parking shall be provided in accordance with the approved specifications and made available for use before first occupation of the any dwelling within the development.
- 7.36. It is noted that the playing fields and pavilion would be delivered as part of the first phase of the development, however it could not be conditioned that it be before first occupation of the any dwelling because the approved phasing plan associated with the outline permission allows for dwellings to be constructed in the first phase of development. The suggested approach would be contrary to the approved phasing plan and as such is not reasonable to be included in the schedule of conditions. Irrespective, the applicant is clear that the sports provision will be delivered as soon as practicable.
- 7.37. Clearly the playing fields and pavilion will be an essential part of the wider redevelopment project in bringing the community pavilion and community focus back to the locality with an emphasis on a shared space for the betterment of the

community. The overall reduction in the size has been justified and accepted by Sport England given the significant qualitative improvements. The provision for formalised pitches together with the Pitch Improvement Strategy would be an overall improvement that accords with the wider aims of Policy NUA/Ho/4 - Yorke Drive Estate and Lincoln Road Playing Fields. Likewise, the formation of Local Equipped Area of Play (LEAP) and Local Area of Play (LAP) is also considered acceptable. This site meets the required level of open space to be provided for a development of this size. Public Open Space, both equipped and unequipped would be provided as well as the sports pitches. The quality of the open space, including the sports pitches and associated facilities (such as the pavilion) are a significant improvement to that already in situ.

Landscaping

- 7.38. Spatial Policy 9 of the Core Strategy states that site allocated for housing will, “appropriately address the findings of the Landscape Character Assessment and the conservation and enhancement actions of the particular landscape policy zones/some affected.” Furthermore, Core Policy 9 outlines that all new development should, “achieve a high standard of sustainable design and layout that is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments.”
- 7.39. The National Design Guidance outlines that nature contributes to the quality of life and place and to people’s quality of life. Natural features include landscaped areas, high quality public open spaces and other trees, grass and planting within a development.
- 7.40. In support of the application, an assessment of existing trees across the site was undertaken which followed the guidance of British Standards 5837:2012 ‘Trees in relation to design, demolition and construction – Recommendations’, and has provided a report on the arboricultural implications to the proposed development of the site.
- 7.41. It highlights that there are no Tree Preservation Orders (TPOs) at this location and the site is not situated within a conservation area. Therefore, none of the trees detailed within this report were subject to statutory protection at the time of the survey.
- 7.42. The survey assessed 95 individual trees, 11 groups of trees, and 11 hedgerows. Of all those surveyed, only 17 individual trees were considered to be of “moderate arboricultural value” (Category B – defined as Trees of moderate arboricultural value (typically with 20+ years life expectancy). All remaining individual trees, groups of trees, and hedgerows were all considered to be of low arboricultural value, except for 6 trees that were considered unsuitable for retention due to their poor condition (Category U).

- 7.43. To enable the proposed development the proposed development requires that out of the 95 individual trees, 63 trees would be removed forming 11 Category B trees, 46 Category C trees and 6 Category U Trees. Overall, the report concludes that the proposals would result in a moderate arboricultural loss given that the majority of trees removed would be trees of low arboricultural value.
- 7.44. The recommendation within the assessment is that compensatory planting should be completed on a 2:1 ratio with newly planted trees monitored and replaced where necessary for the first 5 years. It advises that specific hard surfacing areas should be retained during the construction phase to act as both temporary ground protection and the subbase for proposed hard surfacing and that careful excavation of the existing hard surfacing should be undertaken within root protection areas. It is also recommended that “to monitor all impacted trees during and after construction, for at least the first 5 years, to ensure that they remain safe to be retained in their new environment. It is recommended that temporary protective fencing is erected in order to create a construction exclusion zone which adequately protects the retained trees from damage during the construction works. This fencing should be erected at the outset of the development before any activities are carried out or materials/ plant is brought onto the site.”
- 7.45. The landscaping scheme incorporates tree planting. In total 340 new trees would be planted across the site. Furthermore, the Condition 13 of the outline consent already requires compliance with the trees survey to protect existing plants and condition 14 of the outline consent requires the landscaping be carried out within 6 months of the first occupation of any building or completion of each phase of the development, whichever is soonest. In addition, it also requires that within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place.
- 7.46. In respect of hedgerows, some 536m of hedgerow would be removed and the total length of new hedgerow planting would be 2,059m that would consist of a mix of ornamental hedgerow and native hedgerow.
- 7.47. As detailed on the [Landscape Masterplan](#) (drawing number [N0717 \(08\)200 Rev P02](#) and in the Landscape Design and Access Statement, there are a number of landscaped areas included within the wider scheme.
- 7.48. The submitted landscape masterplan details each specific area of planting throughout the site. Where a tree is to be removed to facilitate development, they have been replaced on (at least) a two for one basis.



- 7.49. The layout prioritises the retention of existing trees and vegetation where possible, and the enhancement of existing vegetation and hedgerows with infill planting of mixed native species appropriate and in keeping with those found within the local surrounding area. It details planting of native; trees, hedgerows and hedgerow trees, scrub mixes where appropriate and wildflower / grassland mixes, bulb planting throughout the site.
- 7.50. It includes mixed native and native variant trees, ornamental planting and native hedgerows throughout the proposed development providing “year-round seasonal interest along with ecological and biodiversity benefits, including fruiting and flowering species, providing habitat and food provision for local wildlife.” Natural grassland creation would also be formed in relevant areas of the site.
- 7.51. In light of the above assessment, it is considered that the site responds positively to its location within Newark and accords with the requirements of Spatial Policy 9 of the Core Strategy, and the National Design Guidance.

Impact upon Residential Amenity

- 7.52. Policy DM5 of the Allocations and Development Management DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. Core Policy 9 also seeks a high standard of design that contributes to a compatible mix of uses.

- 7.53. In term of overlooking, Privacy and Amenity the application site is bound by a number of existing residential properties in the wider Yorke Drive estate such that the impacts upon these dwellings requires careful consideration.
- 7.54. The layout has carefully considered 'space about dwellings', particularly separation distances and ensuring acceptable effects (such as overlooking and over dominance) between existing relationships between dwellings has been given great care resulting in a quality layout that respects the privacy of the proposed dwellings occupants and those who will live alongside the new development. There would be sufficient space between existing and proposed dwellings that would not result in a harmful level of overlooking or a significant loss of privacy.
- 7.55. Whether the proposal creates a satisfactory living environment for the proposed new dwellings is material to decision making. As has been established earlier in the report, all new dwellings exceed the national described space standards for new dwellings and all have appropriately sized private garden space commensurate to the size of the dwellings.
- 7.56. New homes are arranged in perimeter blocks with outward facing homes onto all green spaces. Considerable care has been taken to design streets to be green, with adequate and appropriate boundary treatments. Access to green areas, private gardens and surrounding green spaces have been designed to ensure all residents are able to use outdoor spaces across the whole site and beyond for walking, sitting, cycling, exercise or socialising to enhance physical and mental well-being. All of these interventions and connections will provide a fully integrated sustainable infrastructure, increasing biodiversity and resident amenity through practical / usable design solutions. The amenity of proposed occupiers is therefore acceptable.
- 7.57. In terms of noise and disturbance, clearly during the construction process there would be disruption and noise associated with the construction period. It is recommended that a construction management plan be provided by way of a pre-commencement condition to limit as far as possible disturbance caused by construction activities.
- 7.58. To consider the potential impact on future residents from noise associated with commercial along Brunel Business Park as well as traffic noise associated with Lincoln Road, a noise assessment has been submitted in support of the application. It is also a requirement of Condition 29 of the outline permission (22/00426/S73M).
- 7.59. The assessment has focused on the noise associated with Apollo Engineering to the north and the road noise associated with Lincoln Road. The noise assessment was undertaken prior to the closure and demolition of Daloon Foods to the east of the site and therefore no longer relevant to the determination of this application.

- 7.60. An assessment was made of whether any noise mitigation would be required as a result of the intensification of uses on the playing fields and the formation of LEAPs and LAPs. The conclusion in the report was that layouts of pitches and the specifications of play areas will reduce the potential risk of noise disturbance to the neighbouring properties and that no further noise reduction measures are considered necessary.
- 7.61. In relation to the noise associated with Apollo Engineering it stated that “The scheme layout indicates that several of the proposed dwellings within Phase 1 will be situated within several metres of the northern boundary with Apollo Engineering. As such, mitigation to limit internal noise levels and daytime noise condition in external areas would be required to control noise from the service yard and extract unit located within the car park affecting the nearest gardens and facades.” In terms of mitigation, it is recommended that an acoustic fence which extends to a height of 4.0m located along the boundary with Apollo Engineering. Further, a full acoustic enclosure with acoustically attenuated passive ventilation would limit noise from the extract unit and acoustic glazing would limit internal noise levels on affected properties. These matters can be secured by condition.
- 7.62. In respect of the potential impact would have on neighbouring occupiers forming Phases 2A and 2B, (I.e. the properties closest to Lincoln Road), it was considered that the indoor target noise criteria, when assessed as a rating level, are predicted to be met in the majority of dwellings that are screened from commercial and road traffic noise sources. Similarly, the results from the modelling indicate that majority of gardens across the development are suitably screened from the prevailing noise sources that the daytime outdoor noise requirements would be met. However, the results of the environmental noise modelling also indicate that the required internal daytime and night-time criteria would not be met with partially open windows for rooms located close to se to Lincoln Road. Where the internal criteria cannot be met with open windows, it will be necessary to ensure the sound attenuation performance of the building envelope is sufficient to meet the internal noise criteria. It is recommended that that those properties are fitted with acoustic glazing that would provide appropriate noise attenuation.
- 7.63. The Environmental Health Officer agrees with this approach confirming that they have reviewed the amended acoustic assessment submitted with the application and states that external amenity areas across the site will achieve an acceptable noise environment. However, a number of properties will require an upgraded glazing/ventilation specification to achieve acceptable internal noise levels however this should be carried out in accordance with section 6.3 of the acoustic assessment report.
- 7.64. A pumping station is shown on the layout to be located alongside the proposed car park associated with the proposed pavilion building. It would be well away from residential dwellings to the west and separated from them by fencing, landscaping

and a public road. Pumping stations rarely cause any adverse impacts in terms of noise. Details of the drainage are not required at this stage (it forms part of an outline condition to be approved prior to commencement) however in order to ensure no unacceptable impact, a condition is recommended to require submission and approval of a noise assessment and implementation of any mitigation measures identified as necessary via this assessment. It should be noted that the pumping station was not considered as part of the submitted noise impact assessment. This would be required prior to first operation of the foul pumping station. Given the nature of the pumping station, and the separation distance to the nearest residential properties it is considered that any necessary mitigation measures could be readily accommodated within the proposed development, secured by planning condition.

Impact upon Highway Safety and Parking

- 7.65. 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.
- 7.66. Whilst access (and implicitly capacity) has already been consented at outline stage, this reserved matters is required to demonstrate that the internal road layout is safe and appropriate from a highway safety perspective.
- 7.67. The submitted Design and Access statement explains that “the proposed masterplan has been designed with Building for Healthy Life (BFHL) at the forefront of the design proposals. Successful, well-integrated car parking throughout the scheme is clearly a key design driver in BFHL as well as a key aspiration of the Council and therefore the design team have been keen to embrace Newark and Sherwood’s Supplementary Planning Document ‘Residential Cycle and Car Parking Standards and Design Guide’ (June 2021) wherever possible. It is acknowledged that requisite car parking is fundamental to achieving an acceptable scheme. Achieving car parking standards needs to be balanced against place making and the reality of providing usable and functional provision for new homes. Both the design team and the Council acknowledge that delivering all car parking spaces to the ‘recommended’ dimensions in the SPD does not come without its challenges, not least in providing appropriate landscaping mitigation to help soften and break up runs of car parking to the front of properties.”
- 7.68. The reserved matters scheme itself utilises a number of parking solutions including on-plot to the front of properties, on-plot to the side of properties and adjacent well-overlooked parking off shared drives. Although parking courts are discouraged in the SPD there is one instance (behind Rosewood Close) where due to the existing site constraints and as well as accommodating the parking needs of existing residents

there has been a small parking court provided. Every effort has been made to minimise tandem parking spaces where possible, however, due to the required density and housing numbers it is inevitable that a tandem parking solution fulfils a critical role in delivering a viable regeneration scheme that enables parking numbers to be policy compliant and well-integrated into the street scene. The recommended minimum car standards for the 'Rest of Newark Urban Area (NUA)' are adhered to across the scheme.

- 7.69. These include: 1 bedroom dwellings – 1 parking space per dwelling; 2 bedroom dwellings – 2 parking space per dwelling; 3 bedroom dwellings – 2 parking space per dwelling; and 4+ bedroom dwellings – 3 parking space per dwelling. The following parking size design parameters have been utilised from the SPD and implemented across the proposed scheme also.
- 7.70. In terms of Single / double width parking space / tandem, parking spaces would be a minimum of 3m x 5.5m with an additional 0.3m if bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and 0.6m if bounded on both sides. Perpendicular parking spaces, where more than two parking space is provided side to side, would be a minimum of 2.4m x 5.5m.
- 7.71. The layout utilises the 2.4m width on occasion to maximise opportunities for trees and shrubs to be cited to help break up the parking where appropriate. Every property will have at least one 3m wide parking bay. Where parking policy requirements result in high concentration areas, these are contrasted with landscaping opposite or adjacent to deliver an attractive and balanced street scene.
- 7.72. Resident parking, where appropriate, would be provided in curtilage in order to minimise the visual impact of the car and de-congest the street network. Visitor parking is provided in locations adjacent to adopted highways. A variety of techniques for providing parking have been used on this scheme so as to provide variety to the streetscene and minimise the impact of cars in the public realm. The proposal provides a total of 878 residents' car parking spaces which includes 28 designated for visitor parking. In addition, 2 spaces are provided for existing residents made up of 1 garage space and 1 on plot space. There are a further 70 spaces are provided at the sports pavilion; this is in line with previous reserved matters proposals which showed car parking overflow at the pavilion. Additional overflow parking would be provided on land alongside the mini pitches.
- 7.73. In terms of refuse storage and collection, a scheme has been designed to ensure that there is appropriate provision for refuse storage and recycling for each property. As such the refuse strategy complies with the standards of the Local Authority. Refuse bins and containers for dwellings are stored on-plot in dedicated areas within the rear gardens in order to be convenient for users but also discretely hidden from view from the public realm. All the homes have a gated access from the garden to the adopted

street so that bins can be left out for collection. Cycle Storage Adequate space for cycle storage has been provided for all residents within secure rear gardens.

- 7.74. Members will note that Nottinghamshire County Council as the Highways Authority (NCC HA) initially raised objection to the scheme due to various issues including, but not limited to matters such as visibility splays, bus and refuse tracking information not being available to demonstrate safety, parking levels for the playing pitches and issues with private driveway lengths etc. Through amendments (several iterations) these are finally resolved, and the Highways Authority (NCC HA) have removed their objection to the scheme. It should be noted however, as a result of these changes, 8 out of 207 units would not meet the full parking requirement set out in the SPD, however there would be appropriate level of visitor parking and in some cases available on street parking to serve these dwellings. The Highways Authority is accepting of this approach.
- 7.75. 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 including on-street parking, to limit area of planting within visibility splays, a requirement that the existing highway be stopped up and management of parking associated with the pavilion / sports pitches and a condition is recommended to deal with surface water disposal from the drives and parking areas to prevent it from running onto the public highway. It is therefore considered these conditions are reasonable.
- 7.76. It is therefore considered that the proposals would comply with Spatial Policy 7 of the Core Strategy that seeks to ensure that vehicular traffic generated does not create parking or traffic problems, and Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision together with the adopted Supplementary Planning Document (SPD).

Impact upon Ecology

- 7.77. There is no requirement for the applicant to provide Biodiversity Net Gain as the application was submitted in 2022, prior to these requirements becoming mandatory. The applicant has however provided an Ecological Enhancement Plan outlining how protected specified would be managed through the construction process and a series of ecological enhancement. These include:
- 7.78. Wildflower Grassland Creation which would comprise of Eco Species Rich Wildflower: Germinal WFG20 Eco Species Rich Lawn Mix sown at 10g/m² • Proposed grass bund seed mix: Germinal WF19 Pollinators Paradise Mix sown at 5g/m² • Proposed grass seeding to pitch surfaces: Germinal WF19 Pollinators Paradise Mix sown at 5g/m² An alternative mix which is tolerant of close mowing, but which improve diversity and opportunities for fauna, as well as the site aesthetically, would be Emorsgate EL1 Flowering Lawn Mix. It also details measures for further maintenance.

- 7.79. Tree Planting Proposed tree planting on site would comprise a mixture of native and ornamental species, ranging from semi-mature to extra heavy standards. Native species should be utilised in all tree planting wherever possible. The native species to be utilised include: Small-leaved lime *Tilia cordata*; Silver birch *Betula pendula*; Downy birch *Betula pubescens*; Crab apple *Malus sylvestris*; and Rowan *Sorbus aucuparia*.
- 7.80. It is advised that these species will provide habitat and shelter for a range of faunal species once established. All Semi Mature/Advanced Nursery stock trees to be planted in tree pits @ 1200mm x 1200mm x 800mm or at suitable size to accommodate root/container size. All Extra Heavy Standard/Heavy Standard trees to be planted in tree pits @ 1000mm x 1000mm x 800mm or at suitable size to accommodate root/container size. All trees to be back filled with topsoil and suitable organic material (to be specified), and to be double staked using pointed softwood / peeled chestnut / larch or oak stakes free from projections and large or edge knots, timber cross bar and rubber tree tie and spacer block tied above ground. All trees in shrub beds located within 3m of any services to have their roots directed downwards by the installation of Reroot 1000 dependant on ground conditions and service locations. Tree pit information to be supplied as part of a detailed packaged of information at Stage 4 of the design process. Drawings to be configured with detailed drainage, services and lighting information and to be agreed. Any trees planted within grass areas to have a 1mØ ring of bark mulch to 75mm depth at the base to suppress weed growth and retain moisture.
- 7.81. In terms of hedgerow creation it is stated that any new hedgerows would comprise of at least six native species per 30 m with the following species included: Field maple *Acer campestre*; Common hornbeam *Carpinus betulus*; Silver birch *Betula pendula*; Common dogwood *Cornus sanguinea*; Hazel *Corylus avellana*; Common hawthorn; *Crataegus monogyna*; English holly *Ilex aquifolium*; Wild Privet *Ligustrum vulgare*; Blackthorn *Prunus spinosa*; Dog rose *Rosa canina*; Goat willow *Salix caprea*; Elder *Sambucus nigra*; Alder Buckthorn *Frangula alnus*; Guelder rose *Viburnum opulus* Suitable biodegradable rabbit guards, fencing, or shelters will be used to protect all hedgerow whips and transplants from damage until established. Tree guards would be removed once the planting is established.
- 7.82. In terms of mixed shrubs it is stated that Shrub plants would be materially undamaged, sturdy, healthy and vigorous, and of good shape and without elongated shoots. They would originate from British provenance as per the National Plant Specification. Planting areas to be prepared to even levels to a fine tilth ensuring all large earth clods, debris and stones larger than 2-3cm are removed. All plant stock to be planted in pits 1/3 larger than the rootball/container, sides of the pits to be broken up to aid root development. Pits to be backfilled incorporating tree and shrub compost worked into the backfill. All shrubs and trees to receive a 50mm layer of bark mulch. Bulbs will be planted throughout the soft landscaping. Comprising a mixture of native and non-native species. Pollinator species to encourage pollinators and invertebrates are

included such as crocus (*Crocus* sp.) and snowdrop (*Galanthus nivalis*). New scrub planting around the Site feature should include a range of native 'hedgerow' species which provide nuts, berries, fruits and flowers which will attract a range of different species including invertebrates, birds and mammals. Species would include: *Acer campestre*: Field Maple; *Carpinus betulus*: European Hornbeam; *Betula pendula*: Silver Birch; *Cornus sanguinea*: Common Dogwood; *Corylus avellana*: Hazel *Crataegus monogyna*: Common Hawthorn; *Ilex aquifolium*: English Holly *Ligustrum vulgare*: Common Privet *Prunus spinosa*: Blackthorn *Rosa canina*: Dog Rose *Salix caprea*: Goat Willow *Sambucus nigra*: Elderberry *Frangula alnus*: Alder Buckthorn and *Viburnum opulus*: Guelder Rose.

- 7.83. Ornamental planting is also proposed. Any planting of an ornamental nature will include species which provide resources for wildlife, such as nectar for invertebrates and fruit/nut bearing species for birds and mammals. Species such as those listed above for hedgerow, native shrub and tree planting will be used as well as other species which provide pollen and nectar resources. A mix of a variety of bulbs will be planted with crocus and daffodil bulbs to alternate every two linear metres. The bulbs would comprise primarily of non-native varieties of barberry, dogwood, honeysuckle and viburnum. Any ornamental planting should be maintained as required, as different species will require different management techniques.
- 7.84. In terms of bats, BWB Consulting carried out updated bat roost surveys of all residential buildings within the Yorke Drive estate during the bat active season 2024. These surveys followed on from the previous survey work and the previous enhancement and mitigation plans produced by in 2021.
- 7.85. An updated site walkover was carried out by in August 2024 to confirm if there had been any changes to the classification of the buildings in relation to their potential to support roosting bats.
- 7.86. It is stated that as bat roosts have been recorded at the site, a licence application would be required before any work that could affect bats can proceed. Given the small number of roosts/bats present, it is proposed to apply for an Earned Recognition licence.
- 7.87. As more than 3 roosts would be impacted, under the ER licence, the provision of at least one feature, suitable for the species concerned (e.g. a bat box/tile/brick/crevice) per roost and species to be impacted is considered appropriate. The feature(s) would be made available to bats within twelve months of the roost being impacted, ensuring there is continued ecological functionality in the interim period.
- 7.88. There would also be a requirement for monitoring in the form of one inspection by the Joint Licensee and/or the Earned Recognition Consultant.

- 7.89. In terms of Compensation and Enhancement Roost Provision, as part of proposed development, a total of 50 new bat roosting features would be installed on site. Five of these would be compensation for the roosts which are being lost due to development, the rest would be for ecological enhancement. The features would comprise a mixture of integrated (buildings) and externally mounted (trees) self-cleaning features. Two integrated features would be installed on the new pavilion to the west of the sports pitches, five on trees within the sensitive lighting zone around the sports pitches, 38 integrated features on residential buildings, and five on trees across the site.
- 7.90. It has been advised that these have been located as close to suitable foraging/commuting routes, the sensitive lighting zone, and existing roost locations as possible within the restrictions of the proposed layout.
- 7.91. It is advised that the landscaping would help maximise the opportunities for bats post-development and efforts have been made to maximise suitability for invertebrates through the diversity of native species which in turn would be beneficial for foraging bats. Reference would be made to the Ecological Enhancements Plan as well as the guidance set out in Landscape and Urban Design for Bats and Biodiversity (BCT, 2012).
- 7.92. Enhancement Roost Provision would also be provided in the form of a mixture of integrated (buildings) and externally mounted (trees) self-cleaning features. Forty integrated bat boxes would be installed on buildings throughout the development including on the pavilion and ten bark boxes on existing trees.
- 7.93. The Biodiversity and Ecology Lead Officer does not object to the proposals. He highlights that comments that the submitted Ecological Enhancement Plan (EEP) should be updated with the corresponding latest proposed layout and that does not contain any proposed monitoring, which they consider is important to ensure that any agreed enhancements are implemented. Therefore, subject to the amendment he considers that the EEP is suitable.
- 7.94. In respect of the Bat Mitigation Strategy, they confirm that the report details internal and external assessments of the three buildings which were undertaken on 09 August 2021, along with a nocturnal emergence survey undertaken on the same date. The report highlights how “The survey results contained in this report are considered accurate for approximately two years, notwithstanding any considerable changes to the site conditions”. The report is therefore at the end of this period and needs to be updated. In addition, they advise that the development layout base plan used for Figure 1 ‘Bat Box and Lighting Strategy Plan Phase 1’ of the Bat Mitigation Strategy does not correspond with the Proposed Layout Plan. This therefore needs to be addressed in an amendment. The Bat Mitigation Strategy also states that “An ‘as built’ survey of the building[s] would be conducted to ensure compliance with this strategy to ensure that bat features have been installed and specified correctly. Whilst they consider that this is an important element of the strategy, there needs to be clearer

details as to how this monitoring survey will be reported to Newark and Sherwood District Council (NSDC). Therefore, a minor amendment to the strategy is needed to address this before the condition can be discharged. They consider that all other aspects of the strategy are acceptable.

Other Matters

Developer Contributions updated

- 7.95. The outline permission contains a condition requiring the completion of a s106 obligation. It should be noted that the developer contributions detailed at outlined stage require that they should be indexed link. Given that the original outline permission was granted in November 2019, it is considered they need to be updated to reflect the present cost accounting for indexation. Following consultation with the Planning and Infrastructure Manager at Nottinghamshire County Council, it was agreed that these figures be adjusted in accordance with indexation. In summary, the revised figures based on indexation and on a pro rata basis, given that the number of units are reduced would mean that the revised education contribution is £457,152 based on indexing for 190 new dwellings (£2,406.06 per dwelling) and therefore the development of only 77 new dwellings would equate to **£185,266.86** (£2,406.06 x 77).
- 7.96. In relation to the bus stop infrastructure, the figure would be **£48,000** (including indexing) as the bus stop improvement would still been to be in place irrespective of the number of new dwellings.
- 7.97. The education authority has also requested some flexibility in the education payment so that it can also include the provision of special education places, as there is a deficit of special school provision in the district and existing projects planned to which the contribution could contribute. It is considered that this is a reasonable approach to delivering the required contributions.

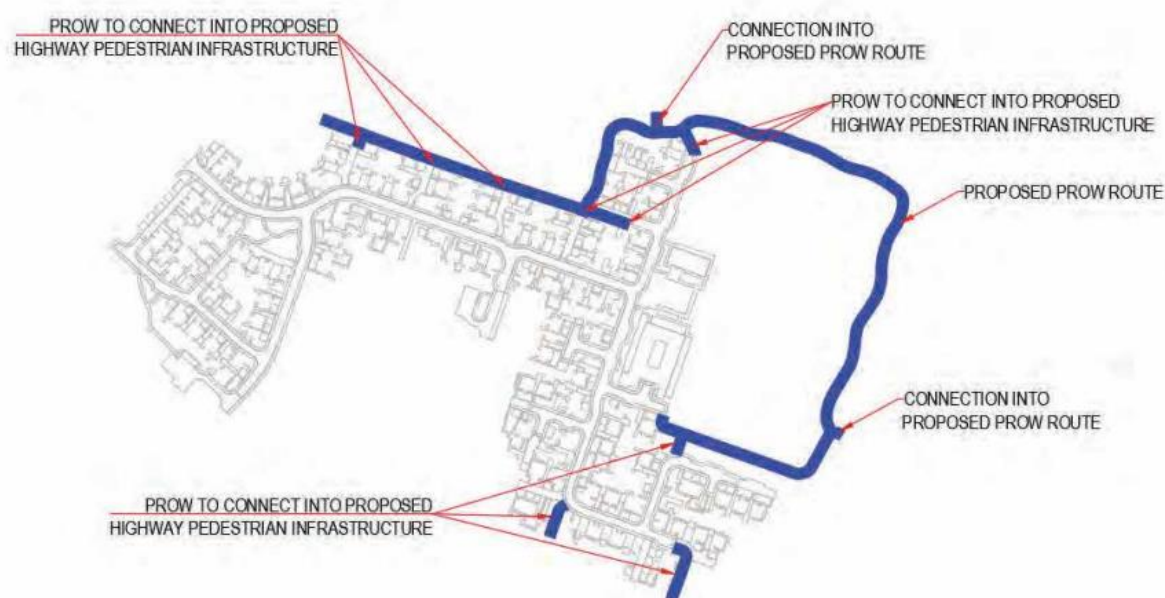
Impact on residents relocating

- 7.98. Condition 21: requires that a detailed schedule including details of the housing mix and tenure need and a broad timetable outlining the approach to the re-housing of existing residents and demonstrating how this has been integrated into delivery of the scheme. The development of each phase shall be implemented in accordance with the approved schedule and timetable unless otherwise agreed in writing with the Local Planning Authority.
- 7.99. The applicant has stated that “The delivery of housing for decanted residents has been central to the design of the development, with a commitment from the Council to rehouse on the estate, all those who wish to remain. Those wishing to move off the estate will also be supported.

7.100. In support of the application, a Yorke Drive decant strategy that includes a detailed schedule outlining the households wishing to remain on the estate in a new home and their future housing need which has directly informed the properties being built. It also sets out the support that will be provided to residents who wish to move *off* the estate. These are directly related to the phasing plans (detailed in para 3.12 above). Importantly, it states that the approach will be to deliver all 74 affordable dwellings in the first phase of construction allowing for the decant and rehousing of those residents who wish to remain on the estate.

Impact on PRowWs

7.101. Existing local Public Rights of Ways have been considered which include the defined routes as shown on below



7.102. PRow routes within the application site boundary are located to the periphery of Lincoln Road Playing Fields and form links into other local surrounding PRowWs to the north, east and west. PRowWs 28 and 29 are not within the associated phase of development but have been taken into consideration during our site analysis and constraints and opportunities processes.

7.103. PRow 28 forms a link between housing development off Middleton Road to the north and the playing fields to the south. PRow 29 is a well-used wide pedestrian link between Lincoln Road and the existing Yorke Drive housing estate/playing fields/Coop and also forms access between Yorke Drive estate and the existing Lincoln Road Play Park to the rear of St Leonards Church. The route will be slightly elongated to meet the proposed adopted highway running north to south alongside the sports pitches.

The surface is mixed, hard off Lincoln Road which changes to grass halfway as it approaches the playing fields. Secondary routes off this PRoW form pedestrian links into the Yorke Drive Estate.

7.104. PRoW 30 is an existing well-used grass route for walkers and dog walkers that follows the edge of playing fields and forms a link between Yorke Drive estate, playing fields and the industrial estate. PRoW 31 links into the Application Site at the southeast corner of the site, this is a hard surface footpath which changes to a grass surface as it links into the playing fields.

7.105. The proposals seek to retain and enhance existing PRoW routes within the Application Site and form new attractive and accessible for all routes to ensure connectivity through the development and local surrounding area.

- PROW 30 is to be slightly re-aligned but still provide connectivity North to South via proposed public highway.
- PROW 29 would remain in situ, with a slight extension, and will connect into the proposed public highway.
- PROW 28 would be extended to connect into the proposed public highway.
- PROW 32 would be diverted via the proposed public highway.
- PROW 31 would be slightly diverted through the proposed development and to connect into the new PROW 30.

7.106. Restricted access has been maintained at pedestrian link points around the playing fields in the form of staggered hoops, these are positioned to slow cyclists to prevent collision when linking on/off routes. These hoops are also positioned to deter motorbike access whilst still allowing cyclists, mobility scooter users and pushchairs access. Litter bins and dog waste bins have been strategically placed at link points and at the side of hard surfaced routes and within the proposals to aid maintenance collection.

7.107. The County Public Rights of Ways Officer advises that Public Rights of Ways (PRoWs) cross the application site namely - Newark Footpath Nos. 28, 29, 20, and 31. They Confirm that Footpath No. 31 would now pass around the northeastern corner of the playing field but needs to be appropriately managed during construction. In respect of path widths, they comment that surfaced public footpaths should be a minimum 2 metres wide. The proposed development would also require that the legally recorded route of the affected Public Footpaths to be diverted because they cannot be accommodated on their current legal line. They advise that this should be addressed under the relevant provision (S.257) within The Town and Country Planning Act 1990 for the diverting and stopping up of public rights of way affected by development (although it should be noted that this can also be achieved under the Highways Act).

7.108. They advise that details of path surfacing need to be confirmed to ensure that it would be fit for purpose and would be maintained appropriately. Also, that the proposed 'restriction barriers for motorbikes' on some of the new routes of the public footpaths will need to be authorised by the Rights of Way Team if they are on a public right of way and consideration should be given not to restrict access issues for member of the public particularly those using mobility scooters, or with pushchairs etc. They recommended conditions to ensure that details of the surface treatment, maintenance, and width of the public rights of way shall be obtained from the LPA in writing before the development commences, and that no part of that development or temporary works shall obstruct or stop up the Public Rights of Way until approval has been secured and the diversion application has been received by the Local Planning Authority. Subject to these conditions it is considered that the impact on the PRowS can be appropriately managed during construction and the diversion of the footpaths would be dealt with by separate process.

Impact on Archaeology

7.109. The site has been subject to geophysical survey and trial trench evaluation as part of the outline application (18/02279/OUTM). The results of the archaeological work indicate that the south-western quarter of the site contains some limited Iron Age potential associated with rural settlement activity, along with a background scatter of residual Neolithic flint working. The features are somewhat on the periphery of the likely settlement activity, with the focus likely being towards the known area of cropmarks 170m to the south-west around Witham Close and Derwent Way and represent dispersed, outlying domestic/agricultural waste disposal activity. Some of the linear features seem like they may relate to the pre-enclosure (post-medieval) field systems.

7.110. The Historic Environment Officer has advised that "while the trenching results have been useful, I do not anticipate that further archaeological excavation work within the site boundary would add significantly to the results of the trenching. Further, given the relatively shallow and dispersed nature of the features encountered, I do not believe that archaeological monitoring would be successful either. Consequently, no further archaeological mitigation work is recommended for this site, beyond finalisation and submission of the evaluation reports to the Notts HER and ADS and deposition of the site archive with the relevant museum." This can already be secured through an application to discharge the existing condition contained within the outline application (conditions 12).

8.0 Implications

8.1. 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.

9.0 Conclusion

- 9.1. The principle and quantum of housing is established through the site-specific allocation policy and the outline planning consent. The dwelling types and mix proposed are broadly in accordance with the most up to date housing needs evidence available and would offer a good mix of housing including bungalows, terrace, semi-detached and detached units that would help meet the aspirations of CP3 providing family dwellings. Affordable housing and developer contributions to mitigate infrastructure impacts will be delivered by s106 obligation secured through condition at outline stage.
- 9.2. Landscaping and ecological impacts, with the mitigation and compensation proposed are considered acceptable. Impacts to the character and appearance of this site are also considered to be acceptable with the proposal respecting the present form of development on the wider Estate through its design and layout. Impacts on the highway network, parking and living conditions of neighbours have been found to be acceptable. Matters of drainage are controlled by conditions imposed at outline stage and need not be considered further at this stage.
- 9.3. Overall, the proposal is considered to accord with the development plan when considered as a whole, would help deliver the housing that the site is allocated for thereby boosting housing supply. No demonstrable harm has been identified. Approval of this reserved matters will also allow housing on an allocated and outlined consented site to progress, a matter which is important at a time where the Local Planning Authority cannot currently demonstrate a 5 Year Land Supply. The recommendation is therefore one of approval.

10.0 Conditions

01.

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

Title	Document Reference	Revision	Submission Date
Site Location Plan	100	P1	15/10/2024
Existing Site Layout	101	P1	15/10/2024
Proposed Site Layout	102	P12	02/02/2025
Proposed Site Layout Sheet 1 of 2	103	P12	02/02/2025
Proposed Site Layout Sheet 2 of 2	104	P12	02/02/2025
External Finishes Layout	105	P3	02/02/2025
EV Charging and Parking Layout	106	P2	02/02/2025
Proposed Streetscenes	108	P1	15/10/2024
Proposed Pavillion Elevations Sheet 1	310	P1	02/02/2025
Proposed Pavillion Elevations Sheet 2	311	P1	02/02/2025
Proposed Pavillion Ground Floor Plan	312	P1	02/02/2025

Housetype Booklet	Housetype Booklet	Sep-24	15/10/2024
Soft Landscaping Plan 01 of 17	N0717(96)001	P01	02/02/2025
Soft Landscaping Plan 02 of 17	N0717(96)002	P01	02/02/2025
Soft Landscaping Plan 03 of 17	N0717(96)003	P01	02/02/2025
Soft Landscaping Plan 04 of 17	N0717(96)004	P01	02/02/2025
Soft Landscaping Plan 05 of 17	N0717(96)005	P01	02/02/2025
Soft Landscaping Plan 06 of 17	N0717(96)006	P01	02/02/2025
Soft Landscaping Plan 07 of 17	N0717(96)007	P01	02/02/2025
Soft Landscaping Plan 08 of 17	N0717(96)008	P01	02/02/2025
Soft Landscaping Plan 09 of 17	N0717(96)009	P01	02/02/2025
Soft Landscaping Plan 10 of 17	N0717(96)010	P01	02/02/2025
Soft Landscaping Plan 11 of 17	N0717(96)011	P01	02/02/2025
Soft Landscaping Plan 12 of 17	N0717(96)012	P01	02/02/2025
Soft Landscaping Plan 13 of 17	N0717(96)013	P01	02/02/2025
Soft Landscaping Plan 14 of 17	N0717(96)014	P01	02/02/2025
Soft Landscaping Plan 15 of 17	N0717(96)015	P01	02/02/2025
Soft Landscaping Plan 16 of 17	N0717(96)016	P01	02/02/2025
Soft Landscaping Plan 17 of 17	N0717(96)017	P01	02/02/2025
Hard Landscaping Plan 01 of 17	N0717(90)001	P01	02/02/2025
Hard Landscaping Plan 02 of 17	N0717(90)002	P01	02/02/2025
Hard Landscaping Plan 03 of 17	N0717(90)003	P01	02/02/2025
Hard Landscaping Plan 04 of 17	N0717(90)004	P01	02/02/2025
Hard Landscaping Plan 05 of 17	N0717(90)005	P01	02/02/2025
Hard Landscaping Plan 06 of 17	N0717(90)006	P01	02/02/2025
Hard Landscaping Plan 07 of 17	N0717(90)007	P01	02/02/2025
Hard Landscaping Plan 08 of 17	N0717(90)008	P01	02/02/2025
Hard Landscaping Plan 09 of 17	N0717(90)009	P01	02/02/2025
Hard Landscaping Plan 10 of 17	N0717(90)010	P01	02/02/2025
Hard Landscaping Plan 11 of 17	N0717(90)011	P01	02/02/2025
Hard Landscaping Plan 12 of 17	N0717(90)012	P01	02/02/2025
Hard Landscaping Plan 13 of 17	N0717(90)013	P01	02/02/2025
Hard Landscaping Plan 14 of 17	N0717(90)014	P01	02/02/2025
Hard Landscaping Plan 15 of 17	N0717(90)015	P01	02/02/2025
Hard Landscaping Plan 16 of 17	N0717(90)016	P01	02/02/2025
Hard Landscaping Plan 17 of 17	N0717(90)017	P01	02/02/2025
Landscape Masterplan	N0717(08)200	P02	03/02/2025
Pitch Improvement Strategy	240906_STR1 Improvement Strategy	Pitch 1	15/10/2024
Pitch Maintenance Guidelines	240906_STR1 Maintenance Guidelines	Pitch 1	15/10/2024
Yorke Drive-Existing Levels	J007203 001	0	15/10/2024
Yorke Drive-Proposed Arrangement	General J007203 002	1	15/10/2024
Yorke Drive-Proposed Earthworks	J007203 003	0	15/10/2024
Yorke Drive-Proposed Cross Section	J007203 004	0	15/10/2024

Visibility Splays Drawing	YDRN-BSP-ZZ-ZZ-DR-C-0101	P02	02/02/2025
Opposing Large Car Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0190-01	P09	02/02/2025
Refuse Vehicle Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0191-01	P08	02/02/2025
Bus Route Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0192-01	P10	02/02/2025
Delivery Vehicle Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0194-01	P04	02/02/2025
Residential Parking Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0196	P03	02/02/2025
Parking Heat Map Tracking	YDRN-BSP-ZZ-ZZ-DR-C-0197	P03	02/02/2025
Private Levels	YDRN-BSP-ZZ-ZZ-DR-C-0210-01	P09	03/02/2025
Drainage Strategy	YDRN-BSP-ZZ-ZZ-DR-C-0140-01	P09	03/02/2025
Flood Risk Assessment	YDRN-BSP-ZZ-XX-RP-C-0001	P07	03/02/2025
Residential Travel Plan	YDRN-BSP-ZZ-XX-RP-D-0001	P05	02/02/2025
Parking Technical Note	YDRN-BSP-ZZ-XX-RP-D-0002	P02	15/10/2024
Yorke Drive Construction Phasing Plan 1	E500127_401	E	02/02/2025
Yorke Drive Construction Phasing Plan 2	E500127_402	D	02/02/2025
Yorke Drive Construction Phasing Plan 3	E500127_403	D	02/02/2025
Yorke Drive Construction Phasing Plan 4	E500127_404	D	02/02/2025
Yorke Drive Construction Phasing Plan 5	E500127_405	D	02/02/2025
Noise Assessment for Reserved Matters Application	70078739-001	3	15/10/2024
Tree Constraints Plan	RSE_4052_TCP	2	15/10/2024
Tree Protection Plan	RSE_4052_TPP	3	15/10/2024
Arboricultural Impact Assessment, Method Statement and Tree Protection Plan	RSE_4052_2024_R1	3	15/10/2024
Bat Mitigation Plan	YDN-BWB-ZZ-XX-T-EE-0001_BMP	P01	15/10/2024
Ecological Enhancement Plan	YDN-BWB-ZZ-XX-T-EE-0001_EEP	P01	15/10/2024

Reason: To define the permission and for the avoidance of doubt.

02.

Prior to first occupation of any dwelling hereby approved, details of the following (to be located in the public areas of the site) shall be submitted to and approved in writing by the Local Planning Authority:

- street furniture such as benches;
- litter bins, dog foul bins;
- signage (for example those warning of danger for attenuation ponds and rules of play at play area etc);
- any means of enclosure (e.g. for safety etc) within the public open areas;
- external lighting (that is not street lighting);
- lifebuoys to be provided at each attenuation pond;
- any other minor artefact and structure to be located in the public areas of the site.

The details approved shall be provided on site prior to first occupation or to an alternative timescale to be approved in writing.

Reason: Insufficient detail has been provided and the condition is necessary in the interests of amenity and public safety. The play equipment is controlled via the s.106 agreement and this condition is necessary to capture all other artefacts that would need to be located within the public areas.

03.

Notwithstanding details of the external materials shown on drawing Proposed External Finishes (Plan Ref - no. N81:3096:105 Rev P3) or in relation to the pavilion building hereby approved, the bricks and roof tiles are not approved. Prior to the laying of any facing bricks above damp-proof course and the installation of any roof tiles on site, details (including manufacturers name, colour and material) shall first be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the development.

Reason: Insufficient details have been provided. In any event, consideration should be given to the placement of clay/terracotta colour roof tiles around the edge of the development that would better reflect the vibrant orange/red local clay tiles which typifies most roof coverings in Southwell in the interests of visual amenity.

04.

Prior to first occupation, a scheme detailing all hard boundary treatments (as shown locationally on the approved site layout plan) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include heights, design and elevation details and materials. The approved scheme for each respective plot shall be implemented on site prior to first occupation of each respective dwelling or in accordance with an alternative timetable embedded within the scheme and shall also comply with Appendix 3: Enhancement Plan of the Landscape and Ecology Management Plan in terms of the provision of the hedgehog highway.

Reason: Insufficient details have been provided with the application and the condition is necessary in the interests of residential amenity and to accord with the ecological mitigation and enhancement measures recommended as part of the submission.

05.

No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

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

06.

Prior to the final surfacing of the access drives, driveways and/or parking areas of each plot a drainage scheme shall be submitted to and approved in writing by the Local Planning Authority demonstrating how surface water will be prevented from entering the public highway from these areas. The approved scheme shall thereafter be implemented on site prior to first occupation and retained for the lifetime of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

07.

No works to any public roads and no new roads shall be formed until such time as full technical details of the new and replacement road network has been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.

REASON: To ensure the development is constructed to safe and adoptable standards.

08.

The proposed development requires a Stopping-Up Order. No part of the development hereby permitted or any temporary works shall obstruct the public highway until an Order has been secured.

REASON: In the interests of highway safety.

09.

No part of the development hereby permitted shall be occupied or brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel), with measures to prevent the discharge of surface water to the public highway. The surfaced drives, parking areas and drainage shall then be maintained such for the life of the development.

REASON: To reduce the possibility of deleterious material and surface water being deposited on the public highway, in the general interests of highway safety.

010.

No works above foundation level should be commenced until details of the proposed arrangements and plan for future management / maintenance of the proposed private drives (including associated drainage) have been submitted to and approved in writing by the Local Planning Authority. The streets and drainage shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details.

REASON: In the interests of general highway safety.

011.

A drawing identifying pedestrian visibility splays on the route from Lincoln Road to the sports ground shall be submitted to and approved in writing by the LPA. The approved splays shall be kept clear of all obstructions above 0.6m in height for the lifetime of the development.

REASON: In the interests of pedestrian safety.

012.

Notwithstanding the submitted landscaping drawings, no hedges shall be planted within 1 metre of the rear of any junction or forward visibility splays.

REASON: In the interests of highway safety.

013.

Plots 141 and 150 shall not be occupied until details of the management and maintenance of the land within the forward visibility splays as shown on drawing number YDRN-BSP-ZZ-ZZ-DR-C-0101, rev P01 has been submitted to and agreed in writing by the LPA.

REASON: In the interests of highway safety.

014.

No dwellings shall be constructed until an application for measures to prevent parking at junctions along the future bus route has been made. Any measures subsequently approved shall be implemented within 6 months of the date of that approval.

REASON: In the interests of highway safety.

015.

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

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

016.

Within 3 to 6 months following Phase 1 of the development being fully occupied and the Sports Grounds being brought into use, parking surveys shall be undertaken in accordance with a methodology to be first submitted and approved in writing by the LPA. A report with the results of the survey and any measures proposed to address any issues (if present), along with a timetable for implementation shall be subsequently submitted to and approved in writing by the local planning authority. Reason: To ensure that the development does not lead to excessive on street parking in the interest of highway safety and the amenity of residents.

017.

Approval of the details of the surface treatment, maintenance, and width of the public rights of way shall be obtained from the LPA in writing before the development commences and is implemented in accordance with the agreed plans

Reason: To ensure that the treatment and management of the right of way is appropriate for public safety and use and meets Equal Opportunities, and Sustainable transport objectives

018.

The development will require the permanent diversion of the Public Rights of Way and no part of that development or temporary works shall obstruct or stop up the Public Rights of Way until approval has been secured and the diversion application has been received by the Local Planning Authority.

Reason: To ensure that the Public Rights of Way are retained in such a state that it achieves continuity with the wider rights of way and highway networks, and meets sustainable transport needs

019.

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved BSP Flood Risk Assessment (FRA) and Drainage Strategy ref. YDRN-BSP-ZZ-XX-RP-C-0001-P06_FRA_&_DS dated 19th September 2024 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175.

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 (e.g 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 site drainage infrastructure.

Evidence of approval for drainage infrastructure crossing third party land where applicable.

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 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.

020.

The playing fields, pavilion and all associated parking shall be provided in accordance with the approved specifications and made available for use before in accordance with approved Development Phasing Plans.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory playing field provision which secures a continuity of use.

021.

All playing pitches hereby approved shall be formed in accordance with the submitted Pitch Improvement Strategy dated 06.09.2024 (Ref: J007203) and shall be thereafter retained in accordance with the provision of the submitted Pitch Maintenance Guidelines.

Reason: To ensure that the playing pitches hereby approved are provided to a suitable standard and are thereafter appropriately maintained.

022.

No use shall be made of any playing pitch hereby approved until such time as the associated ball stop fencing is erected in its entirety. It shall remain in place for the lifetime of the development and be appropriately maintained to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of local residents and road users.

023.

The development hereby approved shall accord with the provisions of the submitted noise assessment dated September 2024 (Ref: 70078739-001), and no affected dwelling hereby approved shall be occupied until such time as the respective noise mitigation measures as detailed within section 6.3 of the noise assessment are installed and are operational. All noise mitigation measures shall remain in place for the lifetime of the development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of future residential from noise and disturbance.

024.

No development shall commence in respect of the pumping station until a Noise Assessment (and associated Mitigation Strategy as necessary) relating to the on-site pumping station have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of amenity.

025.

Prior to the formation of any biodiversity improvement required as part of the Ecological Enhancement Plan or in relation to the Bat Mitigation Strategy, a report shall be submitted to and approved by the Local Planning Authority detailing how all biodiversity improvements would be appropriately monitored after construction and who will be responsible for their maintenance and monitoring.

Reason: To ensure that all biodiversity improvements are appropriately monitored.

Informatives**01.**

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

02.

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

03.

You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. Contact details are available on their website www.eastmidlandsbc.

04.

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or deleterious material is transferred onto the highway from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.

05.

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

06.

The Advanced Payments Code in the Highways Act 1980 applies 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 Highway Authority 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 Highway Authority as early as possible.

07.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. The applicant should email hdc.north@nottsc.gov.uk to commence the technical approval process, prior to submitting any related discharge of conditions application. The Highway Authority is unlikely to consider any details submitted as part of a discharge of conditions application prior to technical approval of the works being issued.

08.

The grant of planning permission for this development does not authorise the obstruction or the stopping up of highway. An unlawful obstruction to the highway is a criminal offence and may result in the obstructing development being required to be removed. The applicant should apply to stop up the highway using the following website address: <https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

09.

The development requires an application/s for traffic regulation orders. Please email hdc.north@nottsc.gov.uk in the first instance, with details of the proposals and stating this planning application number.

010.

Any hedge/tree/shrub line on the boundary of the development land (either proposed or retained) is the responsibility of the owner/occupier (including subsequent owners / occupiers) of the adjoining land, whether or not a fence or other boundary treatment is installed behind it. It is an offence under Section 154 of the Highway Act 1980 to allow vegetation to overhang highway such that it obstructs the function of the highway and therefore owners should make every effort to ensure that the hedge/tree line is maintained appropriately.

011.

For the avoidance of doubt, despite the information provided as part of this reserved matters application, the requirements of condition 17 – contamination land of the associated outline application (Ref: 22/00426/S73M) is still required to be discharged as the information submitted does not relate to the entirety of the site.

Appendix 1: Outline Conditions

Condition no.	Content	Status
01	The development hereby permitted shall be begun either before 06.11.2024, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved on any phase, whichever is the later. The reserved matters application for the first phase or sub phase of the development shall be made to the Local Planning Authority before the 06.11.2024 and all subsequent reserved matters applications shall be submitted before the 06.11.2027.	For compliance and details form part of this reserved matters application.
02	Details of the appearance, landscaping, layout and scale ('the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before development begins and the development shall be carried out as approved.	For compliance and details form part of this reserved matters application.
03	The development hereby approved shall be implemented substantively in accordance with Phasing Plan and Programme as set out in the Development Phasing Plans 207, 208, 209 and 210. Each reserved matters application for any phase or sub phase, shall include the submission of an up to date Phasing Plan and Programme. The submitted details shall include the provision of the playing field area, children's play areas, community facilities comprising pavilion, amenity open space, access and shared parking areas. Development of each phase shall accord with the latest Phasing Plan and Programme unless otherwise agreed in writing by the Local Planning Authority.	For compliance only
04	No development other than the demolition and construction of the pavilion shall commence on any phase pursuant to Condition 3 until a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 relating to the land subject of this consent has been entered into and completed by all parties with an interest in the land and has been lodged with and executed by the Council. The said obligation is to provide the following: REFER TO DETAIL IN COMMITTEE REPORT	For compliance only. Note the figures have been updated to take account of indexation
05	Reserved matter submissions for any phase or any use shall be substantively in accordance with the Illustrative Masterplan (reference number 201) and Design and Access Statement (revised Feb 2022) including parameter plans	For compliance, reserved matters accord with previously approved plans listed.

	contained within this document as amended by the Sport England Response Addendum (March 2019) unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, the parameter plans include the following:	
	201 Illustrative Masterplan	
	200 Developable Area Parameter Plan	
	202 Land Use Parameter Plan	
	203 Open Space Parameter Plan (amended plan received 30.03.2022)	
	204 Vehicular Access Parameter Plan	
	205 Non-Vehicular Access Parameter Plan	
	206 Building Heights Parameter Plan	
	212 Preliminary Site Levels Parameter Plan	
06	The development hereby permitted authorises no more than 320 dwellings on site.	For compliance, reserved matters accord with this condition
07	In line with the Building Heights Parameter Plan 206 (also referred to in Condition 5), the proposed building adjacent to the Lincoln Road frontage shall not exceed 3 storeys in height.	For compliance, reserved matters accord with this condition.
08	Linked to the requirements of Condition 3, the reserved matters application(s) which include any development on the exiting playing fields only, shall include a detailed plan for the management and phasing of the temporary and permanent playing field area. The management and phasing plan details shall ensure that the works which result in the loss of playing field area are not commenced before the works to temporarily or permanently replace those playing field areas are available for use, or a scheme for alternative temporary off-site provision is made by agreement with the (contracted) users of the pitches and by agreement in writing by the Local Planning Authority. The plan should also include details of timescales for the temporary provision which for the avoidance of doubt shall be for the minimum period necessary to allow the establishment of the improved playing field area. The development hereby permitted shall not be carried out other than in accordance with the approved details.	<p>The contracted users of the pavilion and playing fields at the time of closure were the Fernwood Foxed Football Club and Newark Table Tennis Club. There was a S73 to amend the condition to allow an offsite provision and allow the playing fields to be delivered in one phase rather than multiple. Both users have been decanted – Fernwood Foxes are playing at Balderton Parish – invoice demonstrating alternative included. The Table Tennis Club are currently playing at the Bridge Community Centre, Lincoln - Road.</p> <p>As part of disturbance, we have paid for their relocation until they are able to return.</p> <p>The delivery of the playing pitches is within Phase 1 of the development – the anticipated completion is Summer 2027. The delivery</p>

		will be in line with the agreed construction phasing. The requirements of the condition have therefore been met.
09	The reserved matters application(s) which include any development on the exiting playing fields, shall include the submission of a pitch improvement strategy comprising:	The Geoenvironmental Appraisal submitted with the reserved matters application considers the ground conditions of the land proposed for the new/retained/replacement playing field land and is considered acceptable. The requirements of the condition have therefore been met subject to compliance.
	a. A detailed assessment of ground conditions of the land proposed for the new/retained/replacement playing field land as shown on drawing number 201 (Illustrative Masterplan) shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and	
	b. Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.	
	The works shall be carried out in accordance with the approved scheme in accordance with the detailed phasing and management plan required by Condition 8.	
010	Prior to the use of the improved playing field area a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority following consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the improved playing field area.	The pitch improvement strategy and maintenance statement form part of this application and are considered suitable.
011	No development shall commence until details of the design and layout of the pavilion to include a community hall and changing rooms has been submitted to and approved in writing	The details form part of this application and can be discharged

	by the Local Planning Authority [after consultation with Sport England] in the form of a reserved matters application. The community hall/changing rooms shall not be constructed other than in accordance with the approved details.	
012	No development on phase 0 or the greenfield area in phase 1 in the revised Phasing Strategy and Development Phasing Plans 207, 208, 209 and 210 (pursuant to the requirements of Condition 3) shall take place within the application site until details of a Scheme of Archaeological Works in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should be drawn up and implemented by a professional archaeologist or archaeological organisation. For the avoidance of doubt, this should involve trial excavation which should then inform an appropriate mitigation strategy for further archaeological work, should this be required. Thereafter the scheme shall be implemented in full accordance with the approved details.	The details form part of this reserved matters application and are considered suitable for phases 0 and 1.
013	The reserved matters application(s) shall be accompanied by an arboricultural method/impact statement and scheme for the protection of retained trees/hedgerows for each phase. The application(s) shall be designed to retain existing trees on site where possible and where trees are to be removed justification for their loss shall be provided. Scheme details shall include:	The details form part of this reserved matters application and are considered suitable, subject to compliance.
	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/hedgerows (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 tree/hedgerow on or adjacent to the application site.	
	f. Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root	

	protection areas of any retained tree/hedgerow on or adjacent to the application site.	
	g. Details of any scaffolding erection and associated ground protection within the root protection areas	
	h. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.	
	All works/development shall be carried out in full accordance with the approved tree/hedgerow protection scheme for that phase.	
014	The reserved matters submission for the landscaping of each phase (as required by condition 3) shall include the submission of full details of both hard and soft landscape works for that phase and a programme for their implementation. This submission shall include:	The details form part of this reserved matters application and are considered suitable, subject to compliance.
	o Hard landscaping details shall include car parking layouts and materials, materials for other vehicle and pedestrian access and circulation areas, minor artefacts and structures for example, furniture, refuse or other storage units, signs, lighting etc.	
	o Soft landscaping details shall include planting plans, written specification (including cultivation and other operations associated with plant and grass establishment) and schedules of plants, including species, numbers and densities together with clear annotations as to existing trees and hedgerows that would be retained plus proposed finished ground levels or contours. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.	
	The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of each phase of the development, whichever is soonest, unless otherwise agreed in writing with the Local Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the Local Planning Authority.	
015	No construction work, including site clearance and delivery of materials, shall be carried out except between the hours of 07.30 -18.00	For compliance only.

	Monday to Friday and 08.30 - 13.00 on Saturdays and at no time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.	
	Reason: In the interests of residential amenity in accordance with the aims of the NPPF and Policy DM5 of the DPD.	
016	No development on any phase pursuant to condition 3 shall take place within the application site, until a Construction Environmental Management Plan (CEMP) for each phase has been submitted to and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall include the submission of a plan detailing routing of construction traffic and mitigation measures required by Section 6 of the submitted Air Quality Assessment and shall set the overall strategies for:	Requires to be discharged prior to development commencing
	i. the parking of vehicles of site operatives and visitors;	
	ii. loading and unloading of plant and materials;	
	iii. storage of plant and materials used in constructing the development;	
	iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;	
	v. wheel washing facilities;	
	vi. measures to control the emission of dust and dirt during construction;	
	vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.	
017	Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation relevant to that phase must not commence on any phase pursuant to Condition 3 until parts 1 to 4 (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.	The submitted Geoenvironmental Appraisal concludes that phase 1B has been adequately characterised, and therefore part A of the condition can be discharged for this phase. However, Phases 4 and 2A have not yet been considered, and therefore the full phased contaminated assessment condition for these remaining phases shall remain (2B and 3).

	1. Site Characterisation	
	An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:	
	(i) a survey of the extent, scale and nature of contamination;	
	(ii) an assessment of the potential risks to:	
	o human health,	
	o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,	
	o adjoining land,	
	o groundwaters and surface waters,	
	o ecological systems,	
	o archaeological sites and ancient monuments;	
	(iii) an appraisal of remedial options, and proposal of the preferred option(s).	
	This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.	
	2. Submission of Remediation Scheme	
	A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.	

	3. Implementation of Approved Remediation Scheme	
	The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.	
	Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.	
	4. Reporting of Unexpected Contamination	
	In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2., which is subject to the approval in writing of the Local Planning Authority.	
	Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with 3.	
018	No development shall be commenced in respect of each phase pursuant to Condition 3 until a scheme for ecological enhancements in respect of that particular phase has been submitted to and approved in writing by the Local Planning Authority. This could include (but shall not be limited to) bird and bat boxes at appropriate points within the site. This shall also include details of a timetable for implementation of the enhancements. The scheme shall thereafter be implemented and retained in accordance with the approved scheme.	Details have been submitted and are considered acceptable subject to details of future monitoring being provided (as per condition above)

019	Notwithstanding the submitted details, no part of the development for each phase pursuant to Condition 3 shall be commenced until drainage plans for the disposal of foul sewage have been submitted to and approved in writing by the Local Planning Authority in respect of that particular phase. The scheme shall thereafter be implemented in accordance with the approved details before the development in each phase is first brought into use.	Details have been submitted as part of this reserved matters application and is considered acceptable.
020	No site clearance, including the removal of any hedge or tree that is to be removed, lopped, topped, felled or otherwise removed as part of the development, shall be undertaken during the bird nesting period (beginning of March to end of August inclusive). This is unless any hedge or tree is first inspected by a suitably qualified ecologist and a report submitted and approved in writing by the Local Planning Authority prior to such works taking place.	For compliance only.
021	Linked to the requirements of Condition 3, any reserved matters application(s) which includes the demolition of existing dwellings or erection of new dwellings shall include a detailed schedule including details of the housing mix and tenure need and a broad timetable outlining the approach to the re-housing of existing residents and demonstrating how this has been integrated into delivery of the scheme. The development of each phase shall be implemented in accordance with the approved schedule and timetable unless otherwise agreed in writing with the Local Planning Authority.	The details form part of this reserved matters application and are considered suitable, subject to compliance.
022	No development shall commence in respect of each phase pursuant to Condition 3 until details to temporarily or permanently divert/stop up any necessary public rights of way affected by that phase have first been submitted to and approved in writing by the Local Planning Authority. The stopping up/diversion shall be carried out in accordance with the approved details for that phase.	For compliance only and covered by condition above
023	The formal written approval of the Local Planning Authority is required prior to commencement of any development with regard to parking and turning facilities, access widths, road layout, surfacing, street lighting and drainage on each phase pursuant to Condition 3 (hereinafter referred to as reserved matters). All details submitted to the Local Planning Authority for approval shall comply with the County Council's current Highway	For compliance only

	Design Guide and shall be implemented as approved.	
024	No more than 96 dwellings within Phases 0 or 1 as shown on Phasing Plans 207 and 208 can be occupied, and no development other than demolition shall commence on the areas labelled Phase 2 or Phase 3 as shown on Phasing Plans 209 and 210, unless or until a suitable access has been provided at Lincoln Road as shown on drawing 70045283-SK-003-P03 to the satisfaction of the Local Planning Authority.	For compliance only
025	No more than 96 dwellings within Phases 0 or 1 as shown on Phasing Plans 207 or 208 can be occupied, and no development other than demolition shall commence on the areas labelled Phase 2 or Phase 3 as shown on Phasing Plans 209 and 210, until the visibility splays of 2.4m x 90m at the new junction with Lincoln Road are provided in accordance with drawing 70045283-SK-004-P02. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height.	For compliance only
	Reason: To maintain the visibility splays throughout the life of the development and in the interests of highway safety.	
026	Notwithstanding the submitted details, no part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Local Planning Authority And shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.	A travel plans has been submitted but it has not been agreed with the Highway Authority therefore this condition remains outstanding
027	No development shall commence in relation to each phase (pursuant to Condition 3) unless or until a suitable construction traffic management plan, including access arrangements and lorry routing in respect of each phase, has first been submitted to and agreed in writing by the Local Planning Authority, and thereafter each respective phase shall be implemented in accordance with that plan.	For compliance.

028	<p>The submission of each reserved matters application for any phase pursuant to Condition 3 (Phasing), shall be accompanied by an up to date Bat Mitigation Strategy (BMS) (that builds upon the Bat Mitigation Plan (by WSP December 2018) and Further Bats Surveys (by Emec September 2019) reports already submitted and the requirements of Condition 18) for approval in writing as part of that reserved matters application. The approved BMS for each phase shall be implemented in full prior to any development (including demolition) taking place on site and shall be retained on site for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. The BMS shall include:</p>	<p>For compliance. Bat mitigation strategy submitted and accepted but separate condition now required for future monitoring (as detailed above)</p>
	<ul style="list-style-type: none"> o Details of compensatory bat boxes/roost features to be installed on site and other compensatory features (such as roof voids etc), including their design, quantum and precise positions including the height and timings of installation; 	<p>Details have been submitted and are considered acceptable but separate condition now required for future monitoring (as detailed above)</p>
	<ul style="list-style-type: none"> o Use of Bitumen felt 1F (or similar) only; 	
	<ul style="list-style-type: none"> o Methods for removal of existing roost structures to be timed outside of the bat roosting period; 	
	<ul style="list-style-type: none"> o A methodology of soft demolition/removal of roof tiles by hand; 	
	<ul style="list-style-type: none"> o Details of any external lighting which shall be designed so as not impact the installed bat features or bat foraging around the site. 	
	<ul style="list-style-type: none"> o The monitoring of new roosts. 	
029	<p>The submission of each reserved matters application for any phase involving the erection of new dwellings located in on the greenfield areas in Phases 0 and 1 pursuant to Condition 3 (Phasing), shall be accompanied by an up to date Noise Assessment which shall include updated background noise modelling data where appropriate (such as there being a change in circumstance since the original noise modelling was undertaken) and where necessary, a Noise Attenuation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved attenuation scheme shall be implemented on site prior to first occupation of any dwelling in that phase and retained thereafter or to an alternative implementation timetable as may be agreed in writing by the Local Planning Authority. For the avoidance of doubt, this condition also relates to the construction phase of the development.</p>	<p>The noise assessment and associated mitigation form part of this application and can be discharged subject to the compliance part of the condition.</p>

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file

Committee Plan - 22/01528/RMAM

