



Report to Planning Committee 4 June 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Anna Horn - Senior Planner

Report Summary			
Application No.	25/00197/FULM		
Proposal	Proposed residential development.		
Location	Land Off Kestrel Rise Rainworth		
Applicant	Homes by Honey	Agent	IBA Planning Limited
Registered	27.02.2025	Target Date / Extension of Time	29.05.2025/ 08.06.2026
Recommendation	That Planning Permission is <u>APPROVED</u> subject to the condition(s) detailed at Section 10.0 and subject to the completion of a S106 legal agreement.		

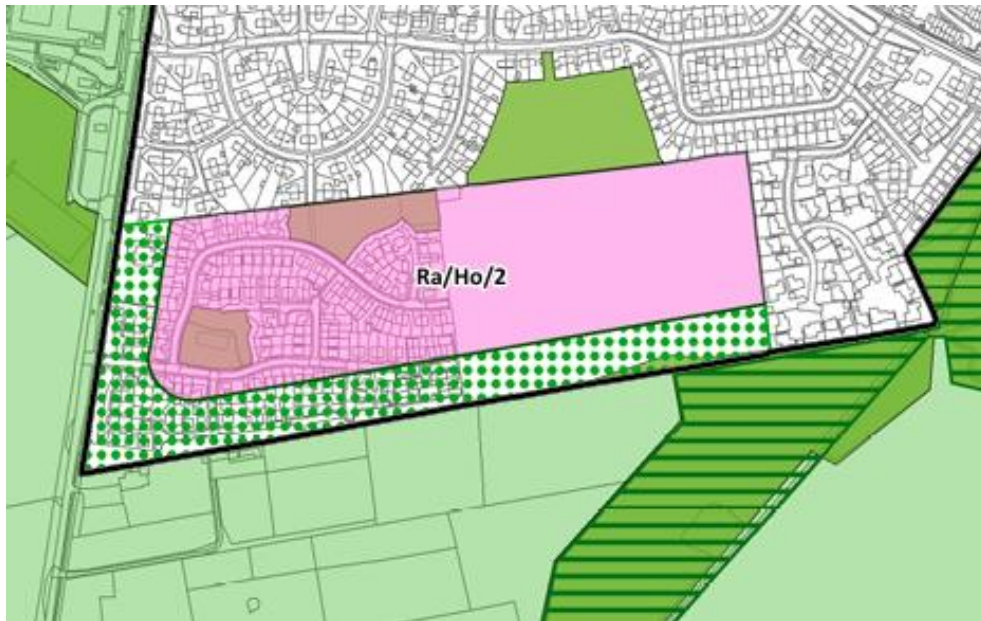
The application is presented at Committee due to a call-in request by Cllr Thompson on the grounds of conflict with the masterplan, an over-intensive form of development out of keeping with the surrounding built form, insufficient parking spaces, highways concerns regarding access and the impact upon wildlife and ecology.

The Site

- 1.1 The site is located within the urban boundary of Rainworth on an allocated site for housing (Ra/Ho/2). The site comprises the eastern part of the wider allocation, with the western half of the allocation having gained permission and been built out.
- 1.2 The site is approximately 5ha in size and is rectangular in shape, comprising a field overgrown with vegetation, shrubs and trees. The site is located on the southern edge of Rainworth, with designated Green Belt to the south. To the north of the site lies an area of public open space, beyond which is further residential development along Preston Road. To the east are residential properties along Woodpecker Drive and to the south is open undeveloped land and tree cover, marking the start of the Green Belt. To the west of the site is residential development along Nightjar Way and Linnet Drive. The existing development to the west of the site comprises the western portion of the

allocation already developed, approved under references 13/01256/OUTM, 15/00523/RMAM and 15/00522/FULM.

- 1.3 The site lies in Flood Zone 1 and has some limited areas of low to medium surface water flood risk. The site is allocated for housing under allocation Ra/Ho/2, and the public open space to the north is designated as such under policy SP8. The allocation includes a strategic landscape buffer to the south and the tree cover beyond the site boundary to the south is highlighted on the policies map as a nature reserve. There are informal paths across the site.



Extract from the Emerging Allocations and Development Management Plan



Site Location Plan

2.0 Relevant Planning History

- 2.1. 17/00418/OUTM Outline application for proposed residential development of 95 dwellings consisting of bungalows, and a mixture of 3 and 4 bedroom dwellings with access to be considered. Application Withdrawn.
- 2.2. 17/SCR/00003 Screening opinion - Outline application for proposed residential development of 95 dwellings consisting of bungalows, and a mixture of 3 and 4 bedroom dwellings with access to be considered 17/00418/OUTM. Environmental Impact Assessment Not Required.

3.0 The Proposal

- 3.1 This application seeks full planning permission for a residential development comprising 133 dwellings, including 11% provision of affordable homes, two access roads, internal road layouts, internal footways, open green space, a children's play area (LEAP) and SuDs features.



Proposed Site Layout Plan

- 3.2 The application has been assessed based on the following plans and documents:

- Application form
- Transport Statement dated January 2025
- Residential Travel Plan dated January 2025
- Planning statement
- Design and Access statement
- Archaeology and Heritage Assessment dated January 2025

- Site Location Plan, reference 2456.02 Rev B (received February 2026)
- Planning Layout, reference NJW-VL-01 Rev H (received April 2026)
- Landscape Master Plan, reference R/2918/1G (drawing received March 2026)
- Open Space Plan, reference 2456.07 Rev H (received April 2026)
- Boundary Treatment Plan, reference 2456.06 Rev H (received April 2026)
- Street Scene Plan, reference 2456.04 Rev E (received April 2026)
- Materials Layout Plan, reference 2456.03 Ref F (received April 2026)
- EVCP, Refuse and Cycle Plan, reference 2456.08 Rev G (received February 2026)
- Phasing Plan, reference 2002 (received May 2026)
- The 33 Poppy Detached Ground and First Floor Plan (revised drawing received February 2026)
- The 33 Single Garage – Gable Side – Plans and Elevation (revised drawing received March 2026)
- The Manuka End Ground, First and Second Floor Plan (revised drawing received March 2026)
- The Manuka End Front, Left and Rear Elevations (revised drawing received March 2026)
- House Type Catalogue Including plans for The Avocado End, The Buckwheat End, The Chestnut End, The Clover Detached, The Eucalyptus Detached, The Heather Detached, The Macadamia End, The 33 Ironbark, The 33 Lavendar, The Linden Corner Detached, The Rosmary Detached, The Sage Detached, The 33 Wildflower, The Dahlia End, The Primrose Detached, The 33 Poppy Detached, Bungalow 2b3p Detached, Bungalow 2b3p Semi, 2b3p End, 2b3p Mid, 2b4p Corner, 3b4p End, 3b4p Mid, Garage – Gable Side – Single and Twin (received November 2025)
- Drainage Layout Plan, reference 49061-ECE-XX-XX-DR-C-0101 Rev P01 (revised drawing received February 2026)
- Swept Path Analysis – Box Van with Opposing Car on Bends, reference 240220-TR004 Rev A (received April 2026)
- Swept Path Analysis – Fire Tender, reference 240220-TR003 Rev C (received April 2026)
- Swept Path Analysis – 7.5 Box Van, reference 240220-TR002 Ref F (received April 2026)
- Swept Path Analysis – Refuse vehicle, reference 240220-TR001 Rev I (received April 2026)
- Parking Heat Map, reference NJW-01-210 Rev B (revised drawing received March 2026)
- Parking heat Map Schedule dated 17th March 2026, received March 2026
- Site Waste Management Plan Dated February 2025
- Great Crested Newt Mitigation Strategy reference RSE_8424_R4_V2 (updated January 2026)
- Viability Report dated October 2025 and Executive Summary
- Geotechnical and Geo-Environmental Site Investigation Issue 3 dated September 2025 reference 49061-ECE-XX-XX-RP-C-0003 (revised report received February 2026)
- Flood Risk Assessment dated October 2025 and reference 49061-ECE-XX-XX-

RP-C-0001 (revised report received November 2025)

- Response to Highway Authority Comments, reference TN01 dated October 2025
- Traffic Survey Summary Data, received January 2026
- Statutory Biodiversity Metric, received February 2026
- Ecological Impact Assessment dated January 2026 reference RSE_8424_R1_V4 (revised document received February 2026)
- Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, reference RSE_8424_R1_V7_ARB, dated January 2026 (revised document received February 2026)
- Ecological Response Letter to LPA, dated January 2026, reference RSE_8424_R5_V2
- BIA Baseline Habitat Plan, reference RSE_8424_BIAB_0126_V3R2
- BIA Proposed Habitat Plan, reference RSE_8424_BIAP_0126_V3R2
- Updated Transport Note, reference TN03 – Response to Highway Authority Comments, dated 27th March 2026
- Written Scheme of Investigation – Archaeological Evaluation by Trial Trenching, prepared by MapArch MAP Archaeological Practice, received April 2026

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 97 properties have been individually notified by letter. A site notice was also displayed near to the site on 19/03/2025 and an advert has been placed in the local press, dated 07/03/2025.

4.2 A site visit was undertaken on 30.07.2025.

5.0 Planning Policy Framework

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

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 – Spatial Distribution of Growth
Spatial Policy 4A – Extent of the Green Belt
Spatial Policy 6 – Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport
Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
Spatial Policy 9 – Selecting Appropriate Site for Allocation
Core Policy 1 – Affordable Housing Provision
Core Policy 3 – Housing Mix, Type and Density
Core Policy 9 – Sustainable Design
Core Policy 10 – Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character

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

Policy Ra/Ho/2 – Rainworth Housing Site 2

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM2 – Development on Allocated Sites
DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The next stage in the Examination process will be the Inspector issuing their draft report.

Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- *Not subject to a proposed main modification;*
- *The modifications/clarifications identified are very minor in nature; or*
- *No objection has been raised against a proposed main modification*

Then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.

[Submission Amended Allocations & Development Management DPD
Schedule of Main Modifications and Minor Modifications / Clarifications](#)

The policies which now carry substantial weight and therefore applicable to the consideration of this application are:

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM2 – Development on Allocated Sites
DM3 – Developer Contributions and Planning Obligations
DM5(a) – The Design Process
DM5(b) – Design
DM5(d) – Water Efficiency Measures in New Dwellings
Core Policy 3 – Housing Mix, Type and Density

5.3. **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (updated 2025)
- Planning Practice Guidance (online resource)
- Residential cycle and car parking standards Supplementary Planning Document (SPD)
- Landscape Character Assessment SPD
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places (October 2019)
- Newark and Sherwood Affordable Housing SPD (June 2013)
- Newark and Sherwood Developer Contributions SPD (December 2013)
- Building for a Healthy Life Criteria¹.

6.0 **Consultations and Representations**

6.1 Please Note: Comments below are the most up-to-date comments and are provided in summary - for comments in full and past representations, please see the online planning file.

Statutory Consultations:

6.2 Environment Agency – Comments received 04/02/2026, no comment as the site is in Flood Zone 1 and therefore there are no fluvial flood risk concerns with the site.

6.3 NCC Lead Local Flood Authority – Comments received 17/02/2026, no objections, recommend condition for detailed surface water drainage scheme.

6.4 National highways – Comments received 04/02/2026, no further comments to make, maintain no objection.

6.5 Natural England – Comments received 24/04/2025, no objections.

6.6 NCC Highways – Updated comments received 18/05/2026 – Objection lifted. The Highway Authority has been in discussion with the applicant and a suite of drawings and a Technical Note has now been submitted to address matters. Planning Layout drawing number 2456_NJW-VL-01 rev G identifies the layout. There is a minor issue remaining at a single bend within the site, but it is thought that this can now be dealt with during the Technical Approval process, should planning be approved. The development is now considered to be generally acceptable in highway terms, subject to conditions.

6.7 Previous comments raised an objection, comments were based on the access and parking constraints, requested a grampian condition requiring developer to submit design for parking restrictions where parking would be obstructive. Trip rates were

¹ <https://www.designforhomes.org/wp-content/uploads/2020/11/BFL-2020-Brochure.pdf>

agreed. Additional traffic counts provided demonstrate that additional traffic will not have a severe impact at either junction (Warsop Road/Blidworth Lane and Mansfield Road/Dale Lane). Junction assessment and modelling work carried out, the assumptions are considered reasonable, awaiting response from specialist colleagues on acceptability of this. Further comments on layout, the loop layout provides better connectivity and footways are coherent. The issue of driveways located at junctions has been addressed. Outstanding issue was parking and parking heat map/schedule. Further comments on use of private drives, visibility and tracking.

Town/Parish Council

6.8 Rainworth Town Council – Objection, with the following concerns raised:

- Master plan for the whole site is for 190 dwellings, 160 have already been built leaving 30 remaining for second phase, extra dwellings proposed will be extreme over intensification of the site
- Housing requirements in Rainworth have already nearly reached 425, this proposal would exceed limits
- Boundary hedge must be retained to the north on land adjacent to the open space
- Objects to pedestrian accesses onto parish owned green land
- Concerns regarding the entry point / access onto the site
- Congestion and increase in traffic, parking pressures, especially at peak times like school drop off / pick up, concerns for other road users
- Occupiers of new development should pay an annual maintenance fee in respect of amenities on the site, like neighbouring estate does
- Location of development does not encourage use of buses
- Concerns junction at Warsop Lane / Nightjar way would be over capacity
- Concerns re width of driveways and parking provisions in plot layouts
- Concerns about public foul sewer system and wastewater capacity
- Concerns of overlooking and loss of privacy (residents on Woodpecker Drive)
- Lack of employment prospects in Rainworth
- Additional strain on local facilities e.g schools and doctor surgeries

Upon re-consultation, the Town Council maintain an objection and request the original objection remain in place.

Representations/Non-Statutory Consultation:

6.9 NCC Planning Policy – Updated comments received 13/03/2026, comments on education, seeks contribution of £269,059, based on other developments in the area. SEND contribution of £104,566 requested, other secondary education can be secured through CIL processes. Libraries, contribution of £5,940 requested, waste management £13,927.76 requested, community transport £53,200 requested, bus stop improvements £70,900, and condition requested for free bus passes for residents. Comments on payment triggers (payment before occupation of first dwelling).

- 6.10 NSDC Environmental Health (Contaminated Land) – Comments received 13/02/2026, generally agree with findings of updated report for ground gas monitoring. However, notes that there remain areas that have yet to be sampled for soil contamination. Some assessment of this area is needed to ensure it is suitable for proposed use. Updated comments received 04/02/2026, further ground gas work and additional soil sampling is required. Email received 16/02/2026 advising that a pre-commencement condition for NE corner of the site could be used.
- 6.11 NSDC Ecology – Previous comments received on 08/01/2026 required additional information in relation to BNG and GCN mitigation strategy. Updated comments received on 16/03/2026: additional information has resolved the previous concerns in relation to assessment of reptiles and breeding birds. Minor errors remain in the BNG assessment and the BNG calculation will need to be amended as part of the process to discharge the BNG plan. The revised information also resolves the previous concerns in relation to the proposed GCN strategy. With the proposed compensation, mitigation and enhancement measures implemented, the proposal would be compliant with matters relating to biodiversity, in accordance with the NPPF and local policies. Recommends conditions regarding BNG, Habitat Management and Monitoring Plan, GCN mitigation measures, biodiversity CEMP and a bird and bat box plan.
- 6.12 Archaeology Officer – Updated comments received on 23/04/2026, the updated Written Scheme of Investigation received, and the remaining evaluation programme can be secured as a pre-commencement condition, recommend the submitted WSI is formally approved. Comments received on 30/04/2026 suggest condition wording.
- 6.13 NSDC Planning Policy – Comments received 06/03/2025, principle of development is acceptable through site allocation, no concerns with quantum exceeding original allocation capacity. Comments on density, housing mix, parking and open space. Overall, no objections.
- 6.14 NSDC Sports, Community Facilities and Events Manager – Comments received 23/02/2026, should application be approved it should be compliant with SPD for developer contributions for community facilities and off-site sports provision.
- 6.15 Tree Officer – Comments received 17/02/2026, the survey and report make a fair assessment, only 1 tree (T33 Oak) and 1 group (G13) are recorded at moderate value category B, remainder of trees are recorded as low value category C. to facilitate development 53 individual trees and 13 tree groups will require removal and 8 groups will require partial removal. The removals include T33 and G13 of moderate value and the rest are low value. Amount of tree loss overall will have moderate Allen impact overall, mitigation will be required via soft landscaping plan. The landscape masterplan outlines new planting of trees, shrubs and hedges. The submitted method statement and tree protection plan detail timings and methods to protect retained trees. These measures must be implemented and adhered to. No objections, recommends a condition for implementation and confirmation of tree protection measures.

- 6.16 NSDC Housing Team - Comments received 07/05/2026, comments address the Assessment of Viability that has been carried out and the independent review of this. Based on the review, agreement has been reached to provide 11% affordable homes (15 units opposed to 13) with the S106 contributions requested at £911,704. No additional commuted sum has been requested and therefore has not been modelled in the viability work. The affordable housing provision is not policy compliant but based on the viability review is acceptable. In accordance with the Affordable Housing SPD, the proposed location, breakdown and layout of the properties are suitable. No objections.
- 6.17 NCC Public Rights of Way – Comments received 04/02/2026, no objection – Rainworth FP 6 runs adjacent to the entrance to the site, the proposal does not indicate any impact upon footpath 6. There should not be any disturbance of the footpath without prior authorisation from the Rights of Way Team and the safety of the public using the footpath should be observed at all times. Applicant should contact the Rights of Way Team for further information on a temporary closure of the footpath if needed.
- 6.18 Active Travel – Comments received 04/02/2026, no comments to make.

Public Representations

- 6.19 43 comments of objection have been received from third parties/local residents which are summarised below:
- Concerns regarding the access through Nightjar Way and Linnet Drive due to parked cars, traffic pressures and potential accidents between vehicles and other road users. Concerns also raised regarding how busy the estate roads are already, especially at peak times like school runs, and how emergency vehicles will access the site.
 - Concerns regarding the junction of Nightjar Way with Warsop Lane and the highways implications of the development on this junction, regarding capacity, safety and traffic.
 - Concerns regarding the impacts of construction traffic and vehicles through the existing estate, and impacts of noise, dust, mess and disruption during construction phase. Also concerns regarding construction vehicles driving along existing estate roads which are narrow and busy.
 - Concerns of traffic through the existing estate and impact on open green spaces / children play areas, and impacts of traffic on air quality. Concerns regarding health and wellbeing of existing residents during the construction phase, with particular mention to air, noise and light pollution.
 - Concerns with the number of dwellings proposed, the number is over intensive and excessive. This is linked to concerns the proposal is out of keeping with the surrounding area in terms of design and density. Also concerns raised due to loss of green belt.
 - The existing residents pay an estate fee for maintenance of the parks/green space, concerns over whether new residents would also pay this fee if they are using the

facilities.

- Concerns over the proximity of the development to the single storey properties on Woodpecker Close, with the loss of a green treed buffer along the eastern boundary and a previously agreed 30m buffer zone. Further concerns raised regarding the properties along Woodpecker Drive in relation to loss of privacy and an overbearing impact.
- Concerns regarding the impacts to wildlife and ecology, including bird species, badger, bats, foxes, deer and rabbits, and loss of open green space.
- Misinformation within the application, with the site address reading 'land off Kestrel Rise' but really access is through the existing estate. Also concerns raised with how thorough the Ecological Impact Assessment is, with particular regard to Great Crested Newts.
- Concerns regarding the layout of the proposal in relation to internal roads and parking, in that the proposal does not provide sufficient parking for new residents and that the internal road design is not sufficient and is too narrow.
- That a development of this size will negatively impact on local infrastructure and services in Rainworth. Concerns regarding impacts on schools and doctors surgeries. Requests are made for investment into local health services. Concerns also raised regarding water and sewer infrastructure and capacity of this to deal with 133 new homes.
- Concerns regarding the lack of a children's play area in the proposed layout of the site, and how this would put pressure on the play facilities in the existing estate. Following the amendments to the scheme concerns regarding the amount of public green space are raised.
- Concerns the proposal will cause flooding and impact flood risk elsewhere.
- Concerns the housing mix does not reflect local need, for example a lack of bungalows and four bed family homes.
- Concerns regarding tree works that have been carried out on the site and the impacts to wildlife.
- The amendments made to the proposal fail to address the concerns raised, and the concerns remain valid.

7.0 Planning Development / Appraisal

7.1 The key issues are:

- Principle of development
- Housing density, need & mix
- Developer Contributions
- Impact on Visual Amenity
- Impact on Residential Amenity
- Highways Impacts
- Flood Risk and Drainage
- Ecology, Trees and BNG
- Archaeology
- Coal Mining
- Other Matters

- Planning Balance and Conclusion

Principle of Development

- 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.
- 7.3 The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. The site is an allocated site for housing within the settlement of Rainworth. Rainworth is defined within the settlement hierarchy as a Service Centre and has a good range of local facilities including schools, public transport and local employment.
- 7.4 The site forms part of Rainworth Housing Site 2 as identified in Policy Ra/Ho/2 of the ADM DPD. The site is the eastern part of the allocation, with the western part already developed and built out. The policy allocation is for 190 dwellings and sets out a detailed approach for the bringing forwards of the site. This is detailed below:

Land to the East of Warsop Lane has been allocated on the Policies Map for residential development providing around 190 dwellings. Consequently this site has been removed from the Nottingham - Derby Green Belt.

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

- *The preparation of a comprehensive Master Plan for the whole of the site setting out the broad location for development on the site and the phasing of new development. This should include appropriate design which addresses the sites gateway location and manages the transition into the main built up area including the provision of strategic buffer landscaping to the south and west of the site to maintain a physical and visual break between Rainworth and Blidworth and to minimise the impact of development on the Green Belt. Phasing in all cases must*

be appropriate to the size of the development, reflect on site and infrastructure provision constraints and not be unviable for the developer to implement.

- *Preparation of an appropriate Transport Assessment as part of any planning application to identify the impact of the development on the highway network and the provision of appropriate mitigating measures;*
- *Main entrance to the site via Warsop Lane. Any secondary access should not be via existing estate roads to the north and east.*
- *The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing drainage regime;*
- *Designed to incorporate new, enhanced strategic open space which shall form an addition to the existing Preston Road facilities to the north of site and be provided commensurate with all phases of the sites development;*
- *Developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development;*
- *The investigation of the potential impact arising from the legacy of former coal mining activities within Rainworth and the implementation of any necessary mitigation measures; and*
- *The investigation of potential archaeology on the site and any necessary post-determination mitigation measures secured by condition on any planning consent.*

7.5 It is noted that the site remains allocated in the Emerging ADM DPD, however, the policy is subject of an objection and therefore can only be given limited weight at this stage. It is noted that the wording of the emerging allocation policy states that the remaining part of the site can deliver 95 dwellings. Whilst this emerging policy can only be given limited weight, it demonstrates that a higher quantum of development can be delivered above the original allocation on the remaining site.

7.6 Policy DM1 states that within the urban boundaries of Services Centres, proposals will be supported for housing development that is appropriate in size and location in regard to the settlement and its status in the settlement hierarchy. Policy DM2 states that within allocated sites proposals will be supported for the intended use that complies with the relevant policies and make appropriate contributions to infrastructure provision.

7.7 Through the inclusion of the site as part of allocation Ra/Ho/2 the principle of residential development in this location is established and is considered acceptable. The site-specific requirements of the allocation, and other material planning considerations, are assessed in more detail under the relevant sections of the report below.

Housing Density, Need & Mix

7.8 Core Policy 3 of the Amended Core Strategy DPD places an emphasis on the need for family housing of 3 bedrooms or more, smaller housing of 2 bedrooms or less and housing for the elderly and disabled population. The District Council will seek to secure

an appropriate mix of housing types to reflect local housing need. This will depend on the local circumstances of the site, the viability and any localised housing need. The amended Core Policy 3 proposed through the Amended Allocations and Development Management DPD largely follows this same emphasis but emphasises the need for 2 and 3 bedroom family housing and a greater provision of bungalows on appropriate large sites and support for specialist housing such as extra care and retirement housing.

Density and Housing Need

- 7.9 Core Policy 3 of the Amended Core Strategy DPD requires development densities in all housing developments to be no lower than 30 dwellings per hectare. Developments below this should be justified.
- 7.10 Regarding density, when the capacity of allocated sites was calculated it was based on an average density of 30 dwellings per hectare with any necessary adjustments for site characteristics. Without detailed layouts available at the time of allocation, it was anticipated that some sites would yield less and some would yield more than the average density figure when it came to delivery. The main aim of the allocations process was to deliver the minimum number of dwellings to satisfy the requirements of the Core Strategy. Where policy requirements can be met and no unacceptable impacts are identified then there is no reason to resist more development or a greater quantum of development on allocated sites.
- 7.11 In the case of this allocation, the gateway location of the site, and being adjacent to the Green Belt, resulting in the need for landscape buffering, were important site characteristics which informed the notional capacity of the site for 190 dwellings. It is noted that 160 dwellings have been delivered on the western part of the site, leaving 30 dwellings left in the expected allocation. This proposal is for 133 dwellings on the remainder of the allocated site. This would result in a density of 26.6 dwellings per hectare but an overprovision of 103 dwellings above the notional allocation. Whilst the emerging policy, due to an outstanding objection, can only be given limited weight, this allows an uplift of 95 dwellings on the remaining site above the original allocation. Taking this figure on board, the proposal is only 38 dwellings above the revised allocation in the emerging ADM DPD.
- 7.12 Whilst the number of dwellings proposed exceeds the original allocation, the NPPF requires proposals to make efficient and effective use of land, with particular regard to paragraphs 11(d)(ii) and 124. The density of 133 dwellings on the site would not exceed 30 dwellings per hectare, which considering the edge of settlement location of the site, with Green Belt beyond, is considered acceptable in this case. Moreover, the Council lacks a five-year housing land supply, which means the tilted balance is engaged and the provision of housing is given additional weight in the planning balance, weighing in favour of the scheme. Proposals for housing should only be refused if the adverse impacts of approving would be significantly or demonstrably harmful, or if any protected designations provide a strong reason for refusing development, which is not the case in this instance. Therefore, considering these points, the over provision of housing on the site, in exceedance of the original allocation, is not considered by Officers to weigh against the proposal or prevent the

granting of the scheme, subject to compliance with the site-specific considerations explored more below.

- 7.13 The density resulting from the proposal would be acceptable and the scheme would be making effective and efficient use of land, helping provide much needed housing in the District in a sustainable location and on an already allocated and part developed site for housing.

Housing Mix and Type

- 7.14 Table 5.8 in the Council’s latest housing need report from Arc4 District Wide Housing Needs Assessment (Dec 2020), states that within the Mansfield Fringe Sub Area the greatest need for market housing is 4 or more bedroom properties (34.3%), followed by 3 bedroom properties (26.9%) and then 3 or more bedroomed bungalows (20.7%).

Dwelling type and number of bedrooms	Current stock profile (%)	Market need profile (%)	Affordable rented need profile (%)	Intermediate need profile (%)
1 to 2-bedroom house	9.3	12.0	0.0	6.0
3-bedroom house	41.8	26.9	42.5	35.8
4 or more-bedroom house	21.7	34.3	32.2	35.8
1-bedroom flat	2.3	2.5	11.0	0.0
2 or more-bedroom flat	2.1	0.0	0.0	0.4
1-bedroom bungalow	0.0	0.0	0.0	2.4
2-bedroom bungalow	13.6	3.5	14.2	7.9
3 or more-bedroom bungalow	6.9	20.7	0.0	11.7
Other	2.2	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0

- 7.15 In addition to the above there would be a requirement to provide affordable housing onsite at 30%, with the general makeup being 60% social rented/affordable rented – 40% affordable home ownership products.

- 7.16 The housing type and mix of the proposal is summarised and set out in the table below:

Market Housing		
House type	No. of plots	%
2 bed house	7	5%
3 bed house	58	44%
4 bed house	40	30%
5 bed house	7	5%
2 bed bungalow	6	5%

Total Market	118	89%
Affordable Housing		
House type	No. of plots	%
2 bed house	7	5%
3 bed house	8	6%
Total Affordable	15	11%
Total overall	133	100%

- 7.17 As set out, the market housing seeks to provide largely 3 and 4 bedroom dwellings, with some 2 and 5 bedroom properties proposed, and a provision of 2 bed market bungalows. This broadly aligns with the identified housing need in the area and is accepted.
- 7.18 Regarding affordable housing, the proposal does not provide a policy compliant provision of 30% on-site, providing some 11% which equates to 15 dwellings in total. This will be made up of 6 units for affordable rent, 5 units for shared ownership and 4 units for First Homes.
- 7.19 The applicant has provided a Viability Assessment that sets out that it is not viable for the scheme to provide 30% affordable housing. In the assessment this is in part attributed to the high BNG liability which has been evaluated to cost £1,481,870.000, the cost for Future Homes, the Building Safety Levy and other identified abnormal costs. Other larger abnormal costs are identified as site clearance, abnormal drainage and roads, topsoil / subsoil clearance, abnormal foundations, abnormal fill / level reduction and Future Homes costs. The assessment concludes that only a reduced provision of affordable housing of 10% and financial contributions under a S106 equating to £684,733.00 is marginally viable for the scheme, taking into account the identified costs. Based on this, originally only 13 affordable housing units were proposed as the maximum that could be viably provided on site.
- 7.20 The Viability Assessment has been independently reviewed and verified on behalf of the Council. The independent review concludes that there is a viability issue in relation to achieving a full policy compliant scheme. Considering the Benchmark Land Value and the extent of abnormal costs, a policy compliant affordable housing scheme at 30% with policy compliant S106 contributions is unviable and cannot be delivered on the site.
- 7.21 The independent review has modelled higher S106 contributions at £911,704 and finds that there is scope in the viability to provide an additional 2 on site affordable units, whilst also providing policy complaint S106 contributions. Therefore, in light of the findings of the independent review, the applicant has agreed to provide an additional 2 affordable units on site, bringing the total to 15 on site affordable houses which equates to 11%. This is accepted as being the maximum viable on-site provision,

in light of the significant other costs and financial contributions required. The findings of this independent review demonstrate that a policy compliant provision of affordable housing on site is not viable, and that a lower provision of 11% (15 units) and the full S106 contributions equating to £911,704 is a viable alternative.

- 7.22 The Strategic Housing Team have reviewed this and commented that the findings of the viability work are accepted. They confirm that an additional commuted sum for affordable housing has not been requested and therefore not modelled in the viability work. They comment that other S106 contributions for health, libraries, education, sport, waste and transport improvements are agreed, and the affordable housing is acceptable as proposed. They advise that the proposed location, type and layout of the affordable housing on site is considered to be suitable.
- 7.23 As such, considering the above, and in light of the otherwise policy compliant S106 contributions agreed, the under provision of affordable units in this instance is accepted on the grounds of viability constraints. It is accepted that the maximum viable amount of affordable housing on site (15 units) has been provided and can be secured via a S106.

Developer Contributions

- 7.24 Spatial Policy 6 of the Core Strategy and Policy DM3 of the ADM DPD set out the approach for delivering the infrastructure necessary to support growth. This sits alongside the Community Infrastructure Levy, albeit this area is zero rated for CIL. More specifically, Spatial Policy 6 sets out that this includes strategic infrastructure (which in this case covers secondary education provision via CIL) and the mitigation of local infrastructure impacts. Policy DM3 states that the planned growth set out in the Core Strategy is depended on the delivery of the required infrastructure, provided through a combination of CIL, planning obligations and developer contributions. It outlines that planning applications are expected to include appropriate infrastructure provision, in accordance with the Developer Contributions SPD.
- 7.25 The Developer Contributions and Planning Obligations Supplementary Planning Document (SPD) provides additional detail on the Council's policy for securing planning obligations from new developments and how this operates alongside CIL. The SPD is based on the 2016 index figures. It is noted that a new updated SPD is out to consultation until 25th May but is not yet adopted.
- 7.26 Nottinghamshire County Council and EMCAA have commented on the proposals requesting financial contributions towards infrastructure and services including education, health, libraries, transport and waste. Other contributions including off site sport provision and community facilities have also been requested.
- 7.27 Based on the viability work, a policy compliant S106 in respect of financial contributions is achievable, other than in relation to affordable housing, and the applicant has agreed to the below draft heads of terms in relation to financial contributions, which can be secured via a S106 agreement. See table below:

Contributions based on 133 dwellings		
Affordable Housing	<p>15 units which equates to 11%. Justified through the viability work.</p> <p>6 units for affordable rent 5 units for shared ownership 4 units for First Homes</p>	On site
Community facilities	<p>Off-site community facilities contribution $\text{£}1,384.07 \times 133 = \text{£}184,081.31$</p> <p>Sought for improvements and investments to various community assets in the Rainworth Parish/locality. Examples include but not limited to:</p> <ul style="list-style-type: none"> • Rainworth Village Hall • Rainworth Miners Welfare Social Club • Rainworth Miners Welfare Sports Ground • Rainworth Petanque Club • Rainworth Social Action Hub • Joseph Whitaker Academy Sports College and Leisure Centre 	Off Site
Sports provision	<p>$\text{£}737.72$ per dwelling $\times 133 = \text{£}98,116.76$</p> <p>Sought for improvements and investments as per examples detailed above under 'community facilities'.</p>	Off site
Education - Primary	<p>$\text{£}2,203 \times 133 = \text{£}269,059$</p> <p>Sought for improving, remodelling, enhancing, or expanding facilities to provide additional permanent capacity within the Rainworth planning area, to accommodate pupil growth from the development.</p>	Off site
Education - Secondary and Post 16 years	Funded by CIL.	-
Education - SEND	<p>1 place $\times \text{£}104,566 = \text{£}104,566$</p> <p>Sought for expanding special school facilities or to fund the provision of specialist provision attached to a mainstream school.</p>	Off site

Health	<p>£982.62 x 133 = £130,688.46</p> <p>Sought for improvements and enhancements at either Hill View Surgery or Rainworth Medical Centre.</p>	Off site
Libraries (building costs)	Not requested by Nottinghamshire County Council.	-
Libraries (stock)	<p>306 (population) x 1.532 (items) x £12.67 (cost per item) = £5,940</p> <p>Sought to provide additional library stock for Rainworth Library.</p>	Off site
Waste	<p>Using a modelled equation the contribution for 133 dwellings = £13,927.76</p> <p>Sought to support the delivery of a new or expanded facility that would cater for both the additional waste generated and the additional site users.</p>	Off site
Community Transport	<p>EMCCA request contribution of £53,200</p> <p>Sought towards the Community Transport Scheme at Ravenshead Community Transport, and to provide improvements to community transport to serve the site.</p>	Off site
Bus stop Infrastructure Improvements	<p>EMCCA request contribution of £70,900 for bus stop improvements to NS0667 and NS0866 St Georges Church.</p> <p>Sought to provide real time bus poles and displays, electrical connections, raised boarding kerbs, polycarbonate bus shelter, solar or electrical lighting, lowered access kerbs and hardstanding at both bus stops.</p>	Off site
Amenity Green Space & Open Space for Children and Young People	<p>Green Space - SPD requirement is 14.4m² per dwelling = 0.19ha.</p> <p>Children and young people - SPD requirement is 18m² per 2 bed and above dwellings = 0.24ha.</p> <p>Total = 0.43ha</p> <p>Proposed on site provision: Green amenity space = 0.33ha</p>	On site

	<p>Amenity space for young people/children = 0.12ha</p> <p style="text-align: center;">Total = 0.45ha</p> <p>So 0.12ha under provision of green space for young people, but overprovision of 0.14ha of general amenity green space, and general overprovision of 0.02ha overall.</p>	
Maintenance of Green Open Space	Third party Management Company provisions to be secured via S106.	-
Total Financial Contributions		£930,479.29

- 7.28 The above table outlines the policy compliant S106 contributions, aside from affordable housing, that can be secured via a legal agreement. It is noted that the viability work showed a lesser amount would be viable, £911,704. The applicant has agreed to pay a higher amount of £930,479.29 in light of the additional contribution requested to cover waste infrastructure by NCC in their most recent consultation response.
- 7.29 The above table also includes a financial contribution towards health infrastructure. NHS Nottinghamshire have advised this could go towards improvements to the facilities available in Rainworth, including Rainworth Medical Centre and Hill View Surgery, to address capacity demands currently on the service and cater for increased demand as a result of the development.
- 7.30 Overall, a fully compliant S106 in terms of financial contributions can be provided and secured via a S106, in agreement with the applicant.
- 7.31 The proposal would be adding 133 new homes to Rainworth. It is understood that impacts on local infrastructure and services are a concern of members of the public. The above financial contributions can be secured to provide investment in local services and facilities in Rainworth and the wider locality, including services relating to community, health, education, transport and waste. 15 affordable homes can be provided on site and an otherwise fully policy compliant S106 can be secured, to ensure the development does not put strain on already stretched local services in the area. As such, Officers consider that the impacts of the proposed development on the existing infrastructure of Rainworth can be suitably addressed and mitigated through the financial contributions, as set out in the table and securable via a S106, equating to £930,479.29.

Impact on Visual Amenity

- 7.32 Core Policy 9 (Sustainable Design) states that new development should be of an appropriate form and scale to its context complementing the existing built and landscape environments. DM5(b) of the emerging amended ADM DPD requires

development to respect the existing local vernacular in terms of scale, layout, design, materials and detailing.

- 7.33 Core Policy 13 of the Core Strategy addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.
- 7.34 The District Council has undertaken a Landscape Character Assessment to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for assessing the varied landscape within the District and contains information about the character, condition and sensitivity of the landscape. The LCA has recognised a series of Policy Zones across the 5 Landscape Character types represented across the District.
- 7.35 The site is located within the Sherwood Landscape Character Area in Policy Zone S PZ 18 for Blidworth and Rainworth Wooded Estate Lands, according to the Council's Landscape Character SPD (2013). This landscape is gently undulating with coniferous forestry plantations, deciduous woodlands, intensive arable farming and evidence of former coal mining. The landscape condition and landscape sensitivity are both defined as moderate. The landscape actions are to conserve and create, including conserving ecological diversity of woodlands, reinforcing field boundaries, conserving the rural character of the landscape by focusing new developments around the fringe of Rainworth and Blidworth, conserving field patterns and creating tree planting.
- 7.36 The parcel of land is the second part of allocation Ra/Ho/2, located on the southern edge of Rainworth. The site is flanked by residential built form on three sides and forms part of the natural edge of the settlement. The development of the site would be infilling the space between the built-out development to the west and the existing residential development of Woodpecker Drive and Partridge Close to the east. The site arguably forms a logical extension to Rainworth, completing the built-up edge on the southern side of the settlement.
- 7.37 It is noted that the open and verdant character of the site would be eroded and altered to one of a residential and built-up nature. However, in landscape terms, given the surrounding form and pattern of development, this would not be considered a harmful encroachment into open countryside that would be detrimentally harmful to wider landscape views or landscape character. The site forms a logical extension of Rainworth, infilling a gap on an allocated site for housing.
- 7.38 In terms of layout, the scheme has been amended through the application process. The layout proposed is based around a central circular access road to better support connectivity and the ability to navigate the site. Moreover, the dwellings have been pulled back from the eastern boundary, with bungalows proposed along this side of the site. An ecology corridor for Great Crested Newts has been incorporated into the layout, and the attenuation basins and SuDs features have been reconfigured.

- 7.39 A key feature of the allocation is the need to provide a strategic landscape buffer along the southern site boundary. The allocation describes the site as a 'gateway location' due to the transition from the main built-up area of Rainworth to the open Green Belt to the south. The provision of a landscape buffer to the south of the site is required to maintain a physical and visual break between Rainworth and Blidworth and to minimise the impact of the development on the adjacent Green Belt.
- 7.40 The planning layout shows the continuation of the landscape buffer from the site to the west through to this site, with footpath connections leading out into the open land to the south. The layout includes an attenuation pond also on the southern boundary which will help soften the transition of site with the Green Belt boundary to the south. The landscape buffer thins slightly further towards the southwestern site corner, however there is existing tree coverage adjacent to this part of the southern boundary which also aids in screening and softening the edge of the development against the open countryside beyond. Overall, Officers are satisfied the site sufficiently incorporates a strategic landscape buffer into the design and that this aids in softening the edge of the built form, considering the adjacent Green Belt designation. The proposal is therefore acceptable in terms of impact on this gateway location and will not cause harm to the openness of the Green Belt to the south, in accordance with the allocation.
- 7.41 The proposal would have two access roads into the site from the west, from Linnet Drive and Nightjar Way. This is in accordance with the allocation which specifies that access to the allocation should be from Warsop Lane into the site, and should not be from existing estate roads to the north or east. The use of these existing access roads to the west forms a continuation of the built-out allocation and reflects the layout to the west. Along the western edge of the site where the proposal meets the existing built-out site, a strip of green space is proposed with a footpath linking the two access roads. The transition between the two sites is suitable, with green space, the LEAP area and SuDs features helping to soften this western site edge.
- 7.42 Regarding open green space, the designation states the site shall be designed to incorporate new open space which shall form an addition to the existing Preston Road facilities to the north. In terms of area, the site would over provide on open green amenity space provision overall, based on the provision required in the Developer Contributions SPD, with several areas of green space proposed. This includes the children's play area (LEAP) in the northwest corner, the green areas with footpaths in the southwestern corner, along the southern boundary and in the southeastern site corner around the SuDs features. Though attempts were made to introduce connectivity with the green space to the north, this has not been possible so is not provided for. Whilst unfortunate, Officers are satisfied the scheme provides a suitable level of open green space and offers connectivity to the green space on the western part of the site, and the open countryside beyond through footpath connections.
- 7.43 The layout shows that dwellings would front onto all the open green spaces and SuDs features within the site, including the green space beyond the site boundary to the north. This allows for active frontages to provide passive surveillance on all open amenity spaces, promoting better visual safety and security in these areas of the site. The central circular road layout also assists with wayfinding and navigating the site.

The bungalows on the eastern site edge also allow a lower density edge to the existing properties to the east along Woodpecker Drive. The development is unable to connect to Kestrel Drive due to land ownership issues, however, as per the allocation, access should not come from existing estate roads to the north and east. The SuDs features, whilst practical, also provide green and blue features within the site.

7.44 In terms of the individual design of the dwellings, there are 20 different house types proposed, as listed below:

House Type Name	No. of storeys	No. of beds	No. of plots
Avocado	2	2	9
Buckwheat	2	3	5
Chestnut	2	3	8
Clover	2	3	13
Dahlia	2.5	3	10
Eucalyptus	2	3	14
Heather	2	3	5
Macadamia	3	3	5
Manuka	3	3	1
33 IronBark	2	4	8
33 Lavendar	2	4	8
Linden Corner	2	4	4
Primrose	2.5	4	5
33 Poppy	2	4	7
Rosemary	2	4	8
33 Wild Flower	2	5	7
Bungalow	1	2	6
2B3P	2	2	4
2B4P (corner)	2	2	1
3B4P	2	3	5
			Total = 133

- 7.45 This allows for suitable architectural variation within the site and gives an adequate mix of housing types and appearances, giving visual interest into the street scenes within the site. The dwellings range from bungalows at single storey to 2, 2.5 and up to 3 storey in height and design. Of 133 dwellings, 6 of the plots would be 3 storey, 15 plots would be 2.5 storeys, 6 plots would be single storey and the rest would be 2 storeys. Whilst 3 storeys would be higher than the surrounding pattern of development, these plots are sited within the more central built confines of the site and do not feature on the edges. As such, the increased density in terms of height is considered acceptable and can be catered for in the built form of the proposal without appearing overly dominant or causing visual harm in terms of wider character impacts.
- 7.46 The elevation plans show each dwelling to have brick detailing on the front elevations, either around windows, doors or on the corners, to add visual interest and give the properties a modern appearance. Moreover, each dwelling would benefit from an EV charger (one per plot) and solar PV on the roofs, incorporating sustainable and low carbon energy design principles into the scheme. In terms of materials, two grey roof tiles are proposed and two different tones of red brick, with differing bricks proposed for plinth and projecting detailing. Doors, windows and fascia boards would be dark grey, with black rainwater goods and downpipes. A white render is also shown on the street scene plan to add variety to the material pallet. These materials are considered suitable for this location, also providing a degree of variation within the site.
- 7.47 Overall, the design of the site is considered largely in accordance with the allocation criteria, in relation to open green space provision, access road layout and the green landscape buffer along the southern site edge. The general layout and densities of built form in terms of building heights is acceptable, as is the individual designs for the properties and material pallet. The proposal, whilst providing an increased quantum of housing above the allocation, would constitute an acceptable level of design, with good design principles utilised throughout the scheme in terms of layout, active frontages, connectivity and design quality of the dwellings. The proposal is therefore considered in accordance with policy Ra/Ho/2, emerging policy DM5(b), Core Policy 9 and Core Policy 13.

Impact upon Residential Amenity

- 7.48 Emerging policy DM5(b) advises development proposals should have regard to their impact on amenity and operation of surrounding land uses and where necessary mitigate for any detrimental impact.

Existing neighbours

- 7.49 There are existing residential properties to the northeast, east and west of the site. In the northeastern corner of the site, plots 53-57 would be two storey and would back onto the rear gardens of numbers 31-41 Cambridge Road. The separation distance between the rear elevations of these proposed dwellings and the existing properties along Cambridge Road measures some 20m at the closest point, with this increasing to 31m between plot 46 and number 43 Cambridge Road. This separation distance is considered acceptable to prevent a harmful neighbouring relationship through a loss of privacy, light, outlook or an overbearing impact on the properties along Cambridge

Road. Whilst dwellings would be built where these properties currently look out over open green space, the siting of the dwellings would not harm the actual amenity of these dwellings to an unacceptable degree and private views are not protected.



Extract of the Site Layout Plan showing northeastern corner of the site

7.50 On the eastern side of the site, the development would be closest to numbers 2-10 Woodpecker Drive. The side elevation of plot 57 would be set some 9m away from the eastern site boundary and would measure some 12m from number 2 Woodpecker Drive. The other dwellings on the eastern side of the site (plots 58-63) would comprise bungalows, sited some 22-23m from the rear elevations of numbers 4-10 Woodpecker Close. Considering the dwellings would be single storey and sited some 22-23m from the existing properties, the proposal would not cause harm to the amenity of the properties along Woodpecker Drive in relation to loss of light, privacy or outlook. These properties would retain a suitable level of amenity. Further to the south on the eastern side of the site are the proposed Great Crested Newt Pond and SuDs attenuation pond, so no dwellings are sited here.



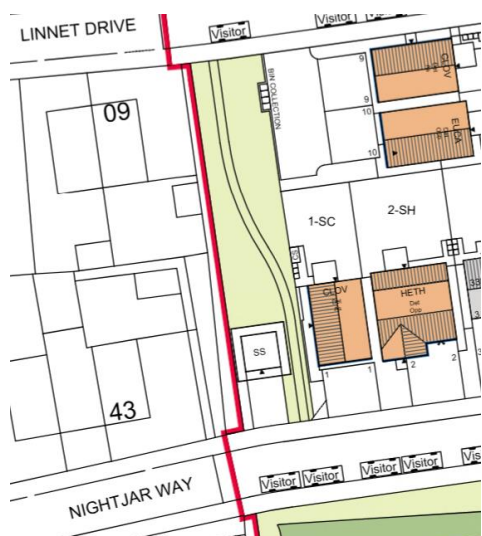
Extract from the Site Layout Plan showing the eastern site boundary

7.51 Looking at the western side of the site, the northwestern corner would comprise the LEAP and open amenity space, with no built form sited within proximity to numbers 17 and 19 Harrow Close. Along Linnet Drive, numbers 61-69 Linnet Drive would be closest to plots 24 and 11. The relationship between these properties would be some 15-16m between the rear of numbers 63-69 Linnet Drive to the side elevations of plots 11 and 24. This side to rear relationship is adequately spaced to protect residential amenity and prevent any significant or detrimental impacts. The side elevations of plots 11 and 24 would not have any first-floor side facing windows that serve habitable rooms that would overlook the existing properties along this part of Linnet Drive. The first-floor side facing window on plot 11 serves a stairwell so is not a habitable space and would not generate an unacceptable overlooking relationship or harmful loss of privacy.



Extract from the Site Layout Plan showing the northern part of the western site boundary

7.52 Further south along the western site boundary the existing dwellings number 9 Linnet Drive and number 43 Nightjar Way would be adjacent to a strip of green amenity space, with no built form in close proximity to these properties.



Extract from the Site Layout Plan showing the southern part of the western site boundary

- 7.53 An attenuation pond is sited in the southwestern side corner adjacent to numbers 60-66 Nightjar Way, meaning no built form is in close proximity to these properties either.
- 7.54 Overall, considering the site boundaries and relationships to existing neighbouring dwellings, the proposal has been designed to avoid any harmful loss of light, privacy or outlook, or overbearing impacts on neighbouring properties. Officers are satisfied the proposal is acceptable in this regard, with adequate separation distances between the proposed new dwellings and existing residential neighbours surrounding the site.

Amenity of future occupiers

- 7.55 Regarding the amenity of future occupiers, the scheme has been designed to allow each plot to benefit from a provision of private amenity space, adequate separation distances to neighbours to protect future privacy and a layout that facilities suitable outlook for each dwelling. Visitor car parking spaces have been indicated within the scheme, and each plot has a bin and cycle store. The back-to-back separation distances of the properties in the central parcel of the site do not fall below 20m which is acceptable.
- 7.56 In each dwelling design all habitable rooms are served by natural sources of light and the properties comply with the National Space Standards in terms of floor area and bedroom sizes. As such, the development will provide a suitable level of amenity for future occupiers and there are no concerns in this regard.
- 7.57 In summary, no conflict is identified in terms of amenity (loss of privacy, light or overbearing impacts), also considering the amenity of future occupiers, therefore in respect of policy DM5(b) the proposal is considered acceptable on existing and future amenity grounds.

Contaminated land

- 7.58 A revised Geotechnical and Geo-Environmental Site Investigation report (issue 3) has been provided. This document includes an environmental screening report, an assessment of potential contamination sources, a brief history of the site's previous uses and a description of a site walkover.
- 7.59 Following intrusive sampling, no exceedance of relative screening criteria was identified. It was noted in the previous version two areas where more investigation was required. The revised report was updated to show the completion of six rounds of gas monitoring and gas screening values. Following the additional investigation and monitoring, the site is considered to not require ground gas protection. The Environmental Health Team have reviewed this and agree with the findings of the revised report and the ground gas assessment. They do however note that an area in the northeastern corner of the site, identified as Phase 3 on the phasing plan submitted, has not been sampled for soil contamination due to the suspected

presence of Hoary Cinquefoil. Officers would expect some sampling of this area to ensure it is suitable for the use.

- 7.60 As it is proposed to have a phased approach to the development, see phasing plan reference 2002, the soil sampling in this limited area of the site (the northeastern corner, phase 3) could be secured by condition prior to works commencing in this phase. The Environmental Health Officer agrees to the use of a condition securing the remaining ground sampling and any remediation required in this small part of the site. As such, the proposal is considered acceptable in this regard, subject to condition.

Impact upon Highway Safety

- 7.61 SP7 and DM5(b) set out policy in respect of highway safety, transport and parking. Para 116 of the NPPF states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'* Moreover, the allocation policy requires consideration of a suitable Transport Assessment and the impacts of development on the local road network.
- 7.62 The proposal is for 133 new homes on an allocated site. There have been extensive discussions between the applicant and the Highway Authority (HA). The HA had previously objected to the proposal, raising issues regarding the layout, road widths, junction capacity, vehicle tracking in respect of refuse vehicles and parking. The applicant has carried out further work and amendments to the layout to resolve these issues. The HA has now confirmed that these matters have been suitably addressed and they raise no objections to the proposal, subject to conditions. It is further noted that National Highways raise no objections to the scheme in terms of the impact on the wider strategic road network.

Access

- 7.63 A parking survey has been carried out on the existing roads connecting to the development and the HA provided with the full parking survey data. The HA also carried out their own site visit which showed areas where cars parked on both sides of the streets at Nightjar Way and Linnet Drive.
- 7.64 For these roads to be considered suitable to carry the additional vehicles generated by the development and for both refuse and emergency service vehicles to be able to access the new development, it will be necessary for the developer to provide a scheme of parking restrictions. Parking surveys have been carried out and it is evident that there is sufficient space for existing residents' vehicles in unobstructive locations, so this should not be to the detriment of existing residents, but is considered necessary in the interests of highway safety and capacity. As such, the HA request a Grampian condition (works to be carried out outside of the red line) requiring the developer to submit a design for parking restrictions where parking would otherwise be obstructive. The applicant has agreed to this condition, noting the challenging

parking situation on the existing development and the reason why parking restrictions on both Nightjar Way and Linnet Drive are required for highway safety reasons.

Traffic

- 7.65 The trip rates as set out in table 2 of document TN01 – ‘Response to Local Highway Authority Comments’, dated October 2025 are agreed with the Highway Authority. This demonstrates that the calculated trip rates generated by the development would equate to 91 vehicular movements in the AM peak and 90 in the PM peak. This modelling was based on 134 dwellings, as the scheme has been reduced to 133 dwellings, these represent the maximum anticipated movements from the development.
- 7.66 To the south of the Nightjar Way junction on Warsop Lane there are 55 trips in the AM peak and 48 in the PM peak. Further information provided suggests that some of these trips will likely be to/from the Burma Road industrial estate and the remaining will likely travel through Blidworth. There are two key junctions in Blidworth at Warsop Lane/Blidworth Lane and Mansfield Road/Dale Lane. The applicant has provided further traffic data in regard to additional traffic and it is now considered that the additional traffic will not have a severe impact at either junction.

Junction Assessments

- 7.67 Based on the agreed vehicular trip data, the applicant has carried out junction assessment modelling to assess the impact of the development on the wider road network, including the following junctions:
- B6020 Warsop Lane / Nightjar Way junction
 - B6020 Warsop Lane / Southwell Road East
 - B6020 Southwell Road East / Kirklington Road

- 7.68 Table 4 in document TN01 sets out the results of the traffic effects at the study junctions and is shown below:

Table 4 – Traffic Effect at Study Junctions

Junction	AM Peak			PM Peak		
	Development	2030 Base	Development Effect	Development	2030 Base	Development Effect
(3) B6020 Warsop Lane / Nightjar Way junction	91	869	11%	90	601	15%
(2) B6020 Warsop Lane / B6020 Southwell Road East	37	1129	3%	43	1052	4%
(1) B6020 Southwell Road East / B6020 Kirklington Road	33	1247	3%	38	1221	3%

- 7.69 Officers at the Highway Authority that specialise in traffic modelling have reviewed the updated data. The junction assessment carried out at the junction of Southwell Road with Kirklington Road found that the development will put additional pressure on this junction. However, the Highway Authority advise that the junction is already equipped with all facilities which increase capacity and as such there is nothing proportionate to the development that could be done at this junction to improve this.
- 7.70 As this is an allocated site, Highways have requested that the developer consider measures that would reduce the traffic generated by this development as an alternative. In response, TN03 dated 27th March was provided. The note sets out the development sustainability credentials including improvements to bus infrastructure, improvements to pedestrian routes into town and a travel plan including bus taster tickets and travel packs.
- 7.71 In light of this, the improvements to the sustainable transport options in relation to the site in terms of connectivity, public transport and cycling/walking have been considered to reduce reliance on travel by private vehicle by residents and help in mitigating the junction impacts.
- 7.72 To provide improved alternatives to private vehicles, the applicant is providing a financial contribution of £124,100 towards improved public transport provision overall. This comprises a contribution of £53,200 towards the provision of the local community transport scheme to serve the site and a contribution of £70,900 to facilitate bus stop improvements to two bus stops at NS0667 and NS0866 St Georges Church. Moreover, as well as the financial contributions, the applicant has agreed to provide off-site measures through the provision of tactile paving along Warsop Lane and Nightingale Way to the junction with Southwell Road which would accord with prioritising pedestrians both on and off site. This will improve the pedestrian route to the centre of Rainworth and can be secured via a Grampian condition. It is considered that these initiatives will promote sustainable forms of transport to and from the site and aid in reducing reliance on private vehicles.
- 7.73 The applicant has also provided a Travel Plan to encourage sustainable travel through the development. The Travel Plan measures include:
- Provision of free bus taster tickets to future occupants
 - Appointment of a Travel Plan Coordinator who will oversee implementation and monitoring of the Travel Plan, work to promote sustainable forms of travel and liaise with the Local Authority and local operators
 - A Travel Information Pack will be provided to each household providing information on the Travel Plan, bus timetables, walking route maps and promotional material about walking, cycling, public transport and carsharing.
- 7.74 The Highway Authority comment that the Travel Plan in its current form requires amending and that an amended version can be secured via condition. The Highway Authority provide additional advice and comments to the applicant in their most recent submission on what is required to make the Travel Plan acceptable for final discharge. As such, based on the above, it is considered that reasonable measures

have been taken by the applicant to mitigate the junction capacity issue and promote sustainable forms of transport through off-site paving improvements, financial contributions and through securing the measures outlined in the Travel Plan, including free bus taster tickets.

Layout

- 7.75 The layout of the development has been amended to provide a loop design which provides better connectivity within the site, addresses speed attenuation and provides more coherent footways. The revised layout is supported on highways grounds.
- 7.76 The identified issue of private driveways being situated within junction radii has also been addressed and is now acceptable. Driveways serving plots 18, 19 and 60 have been redesigned so they are no longer within the junction radii.
- 7.77 Moreover, the private driveways have been widened to 5.8m for the first 8m of the driveway adjacent to the highway, in accordance with the recommendation of the Highway Authority. The tracking drawings provided detail tracking for refuse, fire appliances, and delivery vehicles, and include turning within the private drives where necessary.
- 7.78 The bin store and bin collection points have been increased in size to 730mm x 890mm for a single bin and the positioning of bin stores and collection areas has been adjusted to ensure Building Regulations compliance.

Parking

- 7.79 A parking schedule and parking heat map was requested by the Highways Authority and subsequently provided by the applicant. Following discussions with the HA on the parking provision of the scheme, the layout was amended to ensure compliant parking was provided, except those noted on the parking heat map are requiring the use of on-street parking, tandem or rear parking. The bay dimensions have been amended to ensure a minimum 5.5m length, with dimensions added to demonstrate compliance. A new detached garage design has been introduced, labelled '33' to some plots, and has internal dimensions (3.498m x 6.198m) so is capable of being counted as an off-street parking space. Space efficient vertical bike racking is proposed within the garages to ensure use for cycle storage and car parking is compatible. All integral garages also now meet the required depths and widths to be counted as a space where required. The 'proposed parking solution' document shows an enhanced image of the frontage parking arrangements, used on other developments across the District, notably Thoresby Vale, and is proposed here. The Parking Heat Map drawing has also been updated to include a landscape plan basemap to help with the interpretation of spaces.
- 7.80 The parking heat map shows there are 6 plots that have an under provision of parking based on the parking standards. This is because these plots feature tandem, rear and on-street parking. All other plots are compliant in terms of parking standards.

- 7.81 As some plots are shown to have rear parking provisions, not directly adjoining the front or side of the house, the applicant has provided each with an appropriate number of off-street spaces, which have been provided with direct and convenient links to the dwelling through garden gates and paths. All such spaces are located in areas well surveyed by both the street, and the host property themselves. As such, these plots are considered to adhere to guidance within the residential parking highways design guide (section 4.1.13), and are considered to provide appropriate parking for future occupiers.
- 7.82 Based on the above, of the 6 plots considered to have substandard parking, there remain 5 plots within the scheme (6, 16, 17, 38 and 54) which do not meet the design standards. In such cases the applicant has shown an on-street displacement space in the heat map and tracking drawings as a worst case scenario. All 5 plots have also been provided with a standard type 33 garage, which could be used as a parking space. Whilst this would represent a triple tandem arrangement and cannot be counted on technical grounds, it will provide the option for future occupiers and give greater choice, and limit any on street pressure.
- 7.83 Regarding visitor spaces, the development of 133 plots generates a requirement for a total of 40 visitor parking spaces (based on 1 in 3 visitor spaces as set out within the NCC Highways Design Guide). The Parking Heat Map shows a viable layout whilst demonstrating an overprovision of visitor parking, identifying some 56 in total which is an over allocation. 12 of these are on shared private drives, with 44 on the highway which is above the requirement.
- 7.84 In order to avoid parking issues similar to those experienced in the adjacent existing development, the parking has been robustly audited by the HA and amended where required. In summary, there are no dwellings that have an under provision by number of spaces, but there remain some where the layout (triple tandem parking) or location (disassociated) are likely to lead to parking on road in obstructive or unsafe places. All of these occurrences are either in turning heads or at junctions and as such, double yellow lines would be justified to avoid this, and a condition is requested accordingly.

Visibility, Tracking and Bend Widening

- 7.85 Visibility splays have been shown to all junctions, with pedestrian visibility shown to the relevant driveways, as requested by NCC Highways Authority. All hedge planting has been offset 1m from the highway visibility splays and will be maintained to no higher than 600mm as detailed on the landscaping specification, also in accordance with NCC advice.
- 7.86 Regarding tracking, it was noted by the Highway Authority that the previous swept path analysis for the refuse vehicle allowed no tolerance for driver error and no offset. The applicant has widened roads and bends within the layout to cater for the required offset. The tracking diagrams have been updated to avoid overhangs onto private drives and footways, and to show the bend widening. The updated drawings are acceptable.

- 7.87 The bend widening identified within the previous response from the HA has been completed, with all 4 bends widened to 6.5m, and 25m forward visibility provided through increased footpath widths.
- 7.88 The applicant has revised the tracking around the bend at plot 6, adding a 300mm buffer around the car and the delivery van scenario, in line with comments from the HA. Whilst this bend may appear tight, the refuse lorry will be an occurrence on the site once or twice a week and it is considered that there is suitable visibility for vehicles to give way to each other should they meet at this bend, and allow the other to pass. The Manual for Streets sets out principles for place-led design over vehicle-led design, balancing movement and place, and avoiding over-wide streets that harm urban quality. In such circumstances, the design would not be considered to create any significant highway safety concerns and it is considered the current bend design provides the most appropriate solution as per the guidance. The Highway Authority have advised that the final design of this bend can be ironed out and finalised through the technical approval stage, post planning.

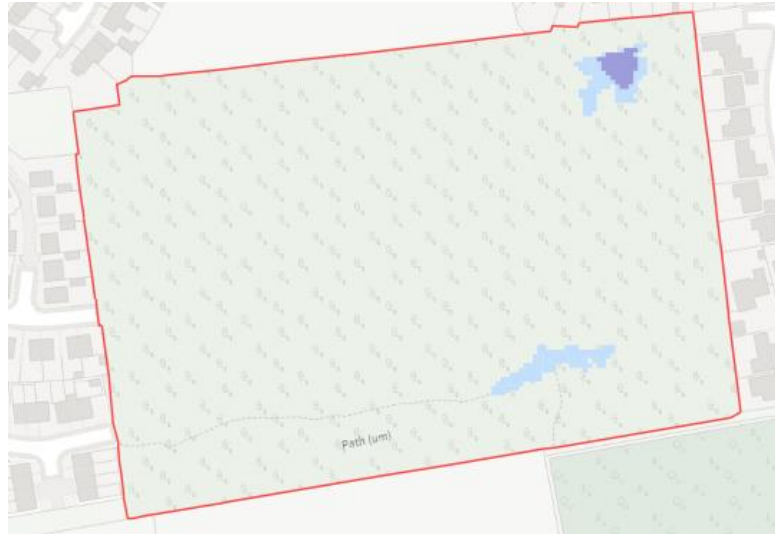
Construction

- 7.89 Whilst construction is temporary, to reduce any impacts on existing residents and to address issues with access caused by existing parking, it is considered necessary that a Construction Management Statement is provided. This should address parking on the existing access road, staff and contractor/operative parking and measures to prevent the transfer of mud to the existing public highway. This can be secured by condition.
- 7.90 Overall, Highways have confirmed they raise no objection to the scheme following the submission of further information and updated tracking and visibility drawings. Subject to conditions and a planning obligation to secure a monitoring fee for the Travel Plan, they raise no objection and the proposal is considered acceptable on highways grounds.

Flood Risk Impacts and Drainage

- 7.91 Core Policy 10 'Climate Change' of the Amended Core Strategy DPD and Emerging Policy DM5(b) aims to steer new development away from those areas at highest risk of flooding, applying the sequential approach to its location. In accordance with the requirements of Core Policy 10 'Climate Change', Policy DM5(c) 'Sequential Test' of the Emerging Amended Allocations & Development Management DPD clarifies that development proposals follow a sequential approach to development and flood risk, seeking to steer new development away from those areas at highest risk. Policy DM5(b) states that all major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate.

- 7.92 The site lies in Flood Zone 1, at the lowest risk from fluvial flooding as shown on the Environment Agency's Flood Map for Planning. There are two limited areas of low-medium surface water flood risk identified.



Extract from Flood Mapping showing Flood Zone 1 and Surface Water Flood Risk

- 7.93 As the site falls in Flood Zone 1, the sequential test is not required. Due to the low flood risk classification of the site, the Environment Agency have not made any formal comments. The applicant has provided a Flood Risk Assessment and plans showing the Drainage Strategy for the site.

Surface water drainage

- 7.94 The drainage strategy for the site utilises SuDs features, comprising attenuation ponds. The Flood Risk Assessment outlines that infiltration tests show that infiltration type SuDs features are suitable on the site for surface water drainage. Surface water for the majority of the site will drain via gravity to the two proposed attenuation ponds. Surface water from the western portion of the site will discharge to soakaways. Information regarding the detailed design and future management of these features can be secured by condition.
- 7.95 Regarding surface water drainage, Severn Trent advise that an alternative discharge point from the surface water network at Preston Road be sought. Their records show another surface water network northeast of the site where there may be capacity for the greenfield flows.
- 7.96 NCC as Lead Local Flood Authority have reviewed the application and raise no objections to the drainage strategy as proposed. They request the detailed surface water drainage scheme be secured by condition.
- 7.97 It is noted that the policy allocation for the site requires the positive management of surface water through the design and layout of the development. As the layout

incorporates SuDs features, this is considered acceptable and in accordance with policy Ra/Ho/2.

Foul drainage

- 7.98 The allocation requires developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development.
- 7.99 The applicant has engaged with Severn Trent Water prior to submitting the application and has provided a letter from Severn Trent in appendix 6 of the Flood Risk Assessment. This includes information on the public sewer records for the area and confirms that the foul sewer within the highway of Linnet Drive to the west or at Nightjar Way would be the most suitable connection points for the development. Severn Trent confirm there is sufficient capacity within the network to receive the proposed flows. As such, improvements are not deemed necessary by Severn Trent Water in this instance, and this part of the allocation is satisfied. Foul water will therefore drain via gravity to existing sewers as noted by Severn Trent in their letter.
- 7.100 Overall, considering the above, the proposal is considered acceptable with regards to flood risk and drainage, in accordance with Core Policy 10 and Emerging Policy DM5(b).

Impact upon Ecology and trees (including BNG)

- 7.101 The starting point for development is that trees and features such as hedgerows should be retained where possible as set out in CP12 and DM5(b). Core Policy 12 and Policy DM7 seek to conserve and enhance the biodiversity of the district whilst DM5(b) seeks to retain features through integration and connectivity of green infrastructure to deliver benefits.
- 7.102 The application is supported by an Ecological Impact Assessment (EclA), Great Crested Newt Mitigation Strategy, BNG Metric and Habitat Plans (both baseline and proposed). In terms of trees, the application is supported by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

Designated Sites

- 7.103 In terms of designated sites, there are two Sites of Special Scientific Interest (SSSI) designated adjacent to Rainworth – Rainworth Lakes and Rainworth Heath. The site is also within the 5km buffer of a potential possible Special Protection Area (ppSPA). Natural England have been consulted and raise no objection, confirming that they consider the proposals will not have likely significant effects of statutory protected sites. Moreover, the applicant has stated in their submission that the SSSI is publicly accessible with footpaths and it is likely that it is already under pedestrian pressures from nearby residential developments. Due to the distance of the site to the SSSI, it is unlikely that additional impacts would occur as a result of the development, with immediate surrounding areas more likely to be utilised by residents of the

development. The impacts on the ppSPA are also considered to be minimal. The Council's Ecologist supports this approach and agrees with these conclusions.

Habitats

- 7.104 In terms of habitats, the applicant undertook an additional habitat survey in January this year. The Council's Ecologist comments that this is acceptable to enable a more accurate assessment of the different habitats on the site, including the grassland. This has informed the revised baseline of the site and the baseline habitat plan is considered accurate.

Species

- 7.105 In terms of reptiles, from the survey results 9 common lizards were identified on the site representing a 'low population' and the site does not represent a 'key reptile site'. Therefore, the precautionary working methods outlined at section 5.4.1 of the updated EclA report are appropriate and ensure conservation of the population would be maintained.
- 7.106 In terms of breeding birds, the survey found 18 species within the site. Again, the mitigation outlined in section 5.5.1 of the EclA is considered acceptable.
- 7.107 Regarding Great Crested Newts (GCN), a pond in a residential garden along Woodpecker Drive was found to have GCN present, with an estimate of 5-15 individuals observed during the daytime. A survey was undertaken in May 2025 which confirmed the presence of a male GCN on the site. The small size of the pond, the absence of other accessible ponds and the fact no GCN were recorded during the updated reptile survey undertaken between May-June 2025 provide justification for the assumption of a small population size. Further justification for the level of survey effort is provided in the Ecological Response Letter dated January 2026, reference RSE_8424_R5_V2. The Council's Ecologist agrees with the position taken regarding survey work and comments that sufficient justification for the level of survey effort is provided.
- 7.108 The GCN mitigation is based on the presence of a small population and it is accepted that all works beyond 250m of the neighbouring pond could proceed under precautionary working methods (phase 1 of the development). Part of the mitigation is creating a permanent receptor area along the eastern boundary with GCN proof fencing to prevent GCN getting into the remainder of the site. Stage 2 of the mitigation is to trap and translocate any GCN found on the remainder of the site. The receptor area includes the SuDs attenuation pond, a wildlife pond and two hibernacula. Additional information has been provided detailing the timing and phasing of the proposed trapping and translocation works which address previous queries of the Council's Ecologist.
- 7.109 The applicant, in agreement with the Council Ecologist, confirms that a licence will be needed to carry out the GCN mitigation, this can be secured by condition. This condition will relate to phase 2 and 3 of the site as these areas are within the 250m

protected GCN zone. Overall, the revised Great Crested Newt Mitigation Strategy is considered to secure the favourable conservation status of GCN, with the relevant tests satisfied, and Ecology raise no objections to this.

- 7.110 Regarding bats, the site was found in the EclA to offer foraging and commuting value to bats, however the scheme will not result in large scale fragmentation and the impacts are not considered detrimental to bat species. Section 5.7.1 outlines how sensitive lighting will be used during the construction phase of development. No further mitigation or precautionary working methods are required.
- 7.111 No other species were identified as requiring further mitigation or precautionary working methods.

Trees

- 7.112 In total, 58 individual trees, 25 groups and 1 hedge have been recorded in the arboricultural survey. Only 1 tree (T33 Oak) and 1 group (G13) were recorded as being moderate value category B. The remainder of the trees were recorded as low value category C. G13 is individually made up of low value semi-mature trees, but has been assigned moderate amenity value due to collective site screening purposes.
- 7.113 To facilitate the development, 53 individual trees and 13 tree groups will require removal. 8 groups will require partial removal. The removals include moderate value T33 and G13, with the remainder of the trees being of low value. Whilst all the trees to be removed are mostly of low value, the amount of tree loss will contribute to a moderate arboricultural impact overall. Mitigation planting will be required via an adequate soft landscaping plan.
- 7.114 No construction works or proposed hard standing are anticipated to be within the Root Protection Areas (RPA) of retained trees. Mitigation planting can be achieved within the development's soft landscaping scheme. The associated Landscape Masterplan outlines the planting of new trees, shrubs and hedges throughout the site and details species and sizes of new planting/trees. Overall, Officers are satisfied that new tree planting to mitigate for the losses on site can be achieved. More detailed landscaping plans detailing the implementation and management of this can be secured via a condition.
- 7.115 Regarding tree protection measures, the submitted Arboricultural Method statement and Tree Protection Plan (TPP) detail the timings and methods needed to protect the retained trees throughout the development. These measures can be secured by condition.
- 7.116 Whilst the loss of trees on the site is regrettable, it is accepted that adequate mitigation planting can be delivered on the site. The proposal is therefore acceptable in this regard.

Biodiversity Net Gain

- 7.117 The BNG assessment has been updated to address previous comments from the Council's Ecologist. The amended habitat score is now -38.58 Habitat units, made up of -23.3 other neutral grassland units, -16.23 scrub units and -2.47 individual tree units. The proposed development would result in a net gain of 1.71 hedgerow units, equivalent to 615.42%.
- 7.118 In order to provide a 10% gain in area habitat units, the applicant is proposing both on and off-site measures. The applicant is currently in discussion with a habitat bank in a neighbouring National Character Area. The Council's Ecologist has also outlined other options for offsite provision in their recent comments, dated 16/03/2026.
- 7.119 As such, the General Biodiversity Gain Condition will apply, and as some BNG is being provided onsite, through the GCN mitigation area for example, a monitoring fee of £2,854.17 will be secured as part of the legal agreement.
- 7.120 Overall, the proposal is acceptable considering ecology, trees and BNG. Conditions securing the onsite BNG, GCN mitigation measures, a biodiversity CEMP and a bird and bat box plan can be attached to the permission. Monitoring for onsite BNG can also be secured via the legal agreement and the statutory BNG condition will apply. No conflict has been identified in respect of CP12, DM7 and DM5(b), or the NPPF.

Archaeology

- 7.121 It is noted that the allocation policy states that potential archaeology on the site should be properly investigated and any necessary post-determination mitigation measures secured by condition on any planning consent.
- 7.122 The applicant has provided an Archaeology and Heritage Desk Based Assessment, and a Written Scheme of Investigation (WSI) for Archaeology. The WSI details the method for site investigation comprising trial trenching that is proposed. The Archaeology Officer has advised that the recommendations in the submitted WSI are agreed and the remaining evaluation programme can be secured via condition. As such, Officers are satisfied that the archaeological works proposed will secure the archaeological significance of the site and comply with policy Ra/Ho/2.

Coal Mining

- 7.123 The allocation policy also requires the investigation of the potential impact arising from the legacy of former coal mining activities within Rainworth and the implementation of any necessary mitigation measures. The applicant addresses this in their Geotechnical and Geo-Environmental Site Investigation Report, dated September 2025.
- 7.124 This report states that mapping for the area does not show any outcropping coal seams within several kilometres of the site and that Chester Formation bedrock immediately underlies the site and this is not recorded to contain any coal seams. Due

to the proximity of the site to the former Blidworth Colliery, located some 750m south of the site, a Coal Authority report has been provided.

7.125 The Coal Authority report states that the site is within the likely zone of influence from known workings on two coal seams at depths of 597m and last worked in 1967. The report states there are no probable unrecorded shallow workings beneath the site and the site is unlikely to be affected by future underground mining. The report further concludes the below:

- No mine entries are recorded within 100m of the site
- No faults, fissures or break lines are recorded
- No opencast mines or Coal Authority managed tips recorded within 500m of the site
- No mine gas or mine water treatment schemes recorded within 500m of the site
- No notices have been given stating the land is at risk of subsidence

7.126 Overall, given the findings of the Coal Authority Report, attached in appendix 1 of the Geotechnical and Geo-Environmental Site Investigation Report, the proposal is considered acceptable in this regard. The allocation policy has been accorded with and given the known depth of the coal bearing strata (180m depth) further precautions against the effects of shallow coal mining are not deemed necessary in this instance.

8.0 Other Matters

8.1 **Public comments** – The public comments and concerns raised have been thoroughly reviewed and are acknowledged. These have largely been addressed throughout the report and through the revisions made to the scheme, including the off-site highway improvement works, further highway assessments carried out and securing S106 monies to go to local infrastructure to support local services in light of the development. Any future estate fee payments arranged for the maintenance of the open space on the site is not a planning matter, and would be at the discretion of the applicant. Officers are advised that the open space would be managed by a third party company and how the developer covers the costs of this would be for them to decide. The development provides its own open space and play area, so the scheme is not considered to put undue pressure on the existing provisions to the north or the west of the site. That said, it is acknowledged that use of these areas would likely increase, however, this is not considered a reason for refusing the scheme. A Construction Management Statement will ensure disruption during the construction phase is minimised and mitigated as much as possible, although these concerns are noted and understood.

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

The proposed development lies in an area that is zero rated for CIL, therefore the development is not CIL payable.

8.3 **Biodiversity Net Gain (BNG)** – In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development. The scheme proposed to deliver 10% BNG through both onsite and offsite measures, and the monitoring for the onsite BNG can be secured by appropriate legal agreement.

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

Legal Implications - LEG2627/9086

8.5 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.

8.6 **Draft Heads of Terms** – it is noted that the recommendation is subject to a S106 legal agreement. The draft heads of terms agreed in principle with the applicant are summarised below:

- Affordable Housing – 15 units on-site
- Primary Education – £269,059
- Education SEND – £104,566
- Health – £130,688.46
- Community transport – £53,200
- Bus Stop infrastructure improvements – £70,900
- Off-site highways improvements – tactile paving on pedestrian route to Rainworth
- Community facilities – £184,081.31
- Sports provision – £98,116.76
- Waste – £13,927.76
- Library Stock – £5,940
- Amenity green space and open space for children and young people provided on site, including maintenance provisions
- Monitoring fee for NCC Highways Authority for the Travel Plan - £7,500
- Monitoring fee for NSDC Ecology regarding on-site BNG - £2,854.17
- S106 monitoring fees for NSDC – yet to be determined

9.0 Planning Balance and Conclusion

- 9.1. The proposal has been found to be acceptable when assessed against all the relevant material planning considerations and local and national planning policies.
- 9.2. Whilst it is noted the quantum of development, when considering the built-out part of the allocation to the west, exceeds that referenced in the original allocation, this is not considered to weigh against the proposal or represent a reason to refuse the scheme. The increased quantum does not result in a harmful density, not exceeding 30 dwellings per hectare, and also aligns with the aims of the NPPF to promote making efficient use of land, especially making efficient use of land specifically allocated for development.
- 9.3. Moreover, the Council lacks a 5 year housing land supply which means the tilted balance is engaged and both the provision of housing and making the most efficient use of land are given greater weight in the planning balance. As such, the provision of additional housing on the site above the allocation is considered acceptable and weighs in favour of the scheme due to the tilted balance. There have been no harms identified that weigh significantly or demonstrably against the proposal, meaning the application should be approved.
- 9.4. Whilst it is noted that the on-site provision of affordable housing is below policy compliance at 11%, the viability argument put forwards by the applicant has been independently reviewed and verified. The applicant has agreed to all other financial contributions and an otherwise fully policy compliant S106 can be secured, as outlined in the draft heads of terms, to be secured through a S106. This means financial contributions towards health, education, libraries, community facilities, sport, community transport and local transport infrastructure can be secured as part of the development, to bring investment to the local area and support the existing waste, transport, health and education services in Rainworth and the surrounding area. On balance, having a fully compliant S106, aside from the under provision of on-site affordable housing, is considered a positive aspect to the proposal. With the viability work confirming the maximum that can be secured has been in this case.
- 9.5. Moreover, the proposal has been found to comply with all the requirements of the allocation policy, Ra/Ho/2. The site was master planned under the previous development, and has been master planned as part of this proposal. The design ensures active frontages and passive surveillance over all public areas, incorporates adequate architectural variation, and incorporates a slight overprovision of on-site green and open space, including the provision of a children's play area (LEAP). Additionally, the landscape buffer along the southern boundary is maintained, the Transport Assessment and highways work undertaken is acceptable, with Highways raising no objections, and the entrance to the site accords with the requirements of the allocation, with measures agreed to mitigate any impacts that may arise from this. Furthermore, SuDs features are incorporated and it is demonstrated that sustainable surface water drainage systems can be used, in agreement with the Local Lead Flood Authority. Open space is also provided that overall is a slight overprovision, in

accordance with the allocation, and developer contributions as outlined above are secured. Lastly, elements like off-site sewer improvement works, coal mining and archaeology have all been investigated, addressed and where relevant complied with. Overall, the proposal is considered in accordance with the site allocation under policy Ra/Ho/2 and the Development Plan when taken as a whole.

9.6. As such, on balance, the proposal is considered acceptable, and is in accordance with the policies in the Amended Core Strategy, the Allocations and development Management DPD, the Emerging ADM DPD (where these policies can be afforded weight), and the NPPF.

9.7. The proposal is recommended for approval, subject to the conditions outlined in section 10 and the signing of a S106 legal agreement.

10.0 Conditions

01 – Time Limit

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

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

02 – Plans and Details

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan, reference 2456.02 Rev B (received February 2026)
- Planning Layout, reference NJW-VL-01 Rev I (received April 2026)
- Landscape Master Plan, reference R/2918/1F (drawing received March 2026)
- Open Space Plan, reference 2456.07 Rev K (received April 2026)
- Boundary Treatment Plan, reference 2456.06 Rev K (received April 2026)
- Street Scene Plan, reference 2456.04 Rev G (received April 2026)
- Materials Layout Plan, reference 2456.03 Ref J (received April 2026)
- EVCP, Refuse and Cycle Plan, reference 2456.08 Rev K (received February 2026)
- The 33 Poppy Detached Ground and First Floor Plan (revised drawing received February 2026)
- The 33 Single Garage – Gable Side – Plans and Elevation (revised drawing received March 2026)
- The Manuka End Ground, First and Second Floor Plan (revised drawing received March 2026)
- The Manuka End Front, Left and Rear Elevations (revised drawing received March 2026)
- House Type Catalogue Including plans for The Avocado End, The Buckwheat End, The Chestnut End, The Clover Detached, The Eucalyptus Detached, The Heather Detached, The Macadamia End, The 33 Ironbark, The 33 Lavendar, The

Linden Corner Detached, The Rosmary Detached, The Sage Detached, The 33 Wildflower, The Dahlia End, The Primrose Detached, The 33 Poppy Detached, Bungalow 2b3p Detached, Bungalow 2b3p Semi, 2b3p End, 2b3p Mid, 2b4p Corner, 3b4p End, 3b4p Mid, Garage – Gable Side – Single and Twin (received November 2025)

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

03 – Phasing

The development hereby approved shall be undertaken in accordance with the phasing provisions made within the approved phasing plan reference: 'C019 – 2002', unless an updated phasing plan is first submitted to and approved in writing by the Local Planning Authority. In such circumstances, the development shall thereafter be undertaken in accordance with the provisions of the updated phasing plan thereby approved.

Any reference to 'phase' or 'phasing' within this permission shall be construed to relate to the phasing plan as hereby approved, unless superseded by an updated plan approved under this condition, whereby it shall thereafter relate to the updated plan as approved.

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

04 – Materials

Notwithstanding the materials set out in the submission, prior to the development in any phase reaching above damp-proof course, details and specifications of the external materials to be used for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of the visual amenity of the site.

05 – Construction Management Statement

Prior to the commencement of development in any phase, a Construction Management Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- Measures to ensure access is available along the existing public highway.
- Details of staff operative/contractor parking and how it will be ensured that this does not take place on existing highway.
- Robust and enforceable measures to prevent the transfer of mud to the public highway.

The approved CMS shall then be adhered to during the construction phase of the development.

Reason: In the interests of general highway safety.

06 – Surface Water Drainage

No part of the development in any phase, hereby approved, shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Eastwood Flood Risk Assessment (FRA) dated 21 Oct 2025, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
 - No surcharge shown in a 1 in 1 year.
 - No flooding shown in a 1 in 30 year.
 - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g. Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Within 6 months of completion of the approved drainage scheme for each relevant phase, the developer shall submit 'as built' drainage details for review by the Local Planning Authority.

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

07 – Biodiversity Net Gain

- A. A revised version of 'Ecological Impact Assessment' (or other new document) and Statutory Biodiversity Metric, produced by RammSanderson dated 12.01.2026 and 29.01.2026 respectively, shall be submitted to, and be approved in writing by, the local planning authority. The updates shall be limited to those necessary to address the comments made within paragraph 2.5 of the NSDC Ecology Officer comments dated 16th March 2026. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out in the approved documents.
- B. The development shall not commence in any phase until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and been approved in writing by, the local planning authority and including:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisations(s) delivering the HMMP;
 - (c) the location and details of the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan; (
 - d) the management measures to maintain habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat.
- C. Notice in writing shall be given to the local planning authority when the HMMP works have started.
- D. Notice in writing shall be given to the local planning authority when the site construction compound has been removed.
- E. A completion report, evidencing the completed enhancements, shall be submitted to, and be approved in writing by the local planning authority within 6 months of removal of the site construction compound.
- F. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and to ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

08 – Great Crested Newt Mitigation

Part 1 - Prior to the commencement of development beyond phase 1, including any vegetation clearance and initial site preparation work, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) Written evidence that a European Protected Species Licence has been acquired, or a statement in writing from Natural England to the effect that it does not consider that the proposed development will require a European Protected Species Licence.
- b) Written evidence has been provided to, and been approved by, the local planning authority confirming the appointment of a suitably licenced ecologist to implement the 'Proposed Mitigation Works' set out in Section 3 of the Great Crested Newt Mitigation Strategy (RammSanderson, 14/01/2026) (or a variation of the strategy as required by Natural England).

Part 2 - Within 1 month of the completion of the translocation exercise, written confirmation from the appointed ecologist that the Great crested Newt Mitigation Strategy has been fully implemented up to that point shall be provided to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species in accordance with the NPPF and Amended Core Strategy Policy 12: Biodiversity.

09 – Biodiversity CEMP

No development shall take place in any phase (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

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

The CEMP (Biodiversity) should incorporate in full the Precautionary Methods of Working detailed within Section 5 of the Ecological Impact Report Version 4, 12/01/2026 produced by RammSanderson Ltd.

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

Reason: To safeguard protected species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

10 – Bat and Bird Box Plan

A. The approved development shall not proceed beyond damp proof course in any phase until a Bat and Bird Box Plan, along with a timetable for their installation has been submitted to and been approved in writing by the local planning authority. The plan is to show the type, location of the proposed boxes and details for fixing them into place.

B. The approved boxes shall be installed in accordance with the approved details and timetable thereafter and photographic evidence of the installed boxes, shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the site in any phase to fully discharge the condition. Thereafter, the installed features shall be retained for compliance.

Reason: To provide a measurable gain for biodiversity as required by the NPPF, and maximise opportunities to enhance biodiversity as required by Core Strategy Policy 12.

011 – Tree Protection Measures

Prior to the commencement of development or site works in any phase, all approved tree protection measures shall be installed, as per approved drawing reference RSE_8424_TPP in Appendix D of the Arboricultural Report prepared by RammSanderson and dated January 2026. The approved tree protection measures shall be retained and maintained in full for the duration of the development.

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

012 – Contaminated Land in Phase 3

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence in phase 3, as per the approved phasing plan reference 2002, until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation (Phase 3)

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site in phase 3, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings for phase 3 must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's ['Land contamination risk management \(LCRM\)'](#)

Part B: Submission of Remediation Scheme (Phase 3)

A detailed remediation scheme to bring this part of the site in phase 3 to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that phase 3 of the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme (Phase 3)

The approved remediation scheme for phase 3 must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced in relation to phase 3, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

013 – Archaeology Part 1

The archaeological site work must be undertaken only in full accordance with the approved Written Scheme of Investigation (WSI), prepared by MAP Archaeological Practice, received 28th April 2026 and reference KDR26_TT-WSI_VD. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

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

014 – Archaeology Part 2

A report of the archaeologist's findings, including the process of archiving/depositing with the County Museum or another public depository willing to receive it, shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council (or other equivalent Record Office) within 3 months of the phase II archaeological works, hereby given consent, being completed.

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

015 - Landscaping

Notwithstanding the Landscape Masterplan reference R/2918/1F, prior to the development in each phase reaching above damp-proof course, a detailed landscaping plan for each phase shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping plans shall include full details of both hard and soft landscape works (both in the public realm/strategic landscaping works and for individual plots) and a programme for their implementation, including their management. This submission shall include:

- Hard landscaping details shall include proposed materials for all areas of hardstanding on the site, including the car parking areas, driveways, materials for other vehicle and pedestrian access and circulation areas, minor artefacts and structures for example, furniture, refuse or other storage units, signs, lighting etc.
- Soft landscaping details shall include planting plans, detailed tree planting, written specification (including cultivation and other operations associated with plant and grass establishment), management during establishment and schedules of plants, including species, numbers and densities together with clear annotations as to existing trees and hedgerows that would be retained plus proposed finished ground levels or contours.

The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species. The development shall be carried out in accordance with the approved details for each phase.

Reason: In the interests of visual amenity and biodiversity, to ensure that trees and hedgerows to be lost as a result of development is properly and commensurately mitigated with replacements, to reflect the objectives set out in the NPPF and Policy CP12 of the Newark and Sherwood Amended Core Strategy.

016 – Landscaping Implementation

All hard and soft landscape works shall be carried out in accordance with the approved programme for implementation as agreed under condition 15.

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

017 – Off-Site Parking Measures

Prior to commencement of development in any phase, a drawing detailing proposed measures to address obstructive parking on Nightjar Way and Linnet Drive shall be submitted to and approved in writing by the Local Planning Authority.

Within 1 month of approval of the drawing, an application for a traffic regulation order shall be made based on this, and any measures subsequently approved shall be implemented within 6 months of that approval (unless an alternative timescale is first agreed in writing with the Local Planning Authority).

Reason: In the interests of highway safety and capacity.

018 – On Site Parking Measures

Prior to the commencement of development within phase 2, an application shall be made for a traffic regulation order to prevent parking in the turning heads and at the junctions within the development layout. Any approved measures shall be implemented within 6 months of the respective roads being finished to wearing course level.

Reason: In the interests of highway safety.

019 – Off-Site Footway Improvements

Prior to the occupation of the 50th dwelling of the development, improvements to the footways along Warsop Lane shall be provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. For avoidance of doubt, these improvements are limited to the provision of tactile paving at accesses and junctions along Warsop Lane to the north of the site, where there is currently none.

Reason: In the interests of promoting sustainable travel and general pedestrian safety.

020 – Visibility and Landscaping

Hedges shall not be planted within 1m of the rear of the junction and forward visibility splays shown on the Landscape Masterplan drawing number R/2918/1F.

Reason: In the interests of highway safety

021 – Pedestrian Visibility

The pedestrian visibility splays, as shown by the yellow dashed lines on the Landscape Masterplan drawing number R/2918/1F, shall be kept clear of all obstructions above 0.6m in height.

Reason: In the interests of pedestrian safety.

022 – Travel Plan

Prior to the first occupation of the development in any phase, a full travel plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce trips generated by the development in the interests of highway capacity and in the interests of sustainable travel.

023 – Surfacing and Drainage

Prior to the first occupation of the development in any phase, the access, parking and turning serving relating to each dwelling, hereby approved, shall be provided in hard bound material with means to prevent the transfer of surface water to the public highway where applicable.

Reason: To prevent the transfer of deleterious material and surface water to the public highway in the interests of general highway safe.

024 – Design and maintenance of the LEAP

Prior to the development in any phase reaching above damp proof course, a scheme for the LEAP shall be provided to and approved in writing by the Local Planning Authority. The scheme shall include the detailed layout of the children's play area, specifications of the equipment, a timetable for implementation and details of ongoing management and maintenance.

Reason: To ensure the detailed design of the LEAP is provided, in the interests of the amenity of future occupiers.

025 – Prohibited activities

The following activities must not be carried out under any circumstances during the construction phases.

a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on the proposal site.

b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on the application site,

- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on the application site.
- e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To protect existing trees and hedgerows within the site.

026 – Removal of vegetation

No removal of hedgerows, trees or shrubs shall take place between 1st March and 30th September inclusive. Where this is not possible, areas should be cleared of vegetation only if they have been surveyed by a suitably qualified ecologist and has found to be clear of nests immediately prior to the destructive works commencing and these finding have been submitted to and confirmed in writing by the Local Planning Authority. If an active nest is identified then the area will need to be retained until the young have been deemed, by a suitably qualified ecologist, to have fledged and a five metre buffer around the nest should be maintained. Only once this has happened can the area be cleared from site.

Reason: To safeguard protected species and to accord with the objectives of the NPPF, Policy CP12 of the Newark and Sherwood Amended Core Strategy.

Informatives

01

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

02

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority (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. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 38 Agreement is issued.

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@nottscc.gov.uk

03

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. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 278 Agreement is issued.

04

It is necessary for the developer to apply for a Traffic Regulation Order. This is a process separate to the planning or Section 38 processes and can take a significant time to resolve. The applicant is therefore advised to contact our highway partners at the earliest opportunity. Please email steph.walford@viaem.co.uk for more information.

05

For Part B d) of Condition 07 completion of the development, and therefore the start of the 30-year period is considered to be six months after the site construction compound has been removed. This six-month period is considered necessary to provide flexibility if this point in the development is reached at a time of the year that is incompatible for seasonal reasons to undertake habitat creation and enhancement works.

06

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

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

07

IMPORTANT

The development granted by this notice must not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the planning authority, and
- b) The planning authority has approved the plan.

Details about how to comply with the statutory condition are set out below.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the condition "the biodiversity gain condition" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan;

OR

- c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission is Newark and Sherwood District Council (NSDC).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain (Biodiversity net gain - GOV.UK (www.gov.uk)) However in this case the Council consider that this development is not exempt and mandatory Biodiversity Net Gain does apply here.

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 - 25/00197/FULM

