



Report to Planning Committee 4 September 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Lynsey Preston, Senior Planner

Report Summary			
Application No.	24/01672/RMAM		
Proposal	Reserved matters application relating to appearance, landscaping, layout and scale for 430 dwellings with associated wider infrastructure including SUDs, public open space (inc. play area), sports pitches with changing facilities and allotments (in relation to Phase 1a of outline permission 16/00506/OUTM)		
Location	Land At Fernwood South, Claypole Lane, Fernwood		
Applicant	Mr Robbie Steel - Persimmon Homes	Agent	N/A
Web Link	<u><a href="#">24/01672/RMAM   Reserved matters application relating to appearance, landscaping, layout and scale for 430 dwellings with associated wider infrastructure including SUDs, public open space (inc. play area), sports pitches with changing facilities and allotments (in relation to Phase 1a of outline permission 16/00506/OUTM)   Land At Fernwood South Claypole Lane Fernwood</a></u>		
Registered	30.09.2024	Target Date / Extension of Time	30.12.2024 / 20.09.2025
Recommendation	Approve, subject to the conditions in Section 10.0		

**This application is being referred to the Planning Committee for determination by the local ward member, Councillor Allen due to impacts on highways safety; housing density; flood risk and noise concerns.**

## 1.0 The Site

- 1.1 The parcel(s) of land to which this phase relates comprise two distinct elements both currently forming agricultural fields. The first is broadly rectangular in shape and occupies approximately 13 hectares in extent. This part of the parcel is boarded by Shire Lane to the south; residential development to the north and another agricultural field adjacent to the B6326 to the west. Land to the east forms part of the wider

application site which will come forwards as a residential parcel in later phases. To the south east corner of the parcel is an existing residential dwelling which is excluded from the application site.

- 1.2 Further to the east (separated by future residential parcels) is an area of approximately 7 hectares in extent which would form the sporting provision to come forwards in this phase. This area of land is within Flood Zone 3 according to the Environment Agency maps. It would be connected to the land to the west through two highway accesses. There is an existing sewage farm in this part of the site.
- 1.3 The application site also includes parts of the existing highways network including Shire Lane to the south and Great North Road along the western boundary.
- 1.4 The wider site is bounded to the east by the Shire Dyke which also forms the County boundary between Nottinghamshire and Lincolnshire. The adjacent District Authority is South Kesteven District Council.
- 1.5 The site is subject to the following constraints:
  - Partially within Flood Zone 3a;
  - Presence of Gas Pipeline and associated easement;
  - Presence of electricity pylons.

## 2.0 **Relevant Planning History**

- 2.1. Outline planning permission (with access) was granted in February 2024 for 1800 dwellings and associated facilities (including a local centre and sporting facilities) (reference **16/00506/OUTM**). This is the first reserved matters application to come forwards following the approval.
- 2.2. The permission is subject to numerous conditions as well as an associated Section 106 agreement which secures the following:

<b>Contribution</b>	<b>Detail</b>	<b>Trigger</b>
<i>Affordable Housing</i>	Not less than 13% of the total number of dwellings split into the following mix: <ul style="list-style-type: none"> <li>• Affordable Rent – 43%;</li> <li>• Discount Open Market Value – 32%;</li> <li>• First Homes – 25%</li> </ul>	Not to commence development on any phase until an Affordable Housing Scheme for that phase has been approved.  Not to occupy more than 60% of the dwellings within any phase until the affordable housing within that phase has been provided and transferred.
<i>Bus Service</i>	£525,000	Not to occupy any dwelling until 20% of the contribution has been paid and thereafter on each of the four anniversaries following the

		first occupation of a dwelling to pay 20% until paid in full.
<i>Community Facilities</i>	Community Hall with a floor space of at least 1,113m <sup>2</sup> including provision of a badminton court measuring at least 17.4m x 9.1m x 6.7m	<p>Not to commence development until the Community Facilities specification has been approved.</p> <p>Not to occupy any more than 60% of the dwellings on the Phase 1 land until the community facilities have been constructed.</p>
<i>Healthcare</i>	<p>£1,710,000 towards existing facilities off site</p> <p><i>OR (pending healthcare review)</i></p> <p>Construction of a health centre having a maximum gross floor area of 300m<sup>2</sup></p>	<p>Not to occupy more than 700 dwellings until a Healthcare review has been carried out.</p> <p>CCG responsible for obtaining permission for the Health Centre within 2 years of the Healthcare Review if said review confirms should be built on site.</p> <p><i>Contribution:</i></p> <ul style="list-style-type: none"> <li>• No more than 750 dwellings shall be occupied until 20% has been paid;</li> <li>• No more than 1000 dwellings until a further 20% paid;</li> <li>• No more than 1350 dwellings until a further 20% paid;</li> <li>• No more than 1700 dwelling until paid in full.</li> </ul>
<i>On site Open Space (and associated Maintenance contribution)</i>	<p>Sports facilities on site including:</p> <p>a) an Adult and Youth Cricket Pitch measuring at least 111.56m x 106.69m;</p> <p>b) two Adult Football Pitches measuring at least 106m x 70m and comprising one grass pitch and one artificial grass pitch;</p>	<p>Not to commence development on any Phase until an Open Space specification has been approved and the amount of the Maintenance contribution has been calculated.</p> <p>Not to occupy more than 60% of the dwellings within any phase until the on site open space and on site sport facilities for that phase have been provided.</p>

	<p>c) an Adult Rugby Pitch measuring at least 106m x 70m;</p> <p>d) Claypole Lane Changing Facilities with floorspace of at least 70m<sup>2</sup> to be located to the north of Claypole Lane;</p> <p>e) a Junior Football Pitch measuring at least 88m x 56m;</p> <p>f) two Mini Football Pitches each measuring at least 61m x 43m;</p> <p>g) four Tennis Courts each measuring at least 36.57m x 18.29m; and</p> <p>h) a Sports Pavilion which will include changing facilities with a combined floorspace of at least 252m<sup>2</sup>.</p> <p>Amenity space on site including:</p> <p>a) Allotment and Community Gardens as defined in the Allotment Act 1972 and which shall occupy a minimum of 2 hectares;</p> <p>b) Amenity Green Space of 6.4 hectares of land to include:</p> <p>i) pocket parks</p> <p>ii) SUDs</p> <p>iii) multi-use games areas</p> <p>iv) Public Open Space</p> <p>v) Children and Young People Open Space</p> <p>vi) Children's Play Equipment</p> <p>and which shall include both grass and hard surface areas, an activity zone of 1,000 square metres and a hard surfaced area of at least 464</p>	
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	<p>square metres and which shall achieve a minimum distance between the activity zone and any Dwelling of at least 30 metres;</p> <p>c) Children Young Person Open Space: means an area to be used as equipped areas of play for children and teenagers within the meaning of Section 336 of the TCPA;</p> <p>d) Children Play Equipment: comprising two (2) local equipped areas for play (LEAP) and one (1) neighbourhood equipped area for play (NEAP) to be provided within the Children and Young People Open Space;</p> <p>e) Natural and Semi-Natural Green Space: comprising 19.1 hectares of land to be used as land naturally colonised by plants and animals and area where the intensity of the management allows natural processes to predominate and which shall be used as open space within the meaning of section 336 of the TCPA; and</p> <p>f) Landscape Buffer: comprising 6.7 hectares of land which shall be used as a landscape buffer and for structural planting.</p>	
<i>Primary School / Land</i>	<p>Site of 2.2ha and an area of 0.8ha to be reserved for possible future expansion</p> <p>£7,491,738.66 to fund the construction of the Primary School</p> <p>OR</p>	<p>Not to commence development until election in writing as to whether intention is to building Primary School or pay the contribution.</p> <p><i>To build:</i></p> <ul style="list-style-type: none"> <li>• Not to occupy more than 50 dwellings unless school scheme</li> </ul>

	<p>A two form entry primary school with a nursey built in accordance with the requirement of the Department for Education Primary School Design Criteria</p>	<p>has been submitted and approved;</p> <ul style="list-style-type: none"> <li>• Not to occupy more than 450 dwellings until the First Form of Entry has been delivered;</li> <li>• Not to occupy more than 1,400 dwellings until the Primary School has been completed.</li> </ul> <p><i>Contribution:</i></p> <p>To pay the Primary School Contribution to the County Council in the following instalments;</p> <ul style="list-style-type: none"> <li>• 10% of the Primary School Contribution prior to the Commencement of Development;</li> <li>• 37% prior to the Occupation of 30 Dwellings;</li> <li>• 15% prior to the Occupation of 330 Dwellings;</li> <li>• 23% prior to the Occupation of 780 Dwellings; and</li> <li>• 15% prior to the Occupation of 1,280 Dwellings.</li> </ul>
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- 2.3. The site forms part of a wider Strategic Housing allocation with other housebuilders (Allison Homes and Barrat David Wilson Homes) delivering developments to the north of the site. The following planning applications are relevant to parcels of land located to the north of the site and which also forms part of the larger strategic allocation NAPC2.
- 2.4. **14/00465/OUTM** Proposed residential development for up to 1050 dwellings and associated facilities. Application approved September 2017 (Barrat David Wilson Homes).
- 2.5. **18/00526/RMAM** Reserved matters submission for 1050 residential dwellings, public open space, sports provision, allotments and associated infrastructure. Application approved August 2018 (Barrat David Wilson Homes).
- 2.6. **17/01266/OUTM** Outline planning application for the construction of up to 350

dwellings, formal and informal open space and infrastructure. Application approved December 2018 (Allison Homes – formerly Larkfleet Homes).

- 2.7. **19/01053/RMAM** Reserved matters application for the construction of 350 dwellings with associated public open space and drainage infrastructure. Application approved September 2020 (Allison Homes – formerly Larkfleet Homes).

### 3.0 The Proposal

- 3.1 The application seeks reserved matters approval for the appearance, landscaping, layout and scale of 430 dwellings. The dwellings would be a mixture of market and affordable dwellings (at a percentage in line with the outline Section 106 agreement). There would be various house types ranging between bungalows and 2.5 storey dwellings as set out in the schedule below (which has been updated during the application):

Housetype	Ref	Beds	Storey Height	TOTAL
<b>Market Dwellings</b>				
Alnmouth	Al	2 Bed	2 Storey	37
Addleborough	Ar	2 bed	2 Storey	40
<b>2 Bed Total</b>				<b>77</b>
Galloway	Ga	3 Bed	2 Storey	46
Sherwood	Sh	3 Bed	2 Storey	38
Darwin	Dw	3 Bed	2 Storey	10
Saunton	Sa	3 Bed	2.5 Storey	52
Barndale	Be	3 Bed	2 Storey	27
Silverdale	Sv	3 Bed	2 Storey	9
Sullivan	Sl	3 Bed	2 Storey	18
<b>3 Bed Total</b>				<b>200</b>
Burnham	Bu	4 Bed	2 Storey	10
Marston	Ma	4 Bed	2 Storey	9
Kennet	Ke	4 Bed	2.5 Storey	36
Greenwood	Gw	4 Bed	2.5 Storey	3
Lambridge	Lb	4 Bed	2 Storey	15
Cherry	Ch	4 Bed	2 Storey	15
Kielder	Ki	4 Bed	2 Storey	5
Langford	Lg	4 Bed	2 Storey	4
<b>4 Bed Total</b>				<b>97</b>
<b>Market Total</b>				<b>374</b>
<b>Affordable Rent</b>				
Fleet Bungalow	Fe	1 Bed	1 Storey	4
Audley	Au	1 Bed	2 Storey	10
Wareham	Wa	2 Bed	2 Storey	4
Haldon	Hd	2 Bed	2 Storey	3
Rendlesham	Re	3 Bed	2 Storey	3
<b>Affordable Rent Total</b>				<b>24</b>
<b>DOMV</b>				
Audley	Au	1 Bed	2 Storey	2
Haldon	Hd	2 Bed	2 Storey	11
Rendlesham	Re	3 Bed	2 Storey	7
<b>DOMV Total</b>				<b>20</b>
<b>First Homes</b>				
Haldon	Hd	2 Bed	2 Storey	6
Rendlesham	Re	3 Bed	2 Storey	6
<b>First Homes Total</b>				<b>12</b>
<b>Affordable Total</b>				<b>56</b>
<b>Grand Total</b>				<b>430</b>

- 3.2 This phase of the development also includes associated infrastructure including SUDs, public open space, formal sports pitch provision, changing facilities with parking and allotments.
- 3.3 The sporting facilities and allotments are proposed to be delivered in the eastern parcel of the site comprising the following:
- Junior football pitch;
  - Adult rugby pitch;
  - Adult football pitch;
  - Mini football pitch;
  - 21 allotments (total of 0.6hectares).
- 3.4 The residential element will be served by two separate accesses forming a looped network from the existing highway to the southern boundary of the site. A further access would be provided for the sporting facilities both from the south but also further northwards within the site through the residential estate.
- 3.5 The application includes circa 10.2 hectares of public open space including a central landscaped square, an hourglass shaped green space with gas easement running through along with the land for sports pitches and a landscaped buffer to the east. A local area of play equipment (LEAP) would also be provided as part of Phase 1a and details have been provided.
- 3.6 The application has been considered based on the following plans and documents:

#### Plans

- Site Location Plan - P24-0414\_DE\_003 Rev: B;
- Phasing Plan - P24-0414\_DE\_013\_B;
- Street Scenes - P24-0414\_DE\_014\_A;
- House Type Pack - P24-0414\_DE\_G002\_B;
- Context Masterplan P24-0414\_DE\_005\_X-03 Rev X
- Planning Layout P24-0414\_DE\_005\_Y\_01 Rev Y
- Presentation Layout P24-0414\_DE\_005\_Y\_02 Rev Y
- Materials Plan P24-0414\_DE\_006\_E Rev E
- Boundary Treatments Plan (1 of 2) P24-0414\_DE\_007\_01 Rev F
- Boundary Treatments Plan (2 of 2) P24-0414\_DE\_007\_G\_02 Rev G
- Key Dimensions P24-0414\_DE\_012\_G Rev G

#### Landscaping Plans & Public Open Space Plans

- Landscape Masterplan P24-0414\_EN\_P24-0414\_EN\_0003\_F\_0001
- Detailed Soft Landscape Proposals (sheet 1 of 9) P24-0414\_EN\_001\_M\_0001 Rev M
- Detailed Soft Landscape Proposals (sheet 2 of 9) P24-0414\_EN\_0001\_M\_0002 Rev M
- Detailed Soft Landscape Proposals (sheet 3 of 9) P24-0414\_EN\_0001\_M\_0003 Rev M
- Detailed Soft Landscape Proposals (sheet 4 of 9) P24-0414\_EN\_0001\_M\_0010



Rev M

- Detailed Soft Landscape Proposals (sheet 5 of 9) P24-0414\_EN\_0001\_M\_0011 Rev M
- Detailed Soft Landscape Proposals (sheet 6 of 9) P24-0414\_EN\_0001\_M\_0012 Rev M
- Detailed Soft Landscape Proposals (sheet 7 of 9) P24-0414\_EN\_0001\_M\_0013 Rev M
- Detailed Soft Landscape Proposals (sheet 8 of 9) P24-0414\_EN\_0001\_M\_0014 Rev M
- Detailed Soft Landscape Proposals (sheet 9 of 9) P24-0414\_EN\_0001\_M\_0015 Rev M
- Detailed Soft Landscape Proposals Composite Plan P24-0414\_EN\_0001\_M\_0004 Rev M
- Detailed Allotment Proposal P24-0414\_EN\_0001\_M\_0005 Rev M
- Detailed Junior Football Pitch Proposal P24-0414\_EN\_0001\_M\_0006 Rev M
- Detailed Adult Rugby Pitch Proposal P24-0414\_EN\_0001\_M\_0007 Rev M
- Detailed Adult Football Pitch Proposal P24-0414\_EN\_0001\_M\_0008 Rev M
- Detailed Mini Football Pitch Proposal P24-0414\_EN\_0001\_M\_0009 Rev M
- Play Area Design by Public Open Space;
- Changing room (105sqm) Plans and Elevations Highways Plans;

#### Highways Plans

- Visibility Extents 20084/SK20 Rev J
- Pedestrian Visibility Plays Along Bus Routes and Private Drives Serving >1 dwelling 20084/SK36 Rev A

#### Other Documents

- Application form;
- Design Compliance Statement (including Building for Healthy Life Assessment) Ref: P24-0414\_G001 B;
- CGI Visuals x 3;
- Planning Statement (Includes Affordable Housing and Statement of Community Involvement) by Persimmon Homes dated September 2024;
- Noise Impact Assessment by Noiseair;
- External Lighting Scheme by MJM;
- Habitat Creation and Management Plan. Reference: 6534-E- dated September 2024;
- Phase 1 Travel Plan by Milestone dated September 2024;
- Technical Statement to address NCC Consultation Response (18.10.2024) Document Reference No. 20084/Reports/TS Rev. A.

### **4.0 Departure/Public Advertisement Procedure**

- 4.1 Occupiers of 51 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.
- 4.2 Site visit undertaken on 7<sup>th</sup> October 2024.

## **5.0 Planning Policy Framework**

### **5.1. Fernwood Neighbourhood Plan (adopted 2017)**

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

### **5.2. 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 6 – Infrastructure for Growth
- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 1 – Affordable Housing Provision
- Core Policy 3 – Housing Mix, Type and Density
- Core Policy 9 -Sustainable Design
- Core Policy 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure
- Core Policy 13 – Landscape Character
- Core Policy 14 – Historic Environment
- NAP2C – Land around Fernwood

### **5.3. 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  
 DM4 – Renewable and Low Carbon Energy Generation  
 DM5 – Design  
 DM7 – Biodiversity and Green Infrastructure  
 DM9 – Protecting and Enhancing the Historic Environment  
 DM12 – Presumption in Favour of Sustainable Development

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

### 5.5. **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (updated 2025)
- Planning Practice Guidance (online resource)
- Newark and Sherwood Affordable Housing SPD (June 2013)
- Newark and Sherwood Developer Contributions SPD (December 2013)
- Newark and Sherwood Landscape Character Assessment SPD (December 2013)
- Newark and Sherwood Residential Cycle and Car Parking Standards SPD (June 2021)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places (October 2019)

### 6.0 **Consultations and Representations**

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

#### **Statutory Consultations**

- 6.2. Nottinghamshire County Council (Highways) – No objections subject to the imposition of conditions.
- 6.3. Nottinghamshire County Council Transport and Travel Services - Planning Condition 4 of the 16/00506/OUTM consent provides for bus stop infrastructure: 04 The development hereby approved shall be implemented in accordance with the Phasing Plan (drawing no. 6534-L-06) and each reserved matters application for each phase or sub phase of the development shall be accompanied by an up to date phasing plan and phasing programme which includes details as follows:

II. Site accesses and major internal infrastructure including internal roads, pedestrian and cycle crossings, footpaths, cycleways and bus stop infrastructure.

The Phase 1 planning layout has been appraised. Bus stop locations included on the Phasing Plan drawing ref. 'DRWG: P24-0414\_DE\_013\_B' and the Planning Layout drawing 'DRWG: P24- 0414\_DE\_005\_M\_01' are noted. Comments are summarised below;

The bus stop adjacent to plots 170/171 should be reviewed to be displaced from the frontages to enable the required infrastructure to be installed without impacting on the amenity of the residents. The bus stop seems to be adjacent to a 3-metre footway which is assumed to also be a designated cycle path. The developer should contact Nottinghamshire County Council to discuss the configuration for the bus stop location, layout and design at this location. It is also noted that this bus stop appears to be located close to a raised table at the junction to the south. Please note that bus stops should not be located within 30 metres of a raised deflection unless the bus can straddle the deflection and align correctly with the raised kerbs.

The bus stop adjacent to plot 111 also appears to be located close to a raised table at the junction to the north. Please note that bus stops should not be located within 30 metres of a raised deflection unless the bus can straddle the deflection and align

correctly with the raised kerbs.

Neither drawing includes the agreed bus stop pair to be located on the north/south route linking to the Allison Homes site to achieve walk distance guidance as agreed with the applicant on 08/05/2024. The plans should be revised to include a bus stop pair to accord with the locations discussed at the meeting and marked on the supporting indicative plan issued after the meeting.

Layby stop – the applicant should provide detailed drawings and provide all relevant dimensions and tapers. The developer must be able to demonstrate the safe arrival and departure of a bus from this stop.

The bus stop infrastructure standard should meet the standard set out in the Council's Public Transport Planning Obligations Funding Guidance including the following: real time bus stop flags, poles & displays including low voltage power source to the real time information pole location; polycarbonate bus shelter; solar or electrical lighting in bus shelter; raised kerbs; enforceable bus stop clearway; lowered access kerbs; additional hard stand (3.7 metres depth x 8 metres width if required), black top dressing (tarmacadam) and the above to be installed to an agreed timescale.

- 6.4. Active Travel – The applicant has addressed the previous comments raised such that ATE is content with the active travel merits of the application subject to the amended plans being secured by condition.
- 6.5. National Highways – No objection (suggested note to applicant).
- 6.6. Environment Agency – No objections.
- 6.7. NCC Flood – No objection subject to conditions.
- 6.8. Natural England – No comments.
- 6.9. Sport England – Considers the details to be satisfactory and withdraws the original objection. Recommended condition in relation to assessment of ground conditions.
- 6.10. Network Rail – No comments received.
- 6.11. National Grid - No comments received.
- 6.12. NSDC Ecology – The minor omissions in the Habitat Creation and Management Plan to that required by Condition 18 are relatively minor and I would advise, non-material and the plan is generally acceptable. However, I would encourage that the proposed seed mix for the attenuation basin is reviewed with a view to utilising an alternative mix more suitable for damper conditions. Whilst it is clear from the Habitat Creation and Management Plan that an updated ecological walkover survey has been undertaken in advance of Phase 1 of the development, I would recommend that this is further evidenced by the report arising from that survey.

The lighting report submitted provides no commentary as to how the strategy has been designed to minimise light spill onto the retained and created habitats. In the

absence of this information, and no obvious features in the design (like back plates) or justification for not using such features to minimise light spill, this report falls short.

### **Town/Parish Council**

#### **6.13. Fernwood Parish Council - Comments on the amended plans (Jan 2025):**

Fernwood Parish Council have considered application 24/01672/RMAM and resolved not to support the application and oppose it on the basis of Highway Safety, Housing Density, Provision of SUDS and Noise abatement.

- **Highway Safety:**

- o We note changes to this revised application mitigate some of our highways concerns regarding the road layout for the proposed bus routes however they are not fully met with regards to the narrowing and re-configuration of Great North Road. Since this time the A1 services have opened and the Southern Link Road will open imminently. Both of these had not come forward at that stage; there is no evidence in the application that they have been considered and or any studies have taken place on the impact and increase of traffic along Great North Road heading south to join the A1 from the services, or the traffic type. A lorry park has opened at the services thus there is a probable increase in HGV traffic. Without any evidence Fernwood Parish Council deem the proposed scheme to be unsafe and there must be studies both desktop and physical carried out to ensure a safe highways plan is in place.

- o Application includes closure of the left turn into Fernwood onto the Great North Road off the A1 at the southern end of the proposed development. We sight the closure of the A1 this week and its effect on local journeys as is. This closure of a left turn will impact further by with a need to take an approximate 9 mile detour to Long Bennington, turn around and come back. We note that there is proposed work to extend the right turn north bound slip road, and increase of traffic traveling in and out of Fernwood raises our concerns that this would make this manoeuvre dangerous. We are also concerned that this extension to the layout of the junction may be contrary to National Highways policy, and that there may be a policy to reduce the number of such junctions.

- o The proposed bus routes have been changed but still do not fully take in to account the possibility of vehicles parked on the internal roads within the planed site, the ratio of road parking per household is 2. A recent study of Fernwood carried out by Fernwood Parish Council indicates there is a ratio of between 3 and 4 vehicles per household. Fernwood has an example of Goldstraw lane where the off road parking ration is low and parked vehicles along the road around bends has caused accidents involving busses hitting parked cars. o Provision of parking for the sports facilities and allotments is too low; this will result in cars pared unsafely on Shire Lane which runs from Fernwood to Claypole. Should matches take place on all pitches at any time there are likely to be in excess of 60 vehicles that need parking; there is only a provision for 20.

- **Housing density:**

o The housing density within this phase of building is concerning; as mentioned above the parking ratio for off road vehicle parking is too low to sustain a viable safe bus route. Spine roads which busses will travel should be wide enough to manage the larger vehicles safely and parked cars, with suitable pavement space for pedestrians.

- SUDS and the prevalence of flooding on the land within the proposed site:

o Environment Agency data shows that the land proposed for the provision of sports facilities is in flood zone 3 and has a high and regular risk of lying water on the land. There is inadequate evidence within the application to demonstrate that the mitigation of flooding is adequate to sustain these facilities or water intake.

o We sight the floods this week, w/c 06/01/2025 as an example when the Witham burst its banks at Claypole causing dykes in the surrounding area to back up including areas for proposed development towards the Claypole end of the site where lying water on fields is still present on 09/01/2025. The run off of water will be impacted by the additional properties.

- Noise & environmental impact:

o Noise monitoring was undertaken in August school holidays and will not reflect peak traffic times including school traffic.

o Noise is noted in the Noise Impact Assessment Report as a potential issue for plots on the Southern Boundary; clarity is requested on what steps Persimmon will be taking to ensure ventilation for these impacted homes is adequate.

o Dale Brain, Senior Environmental Health Officer notes that noise from the proposed development phase to the west area has not been considered.

- Proposed School

o Although the build of a school is not part of this application, we note that we have been informed by Nottinghamshire County Council that it is unlikely that a school will be built for several years if at all on the proposed school site. To mitigate that the land proposed for the school may be used for other purposes we urge that the land is either used for other recreational purposes. If it is used for building houses we insist that the surrounding infrastructure takes this into account.

#### 6.14. Balderton Parish Council – (Comments on revised plans):

Balderton Parish Council objects to the above application (10 object, 1 abstain). The reasons are much the same as our previous objection – copy attached.

We have the following requests/concerns which we would be grateful if your planning committee could consider:

a) What the map calls Claypole Lane is in fact Shire Lane. It is important for Balderton residents to be able to walk or cycle to Claypole without having to go along the old A1 which is full of HGVs. The way we should want to do so is along Hollowdyke Lane to

the very end, when it suddenly stops and turns right angles west back to the old A1 and forces you onto that main road again. It is key that (i) Hollowdyke Lane remains friendly for walkers, cyclists and wheelers; and (ii) that at the point where it currently turns right angles westwards, people can proceed due south to join Shire Lane without being forced onto a long detour and onto the old A1. This route goes back to medieval times and does not appear to have been preserved. The development currently in construction (immediately north of this development) which could be skirted to the east and then the route could progress alongside the playing fields of this development. An active travel route from that right angle bend on Hollowdyke Lane (what3words ref: [///honest.smudges.establish](https://www.what3words.com/#!/en/honest.smudges.establish)) due south to Shire Lane is requested.

b) Shire Dyke follows the eastern boundary of this site. It is crucial that the drains and dykes are accessible to humans and wildlife, are well maintained and that this development doesn't exacerbate flooding problems. There appear to be no SUDS or action planned to temper flood problems. This land is to the south of the ridge so the water wouldn't flow into Lowfield Drain, but it would flow into Shire Dyke which does flow down to Fen Lane and onto Barnby; this land could become liable to flooding if not properly maintained.

6.15. (Comments on original plans) - Object:

Density of houses in the planned area seems too high. This coupled with the low parking space provision per property leads to highway safety concerns within the development. Councillors are also concerned regarding the knock-on effect highways issues from the A1 and B6326 – this development will exacerbate issues on the when there are accidents on the A1. When there are accidents and roadworks this can gridlock London Road and significantly affect Balderton.

The following concerns were also raised by our committee members:

- Lack of parking for planning sporting facilities;
- The increased demand on medical provision in Balderton and Newark;
- Location of sporting facilities in a flood zone 3 area;
- Noise monitoring was conducted during the school holidays and does not reflect peak times.

6.16. Claypole Parish Council – No comments received.

**Representations/Non-Statutory Consultation**

- 6.17. South Kesteven District Council - The Council would ask that the previous comments made on the outline application be taken into consideration in the determination of this current submission. Points previously made that are of relevance to this application are: The impact on the setting of grade I listed St Peters Church Claypole must be carefully considered as it is a very prominent landmark and has an extensive landscape setting, especially when viewed from the west, northwest and south west. NSDC must be satisfied that any harm to the setting is adequately mitigated. - The

edge of the development which runs along the boundary with SK should be sensitively landscaped to ensure that visual impact (from views within SK) is minimised.

- 6.18. Lincolnshire County Council (Planning) – No comments received.
- 6.19. Lincolnshire County Council (Archaeology) - To date, two phases of geophysical survey and archaeological field evaluation (see attached report dated June 2024) have been undertaken as part of the Phase 1 programme. These surveys and field investigations have demonstrated the presence of significant archaeology, dating primarily to the Middle Iron period, with later Roman to post-medieval activity also identified. This evidence extends over the majority of the site, with a main east-west axis of activity, field systems and potential ponding; a north-south track and entrance way has also been identified. Several zones of significant archaeology have been identified (see Fernwood Outline Mitigation Strategy) and where further archaeological mitigation will be required, in addition to monitoring of groundworks, such as SUDS, associated with the development outside these areas. The strategy for the next phase of archaeological investigations has been provisionally discussed (on 10.10.2024) with the applicant's heritage consultant and I am awaiting submission of a draft WSI.
- 6.20. Cadent Gas – No comments received.
- 6.21. National Gas - no National Gas Transmission gas assets affected in this area.
- 6.22. NSDC Environmental Health (noise) – Internal and external noise levels at the proposed dwellings will be acceptable. Later residential phases may need to consider noise from the sports pitches proposed through this application.
- 6.23. NSDC Environmental Health (contaminated land) – No objections, await CEMP with dust management plan and phase 2 SI report for sewage works in due course.
- 6.24. Severn Trent Water – No comments received.
- 6.25. 11 letters of objection have been received for the original round of consultation, details of which can be summarised as follows:
  - There is not enough infrastructure to support additional housing;
  - The extra traffic will be detrimental to Fernwood and Balderton residents;
  - Claypole will also be affected but cannot object because they are in a different county;
  - The traffic is even worse when accidents happen on the A1;
  - Object to building on the flood plains;
  - The area marked for community facilities is vague;
  - New build developments focus on profit rather than infrastructure or community facilities;



- The application does not take into account the southern relief road impact or the lorry park or new services;
- Application includes closure of the left turn into Fernwood, if the other exits be closed there would be no safe entrance to Fernwood;
- The bus routes don't take account of car parked on the internal roads;
- Parking for sports facilities and allotments is too low;
- Noise monitoring was undertaken during the school holidays and will not reflect peak traffic times;
- No improvements to an already dangerous A1 south access including having to cross lanes from the A1 north;
- The current bridge is inadequate for the proposed increased traffic;
- Sports pitches will put added pressure on traffic;
- Housebuilder has mixed to poor experiences from homeowners in respect of quality and workmanship;
- Little detail regarding renewable technologies;
- Bought the dwelling specifically to be away from properties and near fields;

6.26. An additional 3 letters of objection have been received for the revised drawing pack:

- The development will be ugly;
- The houses will be very overlooked;
- The development is poorly planned with a substantial lack of greenery;
- Impact on Claypole village;

## **7.0 Comments of the Business Manager – Planning Development**

7.1. The key issues are:

1. Principle of Development
2. Phasing of Development
3. Housing Density, Type and Mix
4. Design, Layout, Visual Impact
5. Impact on Highways
6. Impact on Amenity
7. Landscaping and Green Infrastructure including Sports Infrastructure
8. Impact on Ecology and Trees
9. Impact on Flood Risk and Drainage

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

#### Principle of Development

- 7.3. Fernwood, along with Newark and Balderton forms the 'Sub Regional Centre' identified in Spatial Policy 1 and are expected to accommodate 70% of the district's overall growth over the Development Plan period according to Spatial Policy 2.
- 7.4. Core Strategy Policy NAP 2C sets out that land around Fernwood has been identified as a Strategic Site for housing (for in the region of around 3,200 dwellings) a high quality business park of 15 hectares, a local centre comprising retail, service, employment and community uses together with associated green, transport and other infrastructure.
- 7.5. The principle of the development is established through the outline consent with the means of access being the only matter that was formally considered. Reserved matters including appearance, landscaping, layout and scale of the development proposed is open for consideration as well as the internal highway layout.

#### Phasing of Development

- 7.6. Condition 4 relates to a Phasing Plan which was submitted with the outline submission reference 6534-L-06. It has always been anticipated that the development will come forward in a number of phases (and indeed sub-phases) as presented here.
- 7.7. The parcels of land to which this application relates falls within Phase 1 of the overarching Phasing Plan and includes a residential parcel to the east of the Local Centre and Primary School Land. These elements of the wider development do not form part of the current application, but the Section 106 requires the delivery of the Community Hall by 60% occupation of Phase 1. The Section 106 also governs that the decision on who will build the Primary School will have been resolved prior to the commencement of development.
- 7.8. This application also includes part of the sporting provision and the changing facilities towards the east of the site which is welcomed in principle to allow for early on-site delivery.

#### Housing Density, Type and Mix

- 7.9. Policy NAP 2C seeks to achieve density levels of 30-50 dwelling per hectare, with higher levels in areas of greatest accessibility in and adjacent to the local centre. Both

Fernwood and Balderton Parish Councils have raised concerns that the density of development proposed in this phase is too high. The residential parcel of the application amounts to approximately 13 hectares. When the areas of open space; pipeline easement and drainage areas are discounted, it would be more akin to approximately 11.8 hectares (still including the highways network). This calculates at an average housing density of approximately 36.4 dwellings per hectare. This would be within the scope expected by Policy NAP 2C but if anything towards the lower end given that this parcel sits adjacent to what will be the Local Centre.

- 7.10. Policy NP2 (Housing Type) from the Neighbourhood Plan requires that housing schemes deliver *'a housing mix that reflects the need in the Strategic Housing Market Assessment 2015 (or equivalent). This should include smaller market dwellings to suit older people that will also be suitable for younger people as first time buyer homes.'*
- 7.11. Since the adoption of the Neighbourhood Plan, the Council has released updated housing needs data (2020) which is explicitly referenced in condition 07 of the outline permission. For the Newark sub area, the following overall housing mix is required:

<b>Dwelling type and number of bedrooms</b>	<b>Current stock profile (%)</b>	<b>Market need profile (%)</b>	<b>Affordable rented need profile (%)</b>	<b>Intermediate need profile (%)</b>
1 to 2-bedroom house	19.2	19.5	11.7	6.0
3-bedroom house	44.2	30.7	14.8	35.8
4 or more-bedroom house	12.0	25.5	19.5	35.8
1-bedroom flat	6.2	4.0	7.1	0.0
2 or more-bedroom flat	6.6	4.9	0.0	0.4
1-bedroom bungalow	2.4	0.0	19.8	2.4
2-bedroom bungalow	4.4	7.4	27.1	7.9
3 or more-bedroom bungalow	2.6	6.7	0.0	11.7
Other	2.3	1.3	0.0	0.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

- 7.12. The affordable tenure split is set by the outline application and embedded into the Section 106 (Affordable Rent – 43%; Discount Open Market Value – 32%; and First Homes – 25%). 13% (56 in total) of the dwellings within this Phase would be affordable to meet the requirements within the Section 106. The split doesn't precisely match the percentages set out above in terms of tenure but that is not considered fatal given that this applies to the whole residential development (i.e. 1800 dwellings). There will therefore be plenty of opportunity for the split to realign with the Section 106 in later phases.
- 7.13. The following table sets out the affordable mix presented through this application against the housing needs for the area. The housing needs data was collated before First Homes was introduced so for simplicity has been incorporated into the intermediate figures.

Dwelling type and number of bedrooms	Affordable rented need profile (%)	Affordable rented proposed no.	Intermediate need profile (%)	Intermediate proposed no.
1 to 2-bedroom house	11.7	7 (29.2%)	6.0	17 (53.1%)
3 bedroom house	14.8	3 (12.5%)	35.8	13 (40.6%)
4 or more-bedroom house	19.5	0	35.8	0
1-bedroom flat	7.1	10 (41.7%)	0	2 (6.3%)
2 or more-bedroom flat	0	0	0.4	0
1-bedroom bungalow	19.8	4 (16.6%)	2.4	0
2-bedroom bungalow	27.1	0	7.9	0
3 or more-bedroom bungalow	0	0	11.7	0
Other	0	0	0	0
<b>Total</b>	100	24	100	32

- 7.14. The above shows a clear over reliance on smaller 1-2 bed dwellings and flats when compared to the demonstrated need. This is to the detriment of providing larger 4 or more bedroom properties and bungalows (albeit there would be a marginal contribution of one bed bungalows).
- 7.15. This has been raised during the application process in an attempt to negotiate a mix which better aligns with the identified housing needs. However, the affordable mix has not changed through the revised plans. The applicant has responded by referring to the benefits of including the four bungalows (when these were not explicitly expected through the outline permission). According to discussions with a registered provider (albeit not secured for delivery at this stage), bungalows are preferable over larger 4-bed units and the applicant is not willing to provide both. It is stated that there are significant concerns regarding the affordability of 4-bed units as intermediate types given the respective open market value of the dwellings would make the properties unfeasible from an affordability perspective for potential purchasers.
- 7.16. The inclusion of the bungalows is considered a benefit of the scheme. Whilst it would have been desirable for the affordable mix to better align with the housing needs, this is not considered fundamental to make the development acceptable, particularly given that this is the first phase of development to come forwards. It is hoped that later phases with affordable provision will include provision for larger dwellings.

7.17. Moving then to the market mix presented when compared to the housing needs data:

<b>Dwelling type and number of bedrooms</b>	<b>Market need profile (%)</b>	<b>Market proposed no.</b>
1 to 2-bedroom house	19.5	77 (20.6%)
3 bedroom house	30.7	200 (53.5%)
4 or more-bedroom house	25.5	97 (25.9%)
1-bedroom flat	4	0
2 or more-bedroom flat	4.9	0
1-bedroom bungalow	0	0
2-bedroom bungalow	7.4	0
3 or more-bedroom bungalow	6.7	0
Other	1.3	0
<b>Total</b>	<b>100</b>	<b>374</b>

7.18. The market mix is a much better alignment with the housing needs data following the ranking of the three most needed house sizes. There is a notable over provision of three bed units which corresponds with a total lack of market bungalows. However, I am conscious that the outline application set parameters within the Design and Access Statement specifically acknowledging that *‘the majority of housing will be 2 storey in height, with some 2.5 and 3 storey homes in selected locations.’*

7.19. Although condition 7 of the outline permission referred to housing mix, it also required any reserved matters application to respond to the design principles contained within the Design and Access Statement. Given that the premise of 2 storey dwellings would have governed the viability case presented at outline stage, I do not consider it would be reasonable to insist on market bungalows. Clearly if any later phases of development do include bungalows then that would be seen as a benefit but their inclusion is not considered fundamental to a successful scheme.

#### Design, Layout, Visual Impact

7.20. Good design is also one of the core principles of the NPPF and is a material planning consideration. The NP also outlines the importance of good design specifically encouraging major applications to include a report demonstrating that the scheme

has met national design standards against the Building for Life Criteria. This uses a traffic light system to demonstrate compliance against the following headings:

14 INTEGRATED NEIGHBOURHOODS	38 DISTINCTIVE PLACES	62 STREETS FOR ALL
Natural connections	Making the most of what's there	Healthy streets
Walking, cycling and public transport	A memorable character	Cycle and car parking
Facilities and services	Well defined streets and spaces	Green and blue infrastructure
Homes for everyone	Easy to find your way around	Back of pavement, front of home

### *An Integrated Neighbourhood*

- 7.21. The application site is just part of a much wider strategic allocation for both residential and associated commercial uses. It is therefore important that the site responds not just to the later phases of this development, but also preceding development currently being delivered by other housebuilders.
- 7.22. The internal road network shows a clear connection to the Allison Homes site to the north (which is still in the process of being built out at the point of connection). This is welcomed as it will enable potential bus route connections but also cycle and pedestrian connectivity between the sites. The Allison Homes site is of a much smaller scale which won't be served by specific infrastructure (other than areas of open space) and so the connection will give the wider community the opportunity to easily access the proposed sporting facilities on this site but also the facilities within the adjacent local centre when this comes forward within a later phase.
- 7.23. It is acknowledged that the application will specifically provide points of connection between the residential element of this phase and the proposed sporting facilities. Whilst in the short term this may be an unusual arrangement (essentially forming two roads through a field) in the longer terms it will serve a further residential phase. The inclusion at this stage is beneficial as it would give residents within the earlier phases of occupation a more direct route to the associated facilities.
- 7.24. Pedestrian connectivity around the site is well structured. Although predominantly based on pavements adjacent to roads for vehicular traffic there are some solely pedestrian linkages, for example through the main area of central open space. There would also be a pedestrian loop around the play area to the east of the residential parcel and a slight pedestrian shortcut along Shire Lane.
- 7.25. Although the detail of the local centre is not known at this stage, there would be opportunity for both pedestrian and vehicular access at appropriate points along the western boundary.
- 7.26. Path linkages would be in front of homes (rather than to the rear) and therefore would lead to a well overlooked public realm.

- 7.27. The site is in close proximity to a number of existing services in both Fernwood and the wider Newark Urban Area. Notwithstanding this, the later phases of development will bring forwards further facilities to allow the development to become a self-sufficient community. The delivery of these facilities is governed by the associated legal agreement. Whilst there will inevitably be residential occupation prior to all of the facilities being operational, the space required for their delivery would be unaffected by this development.
- 7.28. The inclusion of a number of sporting facilities within this phase is beneficial in securing their early delivery. Overall, this is likely to be a desirable residential location where facilities and services are concerned being close to what will be the local centre but also connections to existing nearby settlements.
- 7.29. Housing mix and type has already been discussed in more detail in the preceding section. Building for Healthy Life promotes affordable plots being dispersed across the site. The revised plans have successfully been amended to provide better dispersion throughout the site. Whilst there are still pockets of affordable units, this is inevitable from a management perspective. The clusters are now up to 15 units (rather than the original scheme which had 36 affordable units in one area) which is considered an acceptable approach to pepper potting for a development of this scale.

#### *Distinctive Places*

- 7.30. The nature of the application, on a predominantly greenfield site, means that there is limited opportunity to utilise existing features. Nevertheless, the constraints of the site, for example the areas at risk of flooding and the gas pipeline easement, have to some degree dictated the form of the development. This follows the principles of the outline parameters plan.
- 7.31. The residential parcel has been designed through distinctive character areas which helps in setting a street hierarchy. Although the house types would be Persimmon standard products, the materials would be reflective of the locality and the varying number of house types would still provide visual interest. The use of contrasting materials at prominent locations will also assist in giving a sense of place.
- 7.32. Structural landscaping along primary and secondary streets, and within the defined areas of open space will assist in creating a memorable character which is often lacking in modern developments. There is also opportunity for additional planting along the Shire Lane corridor whilst largely retaining existing hedgerows.
- 7.33. The residential development blocks are outward facing giving active frontages. Open spaces are well overlooked with principal elevations facing towards them. This has been improved since pre-application stages through the removal of car parking spaces along the open space edge. Where appropriate, corner plots have been designed with dual frontages.
- 7.34. Internal vistas are predominantly towards principal elevations albeit there are some instances where these plots would still have parking spaces in front of them which is less desirable. Where these occur, there tends to be nearby street trees which would to some degree mitigate the impact of the hardstanding.

### *Streets For All*

- 7.35. Street lined trees are specifically expected through the NPPF and their inclusion has been subject to discussion at pre-application stages. Street trees are frequent along the primary and secondary streets.
- 7.36. The positioning of the areas of open space are well designed to serve the development. The central area in particular would offer the opportunity for informal congregation at a connecting point between what will be the local centre and the sporting facilities which will be provided through this application.



- 7.37. The play area to the east of the site would have an appropriate buffer to the nearest residential dwellings (at least 20m as per Fields Trust Guidance).
- 7.38. One of the key issues in existing Fernwood is the tendency for on street parking partially due to the initial design of the development which includes rear parking courts. This is no longer a design approach advocated as it restricts the opportunity for natural surveillance. The optimum parking arrangement is to include spaces to the side of properties so that the visual impact of the parking is somewhat mitigated by the presence of the dwellings.
- 7.39. Policy NP3 (Residential Parking on New Development) provides that schemes for major residential development should provide a street layout and housing design that accommodates the car parking required based on Fernwood's location and associated car ownership levels and in accordance with NPPF criteria. Proposals are required to be in accordance with; a) Residential Car Parking research, Highways and Development Control Guidance (or equivalent); and b) the findings in the Fernwood BFL12 Assessment at Appendix A. It goes on to say that proposals should demonstrate how parking solutions are integral to a high quality, well designed scheme in accordance with NP1.
- 7.40. The Council's adopted Supplementary Planning Document (SPD) on parking and cycle provision requires 1 bedroom dwellings to have 1 parking space, 2 and 3 bedroom dwellings to have 2 spaces and any properties with 4 or more bedrooms to have 3



parking spaces.) The SPD also sets out the required dimensions for spaces and design principles such as ensuring appropriate landscaping between rows of parking spaces and avoidance of tandem (particularly triple tandem) parking.

- 7.41. Based on the revised plot schedule, a total of 941 parking spaces are required to serve the dwellings. Due to some dwellings having more than their allocation, there is around 100 extra spaces. Crucially, based on the revised plans, every plot is allocated the required number of spaces according to the SPD. There are no specific allocated visitor spaces but given that there is an overall over-provision within plots, this is unlikely to be a major issue. Despite the concerns raised by the Parish Council, a 'Key Dimensions plan' has been submitted showing where vehicles could park on the highway without detriment to highways safety and this would provide sufficient overspill visitor parking if required.
- 7.42. Matters of parking provision have been subject to discussion leading to amendments throughout the application. One of the biggest issues with the original plans was that four of the four-bedroom house types have internal garages which are not big enough to be counted as a space as set out in the SPD. The revised plans now show these plots with three spaces side by side outside of the garage (wide enough to meet the dimensions within the SPD). Any garage space could then either be used as overspill parking for smaller cars or just as storage (including bike storage). The revisions have therefore successfully overcome this issue.
- 7.43. Whilst triple tandem parking arrangements (which is specifically discouraged by the SPD) do feature throughout the site, there are now only 2 plots (Plots 2 and 15) which would have to rely on this arrangement to meet their parking requirements set by the SPD. In all other cases, the third space is an additional one. This is another improvement through the revised plans where triple tandem originally affected 11 plots. On a development of this scale, triple tandem parking for 2 plots is considered an acceptable compromise.
- 7.44. On the whole, spaces are well allocated to the plots which they would serve. There are a few instances of slight displacement, mainly around corner plots, but this are in the minority. In my view, where the displaced cases occur, occupiers are still likely to favour parking their vehicles in the allocated spaces off road rather than risk parking on the highway on a bend in the road. The spaces are connected to the allocated dwelling by pathways.
- 7.45. The scheme has taken advice from pre-application stages and in the main there are sufficient areas of landscaping breaking up parking spaces which will soften their appearance in the street scene. The presence of street trees along the primary and secondary routes will provide further mitigation from the hardstanding created through the spaces.
- 7.46. The original plans had three parking courts where spaces dominated with no space for appropriate landscaping. The revised plans have amended these areas now allowing modest space for landscaping which will soften the appearance of the parking. These parking courts are not the dominant form of parking and would be discrete in the public realm (albeit still overlooked by the dwellings which they serve).



- 7.47. It is stated that cycle parking numbers are provided in accordance with the appropriate standards but this is not demonstrated further and the majority of plots would not be served by garages. The applicant has confirmed that they would be willing to accept a condition to demonstrate cycle parking provision at a later date.

*Design, Layout, Visual Impact Conclusions*

- 7.48. In their Design Compliance Statement, the applicant considers that the proposal achieves 9 green and 3 amber scores. On the whole this is deemed a fair conclusion to reach. The scheme has evolved in a positive way since pre-application stages and through the application, and now demonstrates good connectivity through both the site and other neighbouring sites including areas for future infrastructure. The revised plans demonstrate a much improved parking layout which on the whole meets the aspirations of the Council's SPD.

Impact on Highways

- 7.49. The assessment of the outline application included a detailed account of the impacts of the development on the wider highways network. Notably this was done in the context of the whole strategic site allocation which will undoubtedly have an impact on the operation of the highways network. The outline decision (as is the case with the applications for Allison Homes and Barratts David Wilson) included conditions attributing each developer to their 'fair share' of the wider highways works. These conditions still require compliance for the development to come forward.
- 7.50. It is understood that there remains local concern (from representations and the Parish Council) regarding the local highways network in terms of existing traffic and congestion. Given the outline consent is extant, and noting the associated conditions (and within the S106) which relate to the highways network, it is not considered appropriate nor necessary to re-rehearse the entire traffic scenario. The works suggested by Balderton Parish Council to Hollowdyke Lane are outside of the remit of this application. NCC Highways have commented stated the existing highway network is suitable in capacity terms to accommodate the development but there is no existing or suitable footway/cycleway links to the development. The red line boundary

encompasses the above works and it may be that the developer intends to deliver them sooner than the triggers in the S106, but this is not secured as a variation. Highways have therefore requested a condition for a shared route of a minimum of 3m is installed around the site boundary linking to existing facilities, otherwise this site will be unsafe and unsustainable as there is no access for pedestrians and cyclists from the north. However as stated above, as this relates to an existing S106 trigger and is managed that way, a separate condition cannot be imposed at reserved matters stage which alters this already agreed approach. Although I resonate with the position of the County Council, unfortunately this is beyond the scope of this stage.

- 7.51. To clarify, with the works required by all developers, the strategic road network can accommodate the development proposed. It is notable that National Highways have raised no objections to the application.
- 7.52. Notwithstanding the above, the reserved matters submission still requires assessment in terms of the internal road network. This has been subject to discussions at pre-application stage leading to a significant reduction in the use of private drives so that the majority of the dwellings would now be accessed from adoptable highway. Internal dimensions of the road network have been carefully considered to ensure that they meet the requirements for a bus route where necessary.
- 7.53. Condition 24 of the outline permission requires a scheme of implementation for the details within the Travel Plan which was submitted to support the outline application. It also requires the Travel Plan to be updated if required as part of each reserved matters submission. The current application includes the submission of a Travel Plan dated September 2024. The overarching aim of the Travel Plan is to reduce the need to travel by private car where possible by encouraging safe and viable alternatives. Although this has been submitted with this application, NCC Transport and Travel Services have not provided commentary on it. However the applicant has submitted it for review as part of a formal Discharge of Condition request associated with the Outline application, which is currently pending consideration with Officers. (25/01320/DISCON)
- 7.54. For a scheme of this size, Active Travel is a statutory consultee. Their original comments raised two specific concerns relating to the original layout. The first was that there was no bound surface connecting the southern central part of the site to the footway and the other relating to traffic calming measures. Both have been resolved through the revised plans and Active Travel have therefore confirmed that they have no objections to the plans as revised.
- 7.55. NCC as the Highways Authority (HA) have commented on the reserved matters submission who had originally objected to the proposal on the basis of the future bus stop provision, shared routes, speed attenuation, swept path analysis, visibility, access to the school and local centre, parking, sports pitches and allotments and other general matters such as bin collection. However through prolonged negotiation with the applicant, these matters have been addressed and NCC Highways are now satisfied that the amended proposal addresses all of their concerns, although some conditions are requested on detailed matters. These are set out in the recommendation below.

- 7.56. The streetlighting scheme was based on a previous layout and it was previously highlighted, where trees are proposed, even in private land when that is adjacent to highway, it is important that the canopies of these trees do not overshadow the streetlights, in the interests of highway safety. The HA have recommended a condition to ensure that the proposed trees do not overshadow the street lighting design (once complete).
- 7.57. Visibility - The developer has addressed the comments of the HA regarding intervisibility between the parking spaces and the shared route by introducing a 2-metre buffer on the loop road linking the development to Shire Lane and setting car parking spaces back on the north-south link (where there are less dwellings having an impact). It is expected that the developer will be required to inform buyers on the north-south link of the need to keep relevant visibility splays clear under the New Homes Quality Code. However, the buffer on the loop road should be managed so that the strip is not absorbed into the adjacent curtilages. The HA therefore request a condition in this regard, including how this will be managed and demarcated. Drawing number 20084/SK20 rev I has been submitted showing visibility splays for dwellings abutting the shared route. Unfortunately, these are shown at a 2.4m setback which means that some of these splays cross parking spaces and as such would be unreasonable to condition. There are also some splays lines to the east which appear to link to the junction crossing points over a distance greater than 17m. These cross private curtilages which is unreasonable and unnecessary and therefore mean that we cannot request this drawing to be conditioned. Whilst visibility splays from the private drives on the radii have been shown, these are not drawn correctly, as they are required to be vehicular visibility splays and are also required to be drawn from Plots 12-15 inclusive and Plots 119-122 inclusive. The HA request a condition for a drawing showing suitable visibility splays.
- 7.58. Swept Paths - The Highway Authority are in receipt of revised swept path drawings which demonstrated that the bends and junctions are suitable to accommodate buses. However, there are some minor differences between these and the submitted Planning Layout (Dwg no P24-0414\_DE\_005\_Y\_01) and it is therefore recommended that a condition is applied to require the roads to be approved prior to commencement as this will allow minor amendments to the planning layout to be made, in the event that this is required to accommodate an adoptable highway layout. The Highway Authority would point out that any such amendments, if required, would not be material in nature.
- 7.59. Bus Stops - The Planning Layout drawing shows 6 bus stops throughout the development which will support sustainable transport options. There are 3 x full spec shelters with real time information boards (RTI), a cantilever shelter with RTI outside Plot 172 with 2 pole and RTI only stops on the north-south route. All will require Bus Stop Clearways and a low voltage power supply. All details should be submitted at Technical Approval stage with the HA.
- 7.60. General Matters - There are a number of locations where the in-curtilage parking is identified to potentially be an issue, creating obstruction and potential highway safety issues along the bus route. We will therefore request a condition that the applicant provide traffic management measures to prevent such parking. (Please note that it is

also recommended that the developer applies for the required Bus Stop Clearways at the same time as making that application.)

- 7.61. It is intended for the north-south route to connect to third party land to the north, which in time will enable penetration by buses in addition to general connectivity. However, the timings of the link to this land cannot be controlled and as such, the north south link may be left with an over-long section of highway with no turning ability. As such, the developer has indicated a temporary turning head within the curtilage of Plot 416. This takes the place of the parking associated with that dwelling so a condition will be requested that this specific plot cannot be occupied until a link to the development to the north is made and is available to traffic, otherwise vehicles will have to reverse over a long distance, contrary to highway safety. We will also request a condition to secure that the bellmouth kerbs required for the turning head are reinstated to a vehicular footway crossing to serve the in-curtilage parking so that core principles related to pedestrian priority are adhered to.
- 7.62. The HA have also suggested other conditions which have been reviewed for their ability to meet the 6 tests, and these have been reworded to accord to ensure they are enforceable.
- 7.63. Therefore on the basis of the lack of objection from NCC Highways and other statutory consultees on this, it is considered that the proposal would not result in harm to highway safety and is in accordance with the development plan and other material considerations notably the NPPF.

#### Impact on Amenity

- 7.64. For a development of this size there will clearly be numerous amenity relationships which require careful assessment. Expected distances between properties formed part of the pre-application discussions. On the whole, back to back relationships within the site achieve at least 21m. Where the relationship is rear to side elevation, the aim would typically be to provide at least 12m between (albeit this is not formally set in policy).
- 7.65. The original scheme presented some compromises in terms of amenity, particularly affecting some of the affordable plots. Rear to side gable distances were in some cases less than 10m which would not afford an attractive outlook, particularly since the affected plots were modest in size. These have been largely resolved through the revised submission. In order to achieve this, a verge along the secondary street has been omitted. Whilst this would have been attractive in urban design terms, in this case securing appropriate amenity provision is considered more important.
- 7.66. There are still some areas where the distances between plots are relatively tight, some under 21m back to back distances. However, these affects the minority of plots which on a scheme of this size is considered an acceptable compromise. The revised plans represent an improvement, particularly for the affordable plots where there is a less of a case for 'buyers being aware'.

- 7.67. Other than the Audley house type – which comprise ground and first floor flats, each plot is afforded an area of private rear outdoor amenity space. A lack of private amenity space for flats is not uncommon and is not considered fatal particularly since these plots would be a short walk from the central area of open space and would still have a small area of shared provision.
- 7.68. The size of the gardens do vary, but they would all allow for some space to site out / hang washing etc.
- 7.69. Despite being a greenfield site, there are a number of existing residential curtilages which have been excluded from the application site area but would inevitably be surrounded by the proposed development. Clearly this would be fundamental change from their current environment and therefore the impact on their amenity requires consideration.
- 7.70. For this phase, there is an existing residential dwelling in the south eastern corner of the site. The boundaries of the plot would be surrounded by rear gardens of properties which is considered appropriate in principle. To the rear (north) of the existing dwelling, there would be four bungalows which is welcomed in terms of reducing an overbearing impact from the development. The distance from the two storey rear elevation of the neighbour to the bungalows would be over 20m which is considered an acceptable relationship. The closest dwelling (plot 135) to the west would be around 17m away but the existing dwelling has only one small ground floor window facing westwards and so this relationship would be acceptable.
- 7.71. There is also another nearby dwelling on the opposite side of Shire Lane but this would be over 30m away from the nearby proposed built form so there are no concerns from an overbearing or overlooking perspective. Both existing occupiers are likely to experience an increase in comings and goings (with one of the proposed site accesses being close to their curtilages) but this is inevitable through the site allocation and has been accepted in principle through the outline consent.
- 7.72. The other amenity assessment to consider is the relationship with the development site to the north being brought forward by Allison Homes (formerly Larkfleet Homes). Separation distances proposed are acceptable being at least 22m where the relationship is back to back.
- 7.73. There are two plots on the Allison Homes development which are closer to the shared boundary. These would be next to proposed plots 328-330 and 379. Having reviewed the plans for the approved house types, there would only be secondary windows at first floor (bathrooms and landing) facing the shared boundary and so this relationship becomes less sensitive and is ultimately acceptable.
- 7.74. A Noise Impact Assessment (NIA) has been submitted to support the application as required by condition 14 of the outline permission. This presents updated glazing and ventilation specifications and assesses garden noise levels based on the results of an updated noise survey at the site.
- 7.75. Plots along the southern boundary of the site would require alternative ventilation than open windows due to the presence of the road. This would essentially be specific

double glazing and trickle vents. External amenity noise levels would be below the 50 dB threshold with standard fencing. It is noted that Fernwood Parish Council are concerned that the report took place within the school holidays but irrespective the survey has clearly identified traffic noise as a constraint and suggested mitigation accordingly.

- 7.76. The NIA has been assessed by colleagues in Environmental Health and they have raised no issues in respect to this phase. It is not necessary to seek compliance with this document through condition as this would be controlled through the original outline condition. The comments of the EHO do also refer to the potential for the phase to the west to be affected by noise from this phase (i.e. the sports pitches). This would need to be assessed at the time of that application albeit there is an implicit acknowledgement in the outline consent that the wider development will have a mix of uses.
- 7.77. Overall, the impacts on residential amenity to both existing and proposed residents is considered acceptable and in compliance with the NP and Policy DM5.

#### Landscaping and Green Infrastructure including Sports Infrastructure

- 7.78. Policy NAP2C sets out that the provision of Green Infrastructure in line with SP8 will be required which secures landscaping and structural planting throughout the development, buffer zones to the A1, railway and boundaries with the countryside amongst others.
- 7.79. The application site falls within the South Nottinghamshire Farmlands regional character area, partly within the Cotham Village Farmlands (SN08) and partly within the Cotham Meadowlands (SN09) character types. The topography in this area is flat and open with land use being predominantly intensively arable with hawthorn hedgerow boundaries where views are interrupted by power lines, pylons and the A1. Landscape condition here is defined as poor and there is a low-medium sensitivity to change.
- 7.80. This phase of development would deliver a local area of play (LEAP) and a central area of open space. Details of the equipment within the LEAP have been provided with the application. There would also be a landscaped buffer along the eastern and most of the southern boundary. Landscaping would be interspersed throughout the development including street trees with specifications and species provided. Soft landscaping proposed is supported by a Habitat Creation & Management Plan.
- 7.81. The landscaping proposed would greatly assist in softening the visual impacts of the development and is considered appropriate for this phase. Its delivery would need to be conditioned through this application.
- 7.82. The associated Section 106 for the outline application secures the level of green infrastructure required in terms of the sporting facilities. Some of these would be provided within this phase including the Changing facilities. The Section 106 agreement requires that no more than 60% of the dwellings on any phase can be occupied until the on site open space and on site sports facilities to be provided within

that phase have been provided. There is therefore no need to separately condition their delivery.

7.83. Sport England have been invited to comment on the details submitted. Their comments on the original plans raised an objection for the following summarised reasons:

- Layout of rugby pitch does not meet design guidance;
- Amount of car parking is insufficient;
- Proximity of the changing room to the football pitch has the potential to cause ball strike issues;
- Not clear on the safety measures between the playing pitches and the attenuation basin.

7.84. The revised plans have sought to overcome the concerns raised by Sport England. The rugby pitch has been increased in size; appropriate run off and respect areas have been provided around the football pitches and the changing room location has been revised as well as the internal layout being amended. Protective knee rail fencing is now proposed around the drainage basin (which will be predominantly dry in any case).

7.85. Sport England (in consultation with relevant bodies) have confirmed that the amended plans have overcome the reasons for their original objection. Their comments also request a condition for a ground conditions assessment. However, I would agree with the applicant's position on this that this should have been requested at outline stage. Any conditions placed on a reserved matters consent would need to relate solely to the reserved matters detail being sought. The principle of the sporting facilities in this location have been accepted at outline stage without such a requirement and therefore to impose a condition now would not meet the tests set out in Planning Practice Guidance.

7.86. In addition to the above, car parking has been increased from the originally proposed 20 spaces to 50 spaces (including 2 disabled spaces). 24 cycle stands are also proposed. Sport England have deferred to the Highways Authority in terms of the suitability of the parking but have confirmed that the revised proposal demonstrates an improved position and addresses their previous concerns. NCC Highways have stated that they do not consider that this requirement would be frequently exceeded and there is adjacent land available which may be used as informal parking. They also state that despite the improvements, the risk of stray balls entering the highway is limited, however they suggest the fencing is increased from the proposed 1.8m high mesh fencing between the car park and the adjacent pitch, as damage to cars from loose balls could make the car park undesirable. Therefore, a condition to secure this is required.

7.87. The outline permission required upgrades to the Shire Lane corridor but not only is this not required until completion of Phase 1 which could mean that there is no pedestrian access to the sports pitches until the further sub-phases are approved and



constructed, but the shared route for pedestrians and cycles as shown on the approved drawing stops short, at the Phase 1A residential development. The developer has agreed to provide this, as identified on the Context Masterplan and a condition will be requested to secure this, prior to the sports pitches being made available for use.

#### Impact on Ecology and Trees

- 7.88. As existing the majority of the site does not feature notable ecological features or substantial tree specimens which would require removal.
- 7.89. The original outline application was accompanied by a Tree Survey but the specimens affecting this phase relate solely to the curtilage of the existing residential property and trees in front of their curtilage along Shire Lane. These have already been accepted for removal as part of the S278 works along Shire Lane to provide the upgraded road and cycleway (which was considered as part of the outline consent).
- 7.90. The boundary hedgerows will be overall retained (other than in respect to the creation of accesses). Two substantial native hedgerows will be incorporated along the length of the development in the eastern extent to buffer the green infrastructure from proposed residential areas and to protect the Shire Dyke to the west. Where possible, retained hedgerows will be infilled in their natural gaps to increase the diversity and structure of these features.
- 7.91. The outline consent has a number of conditions relating to ecology including the requirement for a Habitat and Creation Management Plan (HCMP) and external lighting details. Both have been provided through this submission.
- 7.92. The HCMP has been reviewed by the Council's Lead Ecologist and they state that they are satisfied with the plan submitted. Although the applicant has submitted this plan with the Reserved Matters application, it is a requirement of the Outline application that no development shall take place within each Phase or sub phase until the plan has been submitted and approved. As such the applicant has submitted this plan separately under 25/01320/DISCON and the amendments requested by the Ecologist will be resolved through that process.
- 7.93. The lighting strategy demonstrates that the proposed street lighting would not have any significant impact on the immediate environment in terms of light pollution. Condition 19 of the original outline permission 16/00506/OUTM, however requires that a lighting scheme must be provided for within each subsequent reserved matters application and that also includes details of flooding lighting. The applicant has confirmed that no floodlighting is proposed around the site or the sports pitches and that this would be the responsibility for the provider to install.
- 7.94. The approval of reserved matters for outline planning permissions are not within the scope of biodiversity net gain (as they are not a grant of planning permission). The original outline application was submitted long before biodiversity net gain legislation came into force and therefore is not applicable to this application.

#### Impact on Flood Risk and Drainage

- 7.95. The majority of the site is within Flood Zone 1 but the eastern area where the sport pitches are proposed is within Flood Zone 3a given the closer proximity to the Shire Dyke. The outline consent accepts the principle of the development so it is not necessary nor appropriate to apply the sequential or exception tests at this stage.
- 7.96. Conditions were attached to the outline permission requiring details of both foul and surface water drainage (and therefore it is not reasonable or necessary to attach them again as suggested by NCC Flood team comments). The Planning Statement submitted to accompany this application confirms that precise details will be provided through a later discharge of condition application. Nevertheless, the scheme will be designed in accordance with the sustainable urban drainage principles set out at outline stage. The submitted layout makes provision for the SUDs basin in the public open space area to the east, as well as provision for a swale to the south adjacent to Shire Lane.

#### Other Matters

- 7.97. There are no designated heritage assets within the site or within 500m of the site. The closest listed building is around 1.4km away and no issues were raised in respect to setting at outline stage. Archaeology would remain to be controlled by conditions imposed on the outline application.
- 7.98. There is a slight error in the Planning Statement at paragraph 6.54 which refers to noise instead of air quality. The applicant has confirmed that it should read 'air quality' and has further confirmed that a construction management plan with dust management plan will be submitted as a separated discharge of condition application. Colleagues in Environmental Health (contaminated land) have raised no objections in the context of the outline conditions securing this and further investigatory works for contamination elsewhere in the wider site.
- 7.99. A neighbouring comment has raised concern that residents of Claypole will not be able to comment on the application despite their close proximity. This is not the case, the public consultation (advertised by press and site notice) is open to anyone, and a specific consultation was undertaken with Claypole Parish Council and Lincolnshire County Council.
- 7.100. Cil is liable for this development.

### **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.
- 8.2. Legal implications - LEG2526/244

Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application

## **9.0 Conclusion**

- 9.1. The principle of development for 1800 homes and the delivery of an appropriate quantum of associated infrastructure to serve the development has already been secured at outline stage. This is the first reserved matters phase to come forwards but the phased delivery of the allocation was always envisaged. The inclusion of sporting facilities through this early phase is welcomed.
- 9.2. The scheme has evolved in a positive way since pre-application stages and through the application and now demonstrates good connectivity through both the site and other neighbouring sites including areas for future infrastructure. The revised plans demonstrate a much improved parking layout which on the whole meets the aspirations of the Council's SPD.
- 9.3. There still remain some compromises to the housing mix, notably a lack of larger affordable plots and a lack of market bungalows. However, the applicant has provided justification for both of these and it is not considered that the housing mix sought is inappropriate on the whole.
- 9.4. The plans have carefully considered amenity provision both in the context of existing occupiers and proposed occupiers. The revised scheme demonstrates adequate distances between dwellings to safeguard amenity and other than the flats, each plot would be afforded an area of private amenity space.
- 9.5. The applicant has sought to address concerns from statutory consultees (namely NCC Highways and Sport England) during the application and these are now satisfied and there is no reason why the application should not be granted.

## **10.0 Conditions**

01

No dwelling forming part of the development hereby permitted shall be occupied until details of storage units / sheds / cycle stores have been provided for those plots without garage accommodation. The approved details shall be provided on site prior to the occupation of the plot to which they relate.

Reason: To provide occupiers with the opportunity to securely store cycles promoting sustainable travel.

02

The approved soft landscaping as shown on plan references:

Landscape Masterplan P24-0414\_EN\_P24-0414\_EN\_0003\_F\_0001

Detailed Soft Landscape Proposals (sheet 1 of 9) P24-0414\_EN\_001\_M\_0001 Rev M

Detailed Soft Landscape Proposals (sheet 2 of 9) P24-0414\_EN\_0001\_M\_0002 Rev M

Detailed Soft Landscape Proposals (sheet 3 of 9) P24-0414\_EN\_0001\_M\_0003 Rev M

Detailed Soft Landscape Proposals (sheet 4 of 9) P24-0414\_EN\_0001\_M\_0010 Rev M

Detailed Soft Landscape Proposals (sheet 5 of 9) P24-0414\_EN\_0001\_M\_0011 Rev M  
 Detailed Soft Landscape Proposals (sheet 6 of 9) P24-0414\_EN\_0001\_M\_0012 Rev M  
 Detailed Soft Landscape Proposals (sheet 7 of 9) P24-0414\_EN\_0001\_M\_0013 Rev M  
 Detailed Soft Landscape Proposals (sheet 8 of 9) P24-0414\_EN\_0001\_M\_0014 Rev M  
 Detailed Soft Landscape Proposals (sheet 9 of 9) P24-0414\_EN\_0001\_M\_0015 Rev M  
 Detailed Soft Landscape Proposals Composite Plan P24-0414\_EN\_0001\_M\_0004 Rev M

shall be completed during the first planting season following the first occupation of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity and biodiversity.

03

Prior to the occupation of each plot, the boundary treatments for that plot shall be installed in full as shown on the approved plan "Boundary Treatments Plan (1 of 2) P24-0414\_DE\_007\_01 Rev F and Boundary Treatments Plan (2 of 2) P24-0414\_DE\_007\_G\_02 Rev G".

Reason: In the interests of visual and residential amenity.

04

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

#### Plans

- Site Layout Plan - P24-0414\_DE\_005\_Q\_01;
- Site Location Plan - P24-0414\_DE\_003 Rev: B;
- Phasing Plan - P24-0414\_DE\_013\_B;
- Street Scenes - P24-0414\_DE\_014\_A;
- House Type Pack - P24-0414\_DE\_G002\_B;
- Context Masterplan P24-0414\_DE\_005\_X-03 Rev X
- Planning Layout P24-0414\_DE\_005\_Y\_01 Rev Y
- Presentation Layout P24-0414\_DE\_005\_Y\_02 Rev Y
- Materials Plan P24-0414\_DE\_006\_E Rev E
- Boundary Treatments Plan (1 of 2) P24-0414\_DE\_007\_01 Rev F
- Boundary Treatments Plan (2 of 2) P24-0414\_DE\_007\_G\_02 Rev G
- Key Dimensions P24-0414\_DE\_012\_G Rev G

#### Landscaping Plans & Public Open Space Plans

- Landscape Masterplan P24-0414\_EN\_P24-0414\_EN\_0003\_F\_0001
- Detailed Soft Landscape Proposals (sheet 1 of 9) P24-0414\_EN\_001\_M\_0001 Rev M

- Detailed Soft Landscape Proposals (sheet 2 of 9) P24-0414\_EN\_0001\_M\_0002 Rev M
- Detailed Soft Landscape Proposals (sheet 3 of 9) P24-0414\_EN\_0001\_M\_0003 Rev M
- Detailed Soft Landscape Proposals (sheet 4 of 9) P24-0414\_EN\_0001\_M\_0010 Rev M
- Detailed Soft Landscape Proposals (sheet 5 of 9) P24-0414\_EN\_0001\_M\_0011 Rev M
- Detailed Soft Landscape Proposals (sheet 6 of 9) P24-0414\_EN\_0001\_M\_0012 Rev M
- Detailed Soft Landscape Proposals (sheet 7 of 9) P24-0414\_EN\_0001\_M\_0013 Rev M
- Detailed Soft Landscape Proposals (sheet 8 of 9) P24-0414\_EN\_0001\_M\_0014 Rev M
- Detailed Soft Landscape Proposals (sheet 9 of 9) P24-0414\_EN\_0001\_M\_0015 Rev M
- Detailed Soft Landscape Proposals Composite Plan P24-0414\_EN\_0001\_M\_0004 Rev M
- Detailed Allotment Proposal P24-0414\_EN\_0001\_M\_0005 Rev M
- Detailed Junior Football Pitch Proposal P24-0414\_EN\_0001\_M\_0006 Rev M
- Detailed Adult Rugby Pitch Proposal P24-0414\_EN\_0001\_M\_0007 Rev M
- Detailed Adult Football Pitch Proposal P24-0414\_EN\_0001\_M\_0008 Rev M
- Detailed Mini Football Pitch Proposal P24-0414\_EN\_0001\_M\_0009 Rev M
- Play Area Design by Public Open Space;
- Changing room (105sqm) Plans and Elevations Highways Plans;

Reason: So as to define this approval.

05

No development shall take place until a Construction Method Statement (CMS) has been submitted to and has been approved in writing by the Local Planning Authority including a works programme. For each part of the works programme (i.e., site clearance, foundations, structures, roofing) the CMS shall include:

- a quantitative assessment of site operatives and visitors,
- a quantitative assessment of the size and number of daily deliveries,
- a quantitative assessment of the size, number, and type of plant,
- a plan identifying any temporary access arrangements,
- a plan of parking for site operatives and visitors,
- a plan of loading and unloading areas for vans, lorries, and plant,
- a plan of areas for the siting and storage of plant, materials, and waste,
- the surface treatment of temporary access, parking and loading and unloading areas, and
- the routing of vehicles to and from the site exceeding 3.5 tonnes.

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance

with the approved CMS and thereafter any temporary access, parking, load and unloading, and storage areas shall be set out and utilised in accordance with the approved CMS and programme. The designated parking, loading, and unloading, and storage areas shall be used for no other purpose during the respective part of the programme.

Reason: To minimise the impact of the development on the public highway during construction in the interest of highway safety.

06

No part of the development shall take place until full technical details of the new road have 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.

07

Prior to the completion of any site clearance, site stripping, or site establishment an application shall have been made for the introduction of a Traffic Regulation Order to restrict parking, in accordance with a plan to be first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

08

Prior to the completion of any site clearance, site stripping, or site establishment details of the proposed arrangements for the management and maintenance of the streets (prior to an agreement being entered into under Section 38 of the Highways Act 1980) including associated streetlighting and drainage shall be submitted to and be approved by the Local Planning Authority. The streets including streetlighting and drainage shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details unless an agreement has been entered into under Section 38 of the Highways Act 1980 at which point those streets covered by the agreement will not be subject to the approved management and maintenance details.

Reason: To ensure that the street infrastructure is maintained to an appropriate standard.

09

Notwithstanding the submitted landscaping drawings, prior to the first occupation of any dwelling, a drawing showing the proposed location of trees alongside the street lighting details approved under Condition 6 shall be firstly submitted to and agreed in writing by the LPA. The development shall then be carried out in accordance with the approved details.

Reason: In order to prevent 'shadowing' of street lighting that may be detrimental to highway safety.

10

Notwithstanding submitted drawing reference 20084/SK20 rev J, the vehicular visibility splays as shown on a drawing to be first submitted to and approved in writing by the local planning authority shall be provided prior to first occupation and nothing thereafter shall be planted, erected, or be allowed to grow on the areas of land so formed that would obstruct visibility from a height 0.6m above carriageway level. The visibility splays shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Reason: In the interests of vehicular safety.

11

The pedestrian visibility splays as shown on drawing number 20084/SK36 rev A shall be provided and nothing shall be planted, erected, or be allowed to grow on the areas of land so formed that would obstruct visibility from a height 0.6m above carriageway level. The visibility splays shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Reason: In the interests of pedestrian safety.

12

Prior to the first occupation of any dwelling, the streets and footways affording access to that dwelling shall be completed up to binder course level and shall be street lit. All streets and footways hereby approved shall be surface coursed prior to the completion of the last dwelling's first fix building works.

Reasons: To ensure that the streets serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

13

Prior to the first occupation of any dwelling, the access and parking area to that dwelling shall be provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

14

Plot 416 shall not be occupied until the vehicular link to the land to the north of the site is available and open to traffic. The temporary turning head shall be reinstated to a vehicular footway crossing prior to occupation of that dwelling.

Reason: To ensure that there is an ability for vehicles to be able to turn in the general interests of highway safety.

15

The sports pitches shall not come into use until suitable boundary treatments to prevent pedestrian access from the residential development are provided in accordance with a drawing to be first submitted to and agreed in writing by the local planning authority.

Reason: To ensure that parking associated with the leisure use does not take place within the residential roads causing obstruction, in the general interests of highway safety.

16

Notwithstanding drawing number P24-0414\_DE\_007\_G\_02, the sports pitches shall not come into until a 3m fence is provided to prevent errant balls within the car park, in accordance with a drawing to be first submitted to and agreed in writing by the local planning authority.

Reason: To encourage use of the car park, to reduce the chances of parking on highway.

17

The dwellings shall be constructed in accordance with the materials as stated on P24-0414\_DE\_006\_E Materials Plan.

Reason: In the interests of visual amenity

Notes to Applicant:

01

Construction Traffic Management Plan (CTMP) Regarding the CTMP and the impact of construction traffic on the A1, proposed routing plans, access arrangements and level of construction traffic (arrival and departure times to/from the site to include staff trips, deliveries etc) should be submitted to the LPA in consultation with National Highways for approval.

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](http://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/](http://www.newark-sherwooddc.gov.uk/cil/) or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

03

The applicant's attention is drawn to those conditions on the decision notice AND those contained on the outline permission which are also relevant, which should be discharged before the development is commenced. It should be noted that if they are not appropriately dealt with the development may be unauthorised. The applicant is advised that the decision notice should ALSO be read in association with the legal agreement made under Section 106 of the Town and Country Planning Act 1990.

04

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 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

05

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. You can contact them via email at [info@eastmidlandsbc.com](mailto:info@eastmidlandsbc.com) via phone on 0333 003 8132 or via the internet at [www.eastmidlandsbc.com](http://www.eastmidlandsbc.com).

06

The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England and National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011). Informative: The applicant is advised that playing pitches should be provided in accordance with the size requirements set out in 'Comparative Sizes of Sports Pitches & Courts (outdoor)' (Sport England, 2015 Update).

07

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

a) The Advanced Payments Code in the Highways Act 1980 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 HA with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the HA as early as possible.

b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance. It is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site. Correspondence with the HA should be addressed to [hdc.north@nottsc.gov.uk](mailto:hdc.north@nottsc.gov.uk)

08

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

09

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

10

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.

11

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.

12

Please note that the District Council no longer provides wheeled bins for residential developments free of charge. Bins can be purchased from us or any other source provided they conform to appropriate standards and requirements of the Council. Our 'Guidance for new developments - Waste storage and Collection' sets out these standards and requirements and is available on our website at [www.newark-sherwooddc.gov.uk/spds/](http://www.newark-sherwooddc.gov.uk/spds/)

If you wish to purchase wheeled bins or discuss this matter further please contact a member of our Environmental Services Team (tel: 01636 655398 or email: [waste.management@newark-sherwooddc.gov.uk](mailto:waste.management@newark-sherwooddc.gov.uk)).

#### 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 - 24/01672/RMAM

