

Application No:	17/02294/FUL	
Proposal:	Demolition of existing garages and the development of 3 No. 2-bed dwellings and 1 No. 1 bed dwelling	
Location:	Former Garage Site at Thorpe Close Coddington Nottinghamshire	
Applicant:	Newark and Sherwood District Council	
Registered:	03.01.2018	Target Date: 28.02.2018
		Extension of time: 09.03.2018

Update

Members will be aware that this application was deferred from last month’s Agenda to enable the Applicant to compile additional information regarding the usage of the 28 garages on the site.

Garage Usage

It has been established that of the existing 28 garages:

Unoccupied	9
Occupied by private tenant	15
Occupied by NSDC tenant	4
Sold	0

Further information has been supplied by Newark and Sherwood Homes (NSH) to confirm that of the 19 occupied garages:

Rented by tenants within 5 minute walk of Parkes Close	5
Rented by tenants within 5 minute walk of Thorpe Close	4
Rented by tenants more than 5 minute walk from the site	3
Rented by tenants outside Coddington	7

The above information is considered to inform that of the 19 occupied garages 9 could potentially be used for tenant vehicle parking. It is realistic to assume that at a distance beyond a 5 minute walk the preference will be to park any vehicle outside the property or in closer proximity.

Colleagues within NSH have visited the properties of the 9 tenants which are within a 5 minute walk of the development site and have established that 3 of the properties currently benefit from off street parking (driveway or parking bay) which leaves a total of 6 tenants which could potentially be using their garages for vehicle parking. For clarity of these 6 tenants 1 is a NSH resident and 5 are private occupiers.

It is not possible to categorically state that 6 of the total 28 garages (21%) are being used for vehicle parking, however having reviewed street view imagery it would appear that should this be the case that all of the 6 properties which currently do not have off street parking and rent a garage within the development site could, should they so wish, accommodate a driveway to the side/front of their properties to accommodate a vehicle.

It is therefore not considered that the removal of the garages on the development site would result in such a significant increase in on-street parking in the area to such a detriment to highway safety to warrant refusal of the application.

This application is one of several schemes currently being considered by the Council for the residential development of land owned by the Council. The need for affordable housing remains high on the Council's agenda, as indeed it does nationally. The developments are being put forward as part of a five year building programme by Newark and Sherwood Homes (NSH) to deliver approximately 360 new affordable dwellings across the District to directly meet affordable housing need. Under the Council's constitution, schemes submitted specifically as part of this 5 year affordable housing programme need to be determined by the Planning Committee where the officer recommendation differs from that of the host Parish or Town Council.

For the avoidance of doubt, the remainder of this report remains unchanged from the February Planning Committee Agenda.

The Site

The site lies on the eastern edge and within the main built up area of Coddington, an 'Other Village' as defined by the Core Strategy settlement hierarchy. The site is an existing garage court split in two by a dividing wall in the middle with the northern half accessed from Parkes Close to the west and the southern half from Thorpe Close to the east. The northern half (accessed from Parkes Close) is occupied by garages along the eastern and western boundaries with 20 across the site. The Thorpe Close half of the site is occupied by a further 8 garages along the western boundary. The garages have timber double doors with flat corrugated roofs and served by tarmac hard surfacing.

Properties in the vicinity are a mix of two storey on the northern, eastern and southern boundaries of the site and single storey to the west. The surrounding properties are in a mix of private and Newark and Sherwood Homes ownership. The site is bound by approximately 2m high red brick walling on the northern boundary and timber fencing with access gates into the court on the southern boundary.

The site is not within a conservation area and is designated as being within Flood Zone 1 in accordance with Environment Agency mapping, but is designated as being within an area prone to surface water flooding.

Information provided by Newark and Sherwood Homes details that of the 28 existing garages;

Unoccupied	8
Occupied by private tenant	17
Occupied by NSDC tenant	3
Sold	0

Relevant Planning History

No relevant site history.

The Proposal

The plans (layout 4) seek to provide 3 x 2 bed single storey bungalows and 1 x 1 bed single storey property. The properties are detailed on the application form to be social rented dwellings.

The design and layout of the proposal has been marginally altered during the lifetime of the application to improve the outlook from the northernmost proposed property. Access would be gained for all 4 properties from Thorpe Close with 2 parking spaces provided per property and the access from Parkes Close closed off. The common boundary to the south which is shared with two properties fronting Ross Close currently has two pedestrian gates that allow access to the application site. The proposal includes a surfaced footpath from the rear of these properties, along the eastern boundary of the application site to the access road.

The approximate measurements of the buildings are:

2 x type C semi-detached properties: 8.54m deep, 8.47m wide and 5.49m high

1 x type C4 detached property: 8.54m deep, 8.65m wide and 5.47m high

1 x type A2 detached L shape property: 7.53m wide frontage, 11.02m deep and 4.1m high

It is proposed that all dwellings be constructed from a mix of Cadeby red multi bricks and off white coloured render with Russell Grampian slate grey tiles.

Public Advertisement Procedure

Occupiers of 24 properties have been individually notified by letter and a site notice has been displayed near to the site.

Planning Policy Framework

The Development Plan

Newark and Sherwood District Council Core Strategy DPD (adopted March 2011)

Spatial Policy 1 - Settlement hierarchy

Spatial Policy 2 - Spatial distribution of growth

Spatial Policy 3 – Rural Areas

Spatial Policy 6 - Infrastructure for Growth

Spatial Policy 7 - Sustainable transport

Core Policy 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

Allocations & Development Management DPD (adopted July 2013)

DM1 – Development within settlements central to delivering the spatial strategy

DM3 - Developer Contributions

DM5 – Design

DM7 - Biodiversity and Green Infrastructure

DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014
- Guidance Note to SP3
- Newark & Sherwood Amended Core Strategy 2017

Consultations (comments based on plans currently being considered)

Coddington Parish Council – No comments received at time of report being drafted, comments will be added to late items

NCC Highways Authority – No objection

The loss of off-street parking provision is regrettable and, ideally, alternative provision should be made for any existing users of the garages. However, consideration has to be given to the proposed use rather than the consequence of the loss of the existing use.

The access off Thorpe Close is sufficiently wide to cater for the traffic associated with the 4 proposed dwellings and benefits from a separate footpath (albeit narrow). It is assumed that the access will remain private, but consideration may be given to lighting the access/parking area.

Parking provision is acceptable and turning facilities are provided. In conclusion, no objections are raised.

NSDC Housing Officer – No objection

Housing Policy applicable to the Proposals (HRA Development Proposal for Coddington)

The District Council's Core Strategy (2011), Core Policy 1 (CP1), seeks to secure 30% affordable housing provision as defined in national planning policy (National Planning Policy Framework 2012) on all new housing development proposals on qualifying sites. The proposal aims to provide 100% affordable housing on 3 sites across Coddington.

Housing Need

The application site is located within the village of Coddington which is defined as an 'other village' (and not a Principal Village) in the settlement hierarchy contained within Spatial Policy 1 of the Core Strategy. Development within these areas need to be considered against Spatial Policy 3 (SP3) which states that local housing needs will be addressed by focusing housing in sustainable, accessible villages. It goes on to say that beyond Principal Villages, proposals for new development will be considered against five criteria; location, scale, need, impact and character.

Any proposed new housing in SP3 villages must meet an identified proven local need to accord with SP3. Spatial Policy 3 Guidance Note (September 2013) states that proven local need must relate to the needs of the community rather than the applicant. I turn to the issue of demonstrating 'proven local need' to accord with SP3. In general, local need refers to a need for affordable housing; usually where the market cannot meet the needs of people who are eligible for subsidised housing such as social /affordable rented or shared ownership.

The Council undertook a district wide housing market and needs assessment in 2014. The results for the rural south sub area (of which Coddington is a part of) confirms that there is a housing need for smaller homes (1 bedroom = 234 and 2 Bedroom = 458). There is demand for bungalows in particular. I attach a summary at the end of this document. The Council's housing register indicates a demand for affordable housing for older people's accommodation and for small dwellings (2 bedrooms).

Conclusion

There is clear evidence from the District Wide Housing Survey (2014) that there is an overriding need for smaller properties in the Newark Sub- area (of which Coddington is part of and the proposal to develop smaller dwellings including bungalows will contribute significantly to meeting the need.

NSDC Environmental Health Officer – No objection subject to condition

With reference to the above development, I have received a Phase I Desktop Study report submitted by the consultant (CollinsHallGreen Ltd) acting on behalf of the developer.

This includes an environmental screening report, an assessment of potential contaminant sources and a description of the site walkover.

The report then identifies made ground as a potential source of contamination. Following this, the risk to all receptors is described in the report as very low.

The report then suggests that a phase 2 intrusive investigation will be carried out. I am somewhat surprised that intrusive sampling is deemed necessary given the stated very low risk but I shall await the submission of the phase 2 report prior to commenting further. I would therefore recommend the use of our full phased contamination condition.

NSDC Access Officer - Observations

Five letters of objection have been received relating to the amended plans raising the following concerns:

- Request that ridge heights of the 2 bed units are reduced to match the 1 bed to reduce impact on local properties
- Development will result in more traffic near a school which is dangerous for school children
- Estate already crowded with lack of parking, new housing will add to congestion and set a precedent for further building.
- New dwellings will cause problems for emergency services access
- If the garages need to go be more useful to have a corner shop to serve the area which is cut off and far from the grocers
- Loss of the garages will cause major parking issues in the area. As a garage user for 50 years we have seen increase in cars on the roads and often buses can't get past.
- The garages were only re-surfaced in April, sorry to lose our garage, please re-think
- If they park their vehicle at the side of No. 10, if consent is granted this will no longer be possible due to increased traffic
- If they park their vehicle at the front of the property this will start an argument over parking and safety as it blocks the view of traffic travelling up and down the road.

- If they park on the roadside it will cause issues for passing buses
- They will not be responsible if a child is injured due to the development forcing them to park on the roadside and they will not be parking 100 yards up the road and walking to their house
- The re-surfacing of the parking areas for the benefit of the people was untrue as clearly it was been undertaken in preparation of this application.

Comments of the Business Manager - Growth & Regeneration

5 Year Housing Land Supply

The Council's position is that it can demonstrate a 5 year housing supply. Following the allowed appeal at Farnsfield in 2016 where one Inspector concluded the Council did not have a five year housing supply, in order to address its housing requirement the Council, as it is required to do under the NPPF for both objectively assessed need (OAN) and under the Duty to Cooperate, produced a Strategic Housing Market Assessment (SHMA). The SHMA has produced an OAN for NSDC of 454 dwellings per annum (using 2013 as a base date), which shall be tested through an Examination In Public (EIP) in February this year. The Council has recently defended a Public Inquiry on this basis (outcome yet unknown) and this is the first and only objective assessment of need (OAN) available in NSDC, as required by both the NPPF and the Housing White Paper. The Council is confident – with the support of the other two Authorities and its professional consultants - that the OAN target is appropriate, robust, and a defensible figure. Indeed a recent appeal decision (for development in the green belt at Blidworth in August 2017) concluded that the Council does indeed have a 5 year supply against its OAN. Whilst this cannot yet attract full weight, given previous decisions and the advanced stage of the Plan Review, it can attract significant weight. Therefore in our view paragraph 14 of the NPPF is not engaged and the policies of the Development Plan are up-to-date for the purpose of decision making.

Principle of Development

Spatial Policy 1 of 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. At the bottom of the hierarchy, within 'other villages' in the District, development will be considered against the sustainability criteria set out in Spatial Policy 3 (Rural Areas). Coddington is defined as an 'other village.'

The five criteria outlined by SP3 are location, scale, need, impact and character, which are considered below.

Location

The first criterion of SP3 details that 'new development should be within the main built up areas of villages, which have local services and access to Newark Urban Area.' The proposed development site is within the main built up area of the village adjacent to existing residential development on Thorpe Close and Parkes Close to the east and west, with residential properties on Morgans Close to the north and Ross Close to the south. Further to the east of the site are playing fields and beyond these agricultural land.

With regards the provision of services; whilst Coddington is defined as an 'Other Village' in the settlement hierarchy it does contain: a Primary School, a public house, a shop, a village hall, recreation ground and church. In addition, Coddington is served by regular bus connections to Newark where a wider range of services can be found. I therefore consider the site accords with the locational requirement of Policy SP3.

Scale and Impact of Development

The guidance note to accompany SP3 confirms that the scale criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section below. Four additional single storey dwellings are considered relatively small scale in numerical terms in a village which was detailed as having 1,684 residents in 2016. As such the proposal is unlikely to detrimentally affect local infrastructure such as drainage and sewerage systems. I also consider that four additional dwellings are unlikely to materially affect the transport network in terms of increased traffic levels in volume particularly as two off street car parking spaces would be provided for each dwelling.

Impact on Character/Visual Amenities

The character criterion of SP3 states that new development should not have a detrimental impact on the character of the location or its landscaped setting. The assessment overlaps with the consideration required by Policy DM5 which confirms the requirement for new development to reflect the rich local distinctiveness of the District's landscape and character through scale, form, mass, layout, design, materials and detailing. Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Furthermore the NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

The application site falls within a residential area which has a mix of single and two storey semi-detached, and terrace dwellings.

The development offers 3 different styles of property which will be single storey and constructed of red brick with rendered elements. I am satisfied that the design of the proposed dwellings is acceptable and that in terms of appearance, the proposed development would sit well within the context of the adjoining dwellings and the wider residential setting.

The layout of the development has been adjusted during the lifetime of the application to offer a better outlook for residents of the proposed unit C4. To facilitate this, the access from Parkes Close which was detailed to remain open to pedestrians is proposed to be closed off. This is considered to result in a better layout for the site and improved privacy for future occupiers of units A2 and the northern semi-detached property. An adequate level of private amenity space is considered to have been afforded to the proposed dwellings to both the sides and rear of the properties, subject to satisfactory boundary treatment which would be controlled by way of condition.

It is therefore considered that proposed development would not result in an undue impact upon the visual character or amenity of the immediate street-scene or the wider area.

Overall, the dwellings are considered to reflect the character of surrounding built form and due to the site's position set back from the main road and their single storey nature, they are not thought likely to be prominent additions to the street scene. In this respect the proposal is therefore considered to meet the relevant points in respect to visual and character impacts in accordance with Spatial Policy 3 and Core Policy 9 of the Core Strategy and Policy DM5 of the Development Management DPD.

Need for Development

With respect to the local need criterion of SP3 I note that an affordable housing scheme is proposed here, part of a wider capital programme for investment and delivery of affordable housing provisions within this District over the next 5 years. For the avoidance of doubt there is an affordable housing need across the District, which includes Coddington. The need is not Coddington specific in that there is no local housing needs survey for the village. The need covers a slightly wider geographical area, including Newark. As detailed above within the housing officers comments; the district wide Housing Market and Needs Assessment (2014) identified that within the rural south sub area (of which Coddington is a part of) there is a housing need for smaller homes (1 bedroom - 234 units and 2 Bedroom - 458), with a clear demand for bungalows in particular. The Council's housing register indicates a demand for affordable housing for older people's accommodation and for small dwellings. It is therefore considered that a need exists within Coddington for small, single storey affordable units and this proposed development would assist in meeting that need. The proposal is therefore considered to accord with the need element of policy SP3.

Impact on Residential Amenity

The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.

The site is surrounded by existing residential properties on all boundaries and as such consideration of the perceived impact on neighbouring amenity forms a strong material consideration. The proposed dwellings are all single storey in height with the L shaped dwelling being approximately 4m in height and the remaining 3 dwellings approximately 5.5m to ridge. All the bungalows have an eaves height of 2.25m high. It is considered that the separation distances of the proposed dwellings to neighbouring properties are sufficient to ensure that the dwellings would not result in a significant degree of overbearing impact or loss of light for existing neighbours.

The building to building distances vary from plot to plot with the closest being approximately 10.5m between plot A2 and No. 7 Parkes Close. Given A2 has a lower ridge line of 4.2m and the separation distance, it is not considered that this dwelling would experience significant overbearing impacts or loss of light. C4 would be approximately 14m from 10 Morgans Close to the north and 12.5m from 2 Thorpe Close to the east. It is accepted that No. 2 Thorpe Close would experience some loss of winter evening light to the rear garden area of the property, however it is not considered to be so significant to warrant refusal of the application. A separation distance of approximately 13m would be experienced by 9 & 11 Parkes Close in relation to the pair of semi-detached bungalows, which again could result in a modest loss of morning light, but again not to such a significant degree to warrant refusal of the application.

Given the proposed dwellings are single storey in height, it is not considered that the development would result in significant overlooking of neighbouring properties subject to appropriate boundary treatment which would be secured by way of condition. Rear windows in No 10 Thorpe Close would be approximately 19m from front facing bedroom & kitchen windows in the southernmost of the pair of semi-detached properties, however views would be across vehicle parking area which would further reduce the potential for window to window overlooking.

In relation to amenity of future occupiers; dwelling C4 has been moved marginally to the south to improve the outlook from rear facing windows. The removal of the access from Parkes Close improves the outlook from the kitchen window in dwelling A2 with this open plan element of the house also served by windows on the northern elevation. All four properties would offer reasonable private outdoor amenity space to the side and/or the rear of the dwellings.

In conclusion whilst it is accepted that the proposed development would result in a modest loss of amenity for neighbouring properties by way of loss of some morning and evening sunlight during winter months it is not considered to be so significant to warrant refusal of the application. It is therefore considered that the proposal will accord with Policy DM5 of the DPD.

Impact on Highway Safety

Policy DM5 is explicit in stating that provision should be made for safe and inclusive access to new development whilst Spatial Policy 7 encourages proposals which place an emphasis on non-car modes as a means of access to services and facilities.

I note that no objection has been raised by NCC Highways Authority in relation to the proposed development and that alternative provision should be made for any existing users of the garages. I also note comments from members of the public regarding the loss of parking, the resultant increases in vehicle movements on the surrounding roads and the increase in on street parking and potential congestion this could cause.

Parking on Thorpe Close and Parkes Close is not restricted by any Traffic Regulation Order and as such there is already no control over the number of existing residents, their visitors or other members of the public who are able to park on street. Notwithstanding this, I am mindful that the proposal would result in the overall loss of 28 garages. However, it must first be noted that the dwellings proposed will provide for two off street parking spaces, per dwelling and this is considered acceptable provision commensurate with the size of the dwellings proposed. Whilst it is accepted based on figures provided by NASH, that occupancy of the garages is high (20 out of 28), it is unclear which of these are used for the parking of vehicles and which are used for storage. Experiences from other garage courts in the District would suggest that there is a trend for small garages to be used for storage rather than parking of vehicles. Reasons including the size of the garages not matching the increasing size of modern vehicles and the desire to naturally overlook one's vehicle have also led to a reduction in garages being used for parking. Garages are also privately rented (17/20) and therefore residents cannot be forced to use them nor are they necessarily associated with residents in the adjoining streets. Given the above context, it is considered likely that the loss of these garages would not have such an undue impact on parking within the immediate locality to warrant a refusal of planning permission. The comments from NCC Highways regarding alternate provision being made is noted, however as demonstrated on the site plan no alternate provision is available on the site and it is considered that properties within the vicinity of the site have the ability to establish on-site parking on their frontages should they so desire.

The comment received regarding the development impacting on emergency services is noted, however this will have been properly considered by the Highway Authority who has found access by emergency services to be acceptable.

In conclusion NCC Highways are satisfied that the proposed development would not detrimentally impact upon highway safety and as the professional expert in this regard, officers are satisfied with this recommendation. The proposal is therefore considered to accord with Policy SP7 and DM5.

Impact on Flooding

A surface water management plan has been submitted as part of supporting documentation which details how surface water would be managed on the site. The proposed layout is considered to be acceptable and would not result in any greater surface water flooding issues than that which currently exists from the large areas of hardstanding on the site.

Other Matters

The comments received from colleagues in Environmental Health regarding potential contaminated land are noted and shall be controlled by way of condition.

The request for the garage court to be provided as a shop is noted, however the local planning authority can only determine the application currently before it.

Conclusion and planning balance

Taking the above into account I am of the view that the proposed development would provide affordable housing in an area where there is a need for small single storey units. The development would have an acceptable impact on the character of the area, neighbouring amenity, highway safety and flooding. There are no further material considerations that would warrant refusal of the application.

RECOMMENDATION

That full planning permission is approved subject to the following conditions:

Conditions

01

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

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

02

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

- Site location plan Ref: 40860/ID41 &42/001B
- Proposed site layout op.4 Plan Ref: 40860/ID41 &42/006B

- Proposed plans elevations Type C semi-detached Plan Ref: 40860/ID41 &42007
- Proposed plans elevations type A2 Plan Ref: 40860/ID41 &42008
- Proposed plans elevations Type C4 detached Plan Ref: 40860/ID41 &42009

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application and as detailed on the approved plans unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

04

No part of the development shall be brought into use until precise details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the dwelling and shall then be retained in full for a minimum period of 5 years unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity.

05

No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:-

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;

hard surfacing materials; and

an implementation and phasing plan

Reason: In the interests of visual amenity and biodiversity.

06

All hard and soft landscape works shall be carried out in accordance with the approved implementation and phasing plan. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

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

07

Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015, other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class A - enlargement, improvement or other alteration of a dwellinghouse

Class B - additions etc to the roof of a dwellinghouse

Class C - other alterations to the roof of a dwellinghouse

Class D - porches

Class E - buildings etc incidental to the enjoyment of a dwellinghouse

Reason: In the interest of protecting neighbouring amenity in accordance with the aims of Policy DM5 of the Newark and Sherwood Allocations and Development Management DPD (2013).

08

No part of the development hereby permitted shall be brought into use until the parking areas are provided in accordance with the approved plan. The parking areas shall not be used for any purpose other than parking of vehicles.

Reason: In the interests of highway safety.

09

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 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

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Part B: Submission of Remediation Scheme

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

Part C: Implementation of Approved Remediation Scheme

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

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

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.

010

Development shall be undertaken in accordance with the proposed drainage plan Drawing 100 revision P03 received on 24/1/18 unless otherwise agreed in writing.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

Notes to Applicant

01

The applicant is advised that all planning permissions granted on or after 1 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 understanding that CIL may not payable on the development hereby approved as the development is made up entirely of Social Housing provided by local housing authority, registered social landlord or registered provider of social housing and shared ownership housing. It is necessary to apply for a formal exemption to confirm this view, which must be made to the Council prior to the commencement of development on CIL 4 form which is also available on the Council's website.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

BACKGROUND PAPERS

Application case file.

For further information, please contact James Mountain on Ext 5841.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb

Business Manager – Growth & Regeneration

Committee Plan - 17/02294/FUL

