

PLANNING COMMITTEE – 15 JANUARY 2019

Application No:	18/01861/FULM (MAJOR)	
Proposal:	Application for substitution of plots 138 – 268 (in relation to planning applications 16/00139/RMAM and 12/00966/OUTM) with plots 301 – 422, a total of 131 to be substituted with 122 plots and the associated infrastructure	
Location:	Land at Clipstone Drive, Clipstone, Nottinghamshire	
Applicant:	Persimmon Homes	
Registered:	12 October 2018	Target Date: 11 January 2019
	Extension of Time Agreed in Principle	

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Clipstone Parish Council has objected to the application which differs to the professional officer recommendation.

The Site

The site forms part of a consented housing site within the defined built up part of Clipstone. The site and wider area has been subject to multiple permissions in recent years, as explored below. It has few distinguishing features on the ground but the land levels slope down gradually from north-east to south-west. Some structural planting (semi-mature broadleaf plantation) has already taken place along the periphery of the site but is surrounded largely by agricultural land to the north (comprising scrub, grassland but the majority of which is cultivated /disturbed land) with housing immediately south-east being built out by Taylor Wimpey under a reserved matters approval. Land to the west already has permission for housing by Permission Homes whilst land to the south will form an area of public open space (POS) with the Neighbourhood Equipped Area of Play being located on it. The main spine roads of the estate are already in place with Bluebell Wood Lane separating the approved POS from the application site.

Relevant Planning History

There are various historic planning consents on the wider site. However the most relevant are (for the avoidance of doubt approvals just comprising this application site) **bolded**:

08/01905/OUTM – Outline consent (with all matters reserved) was granted to Retail Ventures Ltd for up to 420 residential units, 1ha of B1 office, community facilities, landscaping and public open space on 5th November 2009. No longer extant.

12/00966/OUTM – Outline application was sought for an additional 180 units over and above the 420 units on part of the site. The application was a bare outline with all matters to be reserved for subsequent consideration. However an indicative layout plan was provided showing how 180 units might fit within the site area. This application was approved 8th February 2013 under delegated

powers. Approved 8 February 2013 subject to conditions. Condition 1 required reserved matters to be applied for no later than 3 years from date of the permission (i.e. by 8th February 2016) and that the development should begin no later than 2 years from the date of the approval of the last reserved matter. This was subject to a S106 Agreement that secured the following:

Contribution	Trigger
30% on site affordable Housing	Standard triggers, no more than 60% dwellings unless AH
Education - 38 primary school places and at £11,455 per place the development requires an education contribution of £435,290.	Not more than 60 dwellings to be occupied until 1/3 contribution paid and not more than 100 dwellings occupied until 2/3 paid, not more than 150 dwellings until contribution paid in full.
Library contribution of £6,969.02 is required as a direct result of this development, based on their formula.	Contribution to be paid before occupation of 100 th dwelling
Sports Pitch contribution of £85,714.20 based on a pro-rata of the level of contribution extracted by the previous consent, which was £200k/420= £476.19 x 180.	½ to be paid on occupation of 100 th dwelling with remaining ½ upon 150 th occupation
Community facilities - £100k to improve existing community facilities within the existing settlement.	To be paid in full before occupation of 91 st dwelling

14/02054/VAR106 – Variation of Section 106 Agreement attached to 12/00966/OUTM. Approved as recommended by Committee on 07.09.2015. Variations based on viability comprised:

Contribution	Trigger
Contribution towards affordable housing of £238,000 (based on 7.4 houses at £32k each) equating to a 4% offer (Amended)	£80K to be paid on occupation of 80 th dwelling, not to permit occupation of more than 110 until £160k has been paid, not to permit occupation of 140 dwellings unless paid in full. (amended)
Education - 38 primary school places and at £11,455 per place the development requires an education contribution of £435,290. (As previous)	Not more than 60 dwellings to be occupied until 1/3 contribution paid and remainder to be paid before occupation of the 151 st dwelling. (amended)
Library contribution of £6,969.02 is required as a direct result of this development, based on their formula. (As previous)	Contribution to be paid before occupation of 100 th dwelling
Sports Pitch contribution of £85,714.20 based on a pro-rata of the level of contribution extracted by the previous consent, which was £200k/420= £476.19 x 180. (As previous)	Payment on occupation of 90 dwellings (amended)
Community facilities - £100k to improve existing community facilities within the existing settlement. (As previous)	To be paid in full before occupation of 91 st dwelling (as existing)

16/00139/RMAM – ‘Reserved matters application for residential development of 161 dwellings and associated parking, garages, roads, sewers and open space’ approved 5th December 2017. (In accordance with the outline, the development needs to be started on or before 5th December 2019.) This was accompanied by a deed of variation to ensure that previous triggers imposed continued to be met and that this is sufficient incentive for the development to be completed in its entirety as follows:

Contribution currently in S106	Trigger as Existing	Proposed contribution	Trigger as Proposed
Contribution towards affordable housing of £238,000 (based on 7.4 houses at £32k each) equating to a 4% offer (Amended)	£80K to be paid on occupation of 80 th dwelling, not to permit occupation of more than 110 until £160k has been paid, not to permit occupation of 140 dwellings unless paid in full. (amended)	A scheme for 161 houses would generate a requirement for 48 dwellings. However given previously accepted viability issues, 4% offer is considered reasonable. This would equate to 6 houses at £32k each so £206,080	£64K to be paid on occupation of 50 th dwelling, not to permit occupation of more than 100 dwellings until remaining £ has been paid, not to permit occupation of 120 dwellings unless paid in full.
Education - 38 primary school places and at £11,455 per place the development requires an education contribution of £435,290. (As previous)	Not more than 60 dwellings to be occupied until 1/3 contribution paid and remainder to be paid before occupation of the 151 st dwelling. (amended)	Education – 34 Primary school places and at £11,455 per place the development requires a contribution of £389,470	Not more than 55 dwellings to be occupied until 1/3 contribution paid and remainder to be paid before occupation of the 120 th dwelling.
Library contribution of £6,969.02 is required as a direct result of this development, based on their formula. (As previous)	Contribution to be paid before occupation of 100 th dwelling	Library contribution of £7,399.56 based on revised numbers	No changes proposed
Sports Pitch contribution of £85,714.20 based on a pro-rata of the level of contribution extracted by the previous consent, which was £200k/420= £476.19 x 180. (As previous)	Payment on occupation of 90 dwellings (amended)	Based on 161 dwellings a pro-rata contribution is considered reasonable as follows: £476.19 x 161= £76,666.59	No changes proposed
Community facilities - £100k to improve existing community facilities within the existing settlement. (As previous)	To be paid in full before occupation of 91 st dwelling (as existing)	Based on pro-rata contribution the amount sought for revised numbers will be £89,444.44	No changes proposed

History on adjoining sites.

11/00950/RMAM – Reserved matters approval was granted to Taylor Wimpey for 219 dwellings, associated roads and public open space on 11th October 2011. The edged red line included ‘The

Green' which will be the focus for the NEAP and MUGA etc. as set out in the S106 Agreement.

12/00965/RMAM – Reserved matters application for 201 dwellings, retail units, crèche and associated infrastructure was submitted in July 2012 and was approved in December 2012.

The Proposal

The application as presented was originally to substitute 129 plots with different house types from those already approved. However the application has been amended during its lifetime in order to address concerns raised during the consultation process. The description of development has also been amended for clarity. It now constitutes a scheme that seeks to substitute plots 138 - 268 (in relation to planning applications 12/00966/OUTM and 16/00139/RMAM) with plots 301 – 422 (which have been re-numbered by the developer) making a total of 131 to be substituted with 122 plots; a net reduction of 9 units in total.

The following table details the house types being applied for:

House Name (& type)	No. of beds according to Persimmon	Accommodation	Number of rooms available as bedrooms	No. of Each House Type	Plots Numbers
Clayton (two storey, detached)		Lounge, kitchen-diner, bedroom with ensuite, 2 further bedrooms (one labelled office) and bathroom.	3	2	324,397
Chedworth (two storey, detached)		Lounge, open plan kitchen/family area, dining room, utility, bedroom with ensuite, 3 further bedrooms (one labelled office) and bathroom.	4	6	323, 418, 421, 338, 339, 347
Lumley (detached 2 ½ storey)		Lounge, open plan kitchen/dining area, utility, w.c, 2 bedrooms with ensuites, 2 further bedrooms (one labelled office) and bathroom.	4	8	301, 306, 417, 381, 373, 359.356, 367

Roseberry (detached, two storey)		Lounge, dining area, kitchen, w.c, integral single garage, master bedroom, 3 further bedrooms (one labelled as study) and bathroom	4	4	379, 375, 388, 395
Souter (end terrace, 2 ½ storey)		Lounge, kitchen-diner, w,c, master bedroom with ensuite, 2 further bedrooms (1 labelled as study) and bathroom	3	10	325,328,331,334, 341,344,360,363,376, 378
Hanbury (semi/terrace of 3, 2 storey)		Lounge, kitchen-diner, w,c, master bedroom with ensuite, 2 further bedrooms (1 labelled as study) and bathroom	3	22	320-322,308-310,336, 337,349-351, 364-366,368-370, 398,399, 410-412,
Hatfield (detached, 2 storey)		Lounge, kitchen-diner, w,c, utility, master bedroom with ensuite, 2 further bedrooms (1 labelled as study) and bathroom	3	4	307, 348, 416, 422,
Leicester (semi, 2 storey)		Lounge, kitchen-diner, w,c, master bedroom with ensuite, 3 further bedrooms (1 labelled as study) and bathroom	4	16	302-305, 318, 319, 329, 330, 406-409, 400, 401, 391, 392
Moseley (terrace, 2½ storey)		Lounge, kitchen-diner, w.c, 3	3	7	315-317

		bedrooms (1 labelled as study) and bathroom			
Stafford (semi-detached/detached)		Kitchen, open plan living area/diner, integral garage master bedroom, bathroom and 2 further bedrooms (1 labelled as office)	3	13	345, 346, 352, 386, 387, 389, 390, 393, 394, 414,415, 419, 420,
Sutton (mid terrace, 2 ½ storey)		Lounge, kitchen-diner, w,c, 3 bedrooms (1 labelled as study) and bathroom	3	9	326,327, 332,333,377,361,362,342, 343
Winster (detached, two storey)		Lounge, kitchen-diner, w,c, utility, integral single garage, master bedroom with ensuite, 4 further bedrooms (1 labelled as study – this is small but could accommodate a single bed) and bathroom	5	5	311, 419, 340, 384, 385
Alnwick (semi/terrace of 3, two storey)		Lounge, kitchen-diner, w,c, 2 bedrooms and bathroom	2	12	312,313, 314, 353,354, 355 371,372,402,403, 404,405
Corfe (detached, two storey)		Lounge, kitchen/family room, utility, w.c, dining room, master bedroom with ensuite, 4 further bedrooms (1 labelled as	5	8	357, 358, 383, 382, 374, 380, 335, 396

		study) and bathroom			
			TOTAL NO. OF PLOTS	122	

The Submission

- Site Layout, Drawing No. CP3/SL/01 Rev M (revised and received 04/01/2019)
- Site Location Plan, CP3-LP-01 Rev A
- Topographical Survey, Final Update May 2008 Layout 1
- Topographical Survey, Final Update May 2008 Layout 2
- Stafford, Plans & Elevations, Drawing No. SF-WD10 Rev G
- The Alwick, Plans & Elevations, Drawing No. AN-WD10 Rev L
- Clayton, Plans & Elevations, Drawing No. CA-WD10 Rev G
- Chedworth, Plans & Elevations, Drawing No. CD-WD10 Rev T
- Corfe, Plans & Elevations, Drawing No. CF-WD10 Rev K
- Hanbury, Plans & Elevations, Drawing No. HB-WD10 Rev W
- Hatfield, Plans & Elevations, Drawing No. HT-WD10 Rev U
- Leicester, Plans & Elevations, Drawing No. LR-WD10 Rev H
- Lumley, Plans & Elevations, Drawing No. LY-WD10 Rev R
- Moseley, Plans & Elevations, Drawing No. MS-WD10 Rev T
- Rufford, Plans & Elevations, Drawing No. RF-WD10 Rev X
- Roseberry Plans & Elevations, Drawing No. RS-WD10 Rev U
- Sutton, Plans & Elevations, Drawing No. ST-WD10 Rev E
- Souter, Plans & Elevations, Drawing No. SU-WD10 Rev Y
- Winster, Plans & Elevations, Drawing No. WS-WD10 Rev W
- Ecological Appraisal, by FPCR, October 2018
- Flood Risk Assessment, by BWB Consultancy, June 2012
- Landscape and Visual Statement, by FPCR, May 2017
- Phase 3 Design and Access Statement, Persimmon Homes, October 2018
- Planning Statement, Persimmon Homes, October 2018
- Residential Travel Plan, by Mayer Brown, September 2018
- Transport Statement, by Mayer Brown, September 2018

Departure/Public Advertisement Procedure

Occupiers of 49 properties have been individually notified by letter and a site notice has also been displayed near to the site and an advert has been placed in the local press giving an overall consultation expiry date of 18th December 2018.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

- Spatial Policy 1 - Settlement Hierarchy
- Spatial Policy 2 - Spatial Distribution of Growth

- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting & Promoting Leisure & Community Facilities
- Core Policy 1 - Affordable Housing Provision
- Core Policy 3 - Housing Mix, Type and Density
- Core Policy 9 - Sustainable Design
- Core Policy 10 - Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure

Allocations & Development Management DPD

- Policy DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM2 – Development on Allocated Sites
- Policy DM3 - Developer Contributions
- Policy DM5 – Design
- Policy DM7 – Biodiversity and Green Infrastructure
- Policy DM10 - Pollution and Hazardous Materials
- Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014
- Newark and Sherwood Developer Contributions and Planning Obligations SPD (December 2013)
- Newark and Sherwood Publication Amended Core Strategy DPD 2017
- Newark & Sherwood Housing Need Survey by DCA, 2014

Consultations

Clipstone Parish Council – (26/10/2018) Object

“The Council wishes to object to the proposed planning.

Many of the properties are declared 2 or 3 bedroom homes with a study. In all cases, this "study" is on an upper floor. In most cases, it is of sufficient size to be a single if not a double bedroom. If the additional room is not being used as an additional bedroom but as a home office, this may lead to increased traffic due to business visitors to these premises.

In some designs, the interior garage was too small to accommodate an average sized car. It is therefore unlikely this space will be used for car parking.

2-3 bedroom homes have a maximum of two car parking spaces allocated. Where there are garage spaces the 2nd car park is in front of the garage. In a real-life situation, this means that cars are not parked in the garage and in front of it as would require moving one car to get to the other. So cars will be parked on the already narrow roads.

The Council objects to the proposals as it believes many of the properties to be incorrectly labelled as 2 or 3 bedroom when they are in fact 3 or 4 bedroom properties. Car parking for all these properties will need to be adjusted in line with the true size of the property.

Additional off road car parking will need to be provided as the road layout and property density of does not allow for 1 car per household to be parked on the road.

There will need to be access for emergency services and bin collections.”

NCC Highways Authority – 14.12.2018

“Further to previous comments, submitted drawing CP3/SL/01/K appears to have reasonably addressed all the points of concern previously raised. Assuming this drawing will be the one approved, no objections are raised subject to the following conditions:

- No dwelling forming part of the development hereby permitted shall be occupied until its associated drive/parking area is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced drive/parking area shall then be maintained in such hard bound material for the life of the development.

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

- Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the garage doors are opened/closed and to protect the free and safe passage of traffic, including pedestrians, in the public highway.

- No dwelling forming part of the development hereby permitted shall be occupied until its associated access/driveway/parking area is constructed with provision to prevent the unregulated discharge of surface water from the access/driveway/parking area to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

Note to Applicant:

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

NCC Rights of Way – 07/12/2018:

“I have checked the Definitive Map for the Land of Clipstone Drive area and can confirm that Clipstone Bridleway No. 4 (Also known as Clipstone Drive) is adjacent to the site. I have attached a copy of the Definitive Map showing the legal Line of Clipstone Bridleway No. 4 please make the applicant aware of the legal line.

As stated in the Access statement there are unrecorded paths on the ground and it is noted that and welcome that a key link from Bluebell Wood Lane just near the new area of Public Open Space to Clipstone Drive (BW4) has been accommodated in the plan.

Any links including from the development to the Public Bridleway should be available to public and delivered to a standard that provides access for both cyclist and horseriders; as well as pedestrians with usual accompaniments such as prams and buggies. This will enable the wider network of off-road paths particularly the public bridleway network (which provides off-road cycling opportunities), to be available to residents in the development and beyond. The applicant needs to confirm how future maintenance of the path link to Clipstone Drive will be accommodated.

These comments have been provided by Via East Midlands Limited on behalf of Nottinghamshire County Council, in its capacity as Highway Authority, through Via's continuing role of providing operational services on behalf of the County Council."

Lead Local Flood Authority - 19.11.2018/20.12.2018

'No objections - The proposals submitted appear to align with those previously agreed.'

Previous comments: 'Object - The Flood Risk Assessment does not appear to consider or acknowledge the surface water flow path that is shown on the EA surface water maps and as such we must object to the proposals. Once this issue is considered and mitigated please re-consult.'

Representations (objections) have been received from 4 local residents/interested parties which can be summarised as follows:

- Lack of supporting infrastructure - instead of building more houses the developers need to focus on working to find solutions in regard to providing much needed services in the area including buses, shops and community facilities. Priority should be to provide items for current residents and not build more houses;
- This bit of land is ideal for local residents who want to venture out, walk the dog and over look a bit of beautiful countryside rather than the usual housing estate. For a development which still has no local park, this is a much needed escape and a breath of fresh air. This was one of the reasons for purchasing a home here.
- Also around the site are high voltage pylons and overhead cables which in studies have shown living next to these increases your risk of cancer and other health problems. The closer you are the more you are bombarded with dangerous EMFs.
- With minimal parking resulting in more cars in the area is a high risk of an accident waiting to happen as the children's play area progresses on Bluebell Wood Lane.
- Having only one entrance and exit with the volume of traffic is becoming increasingly concerning for many residents and their families. In the last few months we have had at least 2 Road accidents putting the area to standstill the neighbour hood is getting too big with little options. Having an additional 100 plus cars is not acceptable;
- Loss of light due to overshadowing.
- I was told when I moved into this house there would be no building behind my house as I chose this house for the peace and quiet and view of nature behind my house yet 4 months after moving in a proposal has been applied for. I will have blocked sunlight and there will be no privacy in my own home if this is to go forward.

Comments of the Business Manager

The Principle

Members will note from the site history section that consent exists on this site (together with a small parcel of land adjacent to the west) for 161 dwellings granted through a combination of outline consent (in 2013) and a reserved matters approval in December 2017. A Section 106 Agreement exists which secures various developer contributions (which have been subject to viability appraisals in 2015 and agreed by the Planning Committee) and has been amended by subsequent deeds of variation, the latest to ensure that previous agreed triggers imposed continue to be met. The reserved matters approval remains extant. As such the principle of the development is now firmly established.

It is important to note that 30 (of the 161) plots of the 2017 reserved matters approval (16/00139/RMAM) are intended to be built out under that approval. The remainder of the plots are proposed to be substituted for different house types. The conditions of the reserved matters approval do not allow for the submission of any further reserved matters approval application's (the applicant was out of time) which has necessitated the submission of a full planning application as opposed to a reserved matters approval. However given the strong fallback position of Persimmon Homes being able to construct an alternative layout (all details of which have already been approved) this must carry significant weight.

It should be noted that this full application would essentially mean that 131 house types would be substituted with 122 house types, a net reduction of 9 dwellings altogether for the overall development site.

Given the fallback position, I do not consider it necessary to rehearse the principle of development further, albeit I note that in any case the site lies within a 'Service Centre' which is expected to accommodate a significant level of overall growth according to the Core Strategy with Clipstone specifically expected to take 25% of service centre growth, according to the Publication Core Strategy.

Impact upon the Landscape Character

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.

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.

A Landscape and Visual Statement by FPCR has been prepared in respect of both this phase and previous phases which confirms that the site is within the Policy Zone 12: Cavendish Wooded Estatelands and Wooded Farmlands with key characteristics such as a gently undulating

topography and coniferous plantations. The landscape actions for the zone are to Restore and Create.

It is acknowledged that the character of the site has been changed in the recent past owing to major earthworks for the original consented mixed use development site. There are areas of pronounced cutting as well as areas of the site which have been levelled. The character of the immediate surroundings has also been fundamentally altered by the residential development of previous approvals. Features such as the public right of way which bounds the site to the north west are also identified. The landscape value of the site is defined as follows:

“In terms of "landscape value", in all intents and purposes the site can be considered to be already developed given the earthwork intervention undertaken under the consented outline application. The proximity of the new residential built form relating to phase 1 to the south of the site exerts a dominant urbanising character. As such it is considered that the site has a low value in terms of landscape sensitivity.”

In general I would concur with this assessment and agree that the existing buffers along the northern and north eastern site boundaries will assist in mitigating the development. The site benefits from a good deal of concealment offered by the prevailing topography. It is concluded that in all instances the mitigation planting once matured will provide near full visual containment with filtered glimpses during winter months. Overall it is considered that the application site and receiving landscape has the capacity to accommodate the proposals.

There is no doubt that a scheme for residential development as proposed would alter the existing character of the site but this has already been accepted through the granting of the extant approvals in any case. Given the positioning of the site within the settlement envelope and recent residential developments in the immediate vicinity, it would be difficult to conclude that the character impacts of residential built form in itself would be so harmful as to warrant a resistance of the application in their own right. In this regard the proposal is compliant with Core Policy 13 of the Core Strategy as has been previously found to be the case.

Impact of Design and Layout

Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

During the lifetime of the application the scheme has been amended several times for various reasons, some of which related to concerns with the layout and particularly due to the large expanses of car/highway dominated site frontages of hard standing. The revised layout has seen the number of dwellings reduce to 122 (from 131) and in my view the proposals now result in an acceptable scheme. In my opinion, the layout as proposed is an improvement upon the extant scheme in terms of the way in which the dwellings address the spine road and in terms of reducing the car dominance of the layout overall.

The house types themselves offer a range of two and two-and-a half storey dwellings which have been arranged to form an attractive layout. The house types are similar to those already approved and those which have been successfully built elsewhere on the Cavendish estate such that this would assimilate well within their new context. I am mindful that the applicant is a national

housebuilder which have already been building plots in the immediate surroundings. This will inevitably mean that the proposal integrates well within its immediate surroundings. I am also mindful of the character of the surrounding area which has been established through the delivery of recent modern residential developments.

I am satisfied that the design has been properly considered and meets an acceptable standard of design in accordance with Core Policy 9. Subject to conditions relating to external materials, finished floor levels and boundary treatment the overall design of the proposed development is considered acceptable and in compliance with Core Policy 9 and Policy DM5.

Housing Density, Mix, Type and Need

Core Policy 3 (both as adopted and as emerging) provides that development densities should normally be no lower than 30 dwellings per hectare net. It goes on to say that development densities below this will need to be justified, taking into account individual site circumstances. Paragraph 122 of the NPPF, a material consideration, also supports development making efficient use of land taking into account matters such as the identified housing need for different types of housing, the availability of land for it, local market conditions and viability and the importance of delivering well-designed and attractive healthy places to name a few.

I am satisfied that the density of the site is appropriate, equating to almost 40 dwelling per hectare which I consider remains as an efficient use of land and is in line with the policy expectations.

Delivering a choice of housing remains high on the Government's agenda. Paragraph 62 of the NPPF sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policy. The Council has sought to plan for a mix for communities and has identified the size, type and range of housing that is required taking into account local demand as is reflected in the following policies.

Core Policy 3 (as adopted) states that the LPA will seek to secure new housing which adequately addresses the housing need of the district, namely family housing of 3 bedrooms or more, smaller houses of 2 bedrooms or less and housing for the elderly and disabled population. It goes on to say that the LPA will secure an appropriate mix of housing types to reflect the local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any local housing need information. CP3 as published in the Publication Core Strategy removes reference to the family housing of 3 bedrooms or more, albeit I note there are unresolved objections in respect of this policy so this cannot attract full weight.

The Housing Needs Survey for the district, undertaken by DCA and commissioned by the Council in 2014 represents the most up to date evidence in respect of the housing needs. I have therefore considered this in assessing the acceptability of the housing mix now being promoted by the applicants. Clipstone falls within the Mansfield Sub-Area which shows demand within the market sector to be predominantly focussed on 2 bed (32.3%) and 3 bed (24.8%) unit types, with lesser demand shown for 1 bed (17.2%), 4 bed (14.1%) and five or more bed (11.6%) units.

The first thing to say with regards to mix is that there is some disagreement between the applicants and officers regarding how their dwellings should be assessed. For instance some of the house types have first floor rooms annotated as an office rather than a bedroom. In my view these offices are capable of accommodating a single bed and I have therefore considered them as

bedrooms (a point also made by the Parish Council comments). The level of accommodation and room types has been set out in the Table contained within the proposal section of this report. By my calculations the revised mix proposed is as follows:

2 beds x 12 (9.83%)
3 beds x 63 (51.63%)
4 beds x 34 (27.86%)
5 beds x 13 (10.65%)
122 Total Units

The applicant had amended the housing mix upon invitation to better reflect the need. Whilst this was initially improved, given issues with parking and highway matters, the layout was amended again resulting in a reduction in the number of dwellings and the mix set out above. Members will note that the revised mix proposed does not exactly reflect the need in the 'fringe area', with a higher proportion of 3 bedroom dwellings being offered and a lower number of 2 bedroom dwellings.

It should be noted that in the vast majority of the recent approvals of the housing developments at Cavendish Park, mix has been an issue and none of the mixes approved have exactly reflected the need evidence for varying reasons. Avant Homes is a recent example of this; having provided no 2 bedroom dwellings in their phase 2 scheme (as approved by the Planning Committee on 4th December 2018 under 18/00509/FULM) a matter which the applicant (Persimmon Homes) has drawn attention to.

The applicant has provided justification for their mix. They say that they have based their scheme on market research on what is selling on site. They also say that due to the Help to Buy schemes, for a small amount extra in monthly mortgage payments (usually around £50), residents can purchase the 3 bedroom properties and meet their longer term goals. They also point out that they offer a full range of 3 bedroom dwellings, many of which they say are actually 2 bedroom dwellings with an office.

This is essentially the same justification that was put forward with regard to Persimmons previous phases which was considered by both officers and Members and ultimately was found to be acceptable by the Planning Committee. Officers took the view that the experience was given in the context of the delivering of the dwellings on the wider site and thus is relevant to this application. What was particularly persuasive was the fact that in sales terms the difference between 2/3 beds was not significant for buyers looking to obtain a mortgage. Whilst the mix does not fully reflect the needs of the Mansfield Sub Area, I am mindful that it promotes house types that are generally smaller, ranging from terraces to detached dwellings with some being on the smaller side. The floorspace of the proposed units is not excessive (presenting smaller 3 bedroom dwellings) and predominantly provides for 3 bedroom units which represent the 2nd greatest need within the Sub Area. In addition, the proposal would contribute to the family size market housing that is required in this district as acknowledged by CP3. The proposed housing mix and density also reflects the character of the adjacent residential development.

Even so, I have to conclude that the mix of housing units proposed does not fully comply with the aims of the NPPF and Core Policy 3 and this is an issue which will need to be weighed in the overall planning balance.

Impact on Residential Amenity/Living Conditions

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The vast majority of separation distances between dwellings meet best practice separation distances. However there are some elements within the site which demonstrate amenity relationships which are on the cusp of acceptability and these are focused on the area that abuts the already built out and occupied dwellings on Brownley Close. Whilst most distances exceed 19m from rear elevation to rear elevation, the distance between Plot 405 and its nearest existing dwelling on Brownley Close was initially c17.3m. A section demonstrating the relationship was provided which confirmed there is also a difference in land levels such that the finished floor levels of the application site sit 1.6m higher than the existing dwellings at this particular point. I took the view that this relationship was compromised and sought improvements which involved the use of a smaller house type that allowed the built form to be moved away from the common boundary and the parking relocated from the frontage to the sides. This has resulted in a greater separation distance of 19.5m for this plot which has brought it to an acceptable standard, albeit this remains (along with the other plots along this boundary) as being on the limits of acceptability particularly given land level differences.

Whilst we now have a proposed finished floor level for two plots (as shown on the earlier sections provided as requested) we do not have these for all plots. Land levels in the vicinity of the south-eastern part of the site vary. For example the gardens of existing dwellings at Brownley Close rise gradually to the boundary where they appear to peak before seeming to fall away in the most part. Whilst broad levels shown on the topographical survey have been provided it is difficult to assess the full impact given that finished floor levels have not been provided. A condition requiring these is considered essential in order to ensure that the other relationships are satisfactory, given that their acceptability are at the margins of acceptability and will ultimately depend upon it.

It is difficult to compare the relationships now proposed with the extant scheme as they are now mainly rear to rear elevations whereas previously they tended to be rear to side elevations where there was no direct overlooking involved. I am satisfied that the distances between dwellings are on the cusp of acceptability in order to safeguard the living conditions of existing residents. Future occupants who would move into these proposed dwellings will do so in the full knowledge of the separation distances and on balance it is considered that the proposed layout of the site allows for reasonable distances between dwellings to avoid any direct overlooking, overshadowing or overbearing impacts. An adequate area of private amenity space has also been provided for each dwelling.

Having carefully assessed the scheme, I am satisfied that the proposal is on the margins of acceptability and would have no significant detrimental impacts upon the amenity of future occupiers of the proposed dwelling or already built out dwellings adjacent to the application site in accordance with the Policy DM5 of the DPD.

Impact on Flood Risk and Drainage

Core Policy 9 requires new development proposals to pro-actively manage surface water. The land is classified as being within Flood Zone 1. As such it is not at risk from flooding from any main watercourses.

As with the extant permission, this application was accompanied by the original Flood Risk Assessment dated June 2012. Condition 4 of the outline consent included a condition that required the submission of drainage plans for the disposal of foul and surface water to be agreed prior to development commencing which remains in place. The Lead Local Flood Authority have agreed this approach on the full application and the scheme is not materially different from the solution provided on earlier phases and it is therefore envisaged that there will be no issues. Subject to condition, I am satisfied that the proposed development would not result in any increased flood risk and would pro-actively manage surface water in accordance with the requirements of Core Policy 9.

Highways Impacts

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

It is noted that concerns have been raised by local residents regarding the increasing volume of traffic off the spine road and the minimal parking. This is noted. With regards to the traffic volume, an extant and implementable approval exists for 161 dwellings on the overall Persimmon site, whereby the Highways Authority raised no concerns regarding the amount/volume of traffic in principle. Given this fall back, it is not considered reasonable to reconsider the matter of volume of traffic albeit this scheme would actually reduce the numbers of overall dwellings by 9 in any event.

During the lifetime of this application, the scheme has been amended several times in order to address issues raised by NCC Highways Authority with regards to making the development safe and in terms of providing an appropriate level of off-street parking that this both convenient, legible and would not give rise to unacceptable on-street parking. As part of this, officers have been looking to reduce the car dominated frontages and street-scenes. This has resulted in the revised layout (revision K) which has reduced the number of plots in order to help achieve this. I note that parking levels was an area of concern that Clipstone Parish Council raised in their initial objection.

The resultant scheme has reduced the level of car dominance and has addressed the concerns regarding forward visibility on certain plots and has sought to provide footways in line with Highways advice. The level of off street parking has now increased so that all dwellings now have a minimum of 2 spaces per dwelling (previously it was 1.5 spaces per dwelling in places) which I consider is acceptable.

NCC Highways Authority now raise no objections in respect of the detail submitted. The scheme now accords with the requirements of SP7 and DM5 subject to conditions to secure the bound surfaces for parking areas, that garage doors are set a minimum of 5.5m back from the edge of the highway and that the parking and turning areas shown on the plans are provided prior to first occupation along with the provision to prevent the discharge of surface water on to the highway.

Finally I turn to the comments from NCC Public Rights of Way Officer regarding linkages to the public bridleways to the north and that the applicant needed to confirm future maintenance of the path link to Clipstone Drive. With regards to these linkages, these are located outside of the application site as these elements are the responsibility of the master land owner. They would fall within the remit of the on-site management company Meadfleet.

Impact on Ecology

Core Policy 12 and Policy DM7 promote the conservation and enhancement of the District's biodiversity assets. Paragraph 8 of the NPPF sets that the environmental objective seeks to contribute to protecting and enhancing the natural environment, helping to improve biodiversity. Paragraph 175 provides that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused.

An up-to-date ecological appraisal has been submitted with this application. This concludes that there were no protected species found on site and the site wasn't considered suitable habitat for most species other than common lizard and foraging bats given the presence of hedgerows. This aligns with the findings of previous ecological surveys.

No direct impacts have been identified to any statutory designated habitats. Indirect impacts upon the habitats are possible however with regard to the Birklands and Bilhaugh SAC and the Clipstone Heath and Sherwood Forest Gold Course SSSI's with all 3 sites designated for the heathland, acid grassland and acidophilous oak woodland which are sensitive to air quality. Mitigation in the form of adopting best practices to minimise impacts of dust, the safe storing of materials etc. is recommended.

The appraisal also suggests a number of other measures for mitigation and enhancement which I am satisfied can be secured by condition.

I note that the potential Special Protection Area (pSPA) has been covered in the Ecological Appraisal and surveys have found that nightjar and woodlark are absent from the site and no further assessment is considered to be necessary.

Overall I am satisfied that the proposals will not unduly impact on the biodiversity of the area and opportunities to conserve and enhance biodiversity can be secured through conditions. The proposals therefore comply with the aims of Core Policy 12, Policy DM7 and the guidance in the NPPF.

Developer Contributions/Deed of Variation

This is essentially a scheme for plot substitution and the reduction in numbers of plots by 9. Rather than the re-open the viability debate that was considered in 2015, officers have taken a pragmatic approach to the developer contributions that have already been agreed and applied them on a pro-rata basis. The triggers have also been considered to ensure that that the contributions come forward at an appropriate point in the development.

In addition to requiring developer contributions for the 122 plots that form this plot substitution scheme, it is also necessary to factor in the 30 units that will be built out under the outline and reserved matters approval which together make up the total quantum of 152 dwellings. As such it

will be necessary to vary the existing S106 Agreement so that the developer is obliged to pay its proportionate share of contributions for the 30 dwellings to be built out under 12/00966/OUTM & 16/00139/RMAM. At the moment the minimum trigger is 50 units and it would be unacceptable for the developers to avoid paying contributions on the units they develop out under the older permission just because they would never hit the 50 unit trigger. An Agreement or Deed of Variation to tie the two agreements together is likely to be required.

Below is a brief summary of the developer contributions and relevant commentary.

Policy Position	Agreed Contribution in 2015 based on 161 units	Trigger Existing as	Proposed contribution based on 122 + 30 dwellings units (152 dwellings)	Trigger Proposed as
Affordable Housing 30% on site provision (60/40 tenure split)	Off-site contribution towards affordable housing (based on £32k per plot) equating to a 4% offer (Amended) A scheme for 161 houses would generate a requirement for 48 dwellings. However given previously accepted viability issues, 4% offer is considered reasonable. This would equate to (6.44 rounded down) 6 houses at £32k each so £206,080	£64K to be paid on occupation of 50th dwelling, not to permit occupation of more than 100 dwellings until remaining £ has been paid, not to permit occupation of 120 dwellings unless paid in full.	A scheme for 152 houses would generate a requirement for 45 dwellings. However given previously accepted viability issues, 4% offer is considered reasonable. This would equate to 6.08 (rounded down to 6) houses at £32k each so remains at £206,080	£64K to be paid on occupation of 50th dwelling (overall of the two permissions), not to permit occupation of more than 100 dwellings (of either permission) until remaining £ has been paid, not to permit occupation of 120 dwellings unless paid in full.
Primary Education – developments of 11+ dwellings require contributions towards primary education given the schools have	Primary Education - 34 Primary school places at £11,455 per place the development requires a contribution of £389,470	Not more than 55 dwellings to be occupied until 1/3 contribution paid and remainder to be paid before	A scheme for 152 dwellings would generate a requirement for 32 primary school places and requires a developer contribution of	Not more than 55 dwellings to be occupied (across both permissions) until 1/3 contribution paid and remainder to be paid

no capacity. No. of dwellings x 0.21 rounded up (as part of a place cannot be provided)		occupation of the 120th dwelling.	£366,560 (+ indexation) (26 spaces for the 122 dwellings would equate to £297,830)	before occupation (of the 120 th dwelling of both permissions).
Library Contribution (for stock) required for 10 dwellings or more that are likely to increase pressure on existing services. £45.96 per dwelling	A contribution of £7,399.56 was agreed based on 161 dwellings	Contribution to be paid before occupation of 100th Dwelling.	Based on 152 dwellings an overall contribution of £6,985.92 (+ indexation) is required. (£5,607.12 for the 122 dwellings)	Contribution to be paid before occupation of 100th Dwelling of the combined 2 permissions.
Outdoor Sports Pitch provision for development of 10+ dwellings, based on 52.8m ² per dwelling or via an off-site contribution	Sports Pitch contribution of £85,714.20 based on a pro-rata of the level of contribution extracted by the previous consent, which was £200k/420= £476.19 x 180. Based on 161 dwellings a pro-rata contribution is considered reasonable as follows: £476.19 x 161= £76,666.59	Payment on occupation of 90 dwellings	Based on 152 dwellings an overall contribution of £72,380.88 (+ indexation) is required. (£58,0895.18 for the 122 dwellings)	Payment on occupation of 90 dwellings of the combined permissions.
Community facilities to improve existing community facilities within the existing settlement.	Community facilities - Contribution agreed for 161 dwellings was £89,444.44 (£555.55 per dwelling)	To be paid in full before occupation of 91st dwelling	Based on 152 the contribution sought should be £84,443.60. (£67,777.10 for the 122 dwellings)	To be paid in full before occupation of 91st dwelling of both permissions.

Subject to the Agreement/Deed of Variation (as advised by our solicitors) being entered into and sealed, I consider that the development will continue to constitute sustainable development having regard to the previous viability works that have been presented to the Authority and ultimately accepted by the Planning Committee in 2015.

Other Matters

Residential development has always been proposed for this site despite the comments of one local residents who was allegedly advised (by an unspecified person/company) that no development would occur behind Brownley Close.

Some of the representations made at this stage relates to matters of principle and quantum of development and link with matters such as the provision of public open space (which has already been determined) the perceived need for amenities and impacts on infrastructure. Given the extant permissions on the site, I do not consider that it is reasonable to re-open up the debate on such matters, particularly as the quantum of development would reduce as part of this scheme.

Planning Balance & Conclusion

The principle of development for up to 180 houses on this site has already been accepted which was reduced to 161 upon the granting of reserved matters. Due to limitations with the reserved matters approval (which remains extant until the end of this year) it is no longer possible to apply for any further reserved matters approvals under the outline which has resulted in a full planning application being made. However the application is essentially a plot substitution and reduction in the number of units from 161 approved to 152. The applicant intends to build 30 units out under the outline and reserved matters approval and 122 units under this full application if granted.

The design and layout of the scheme is satisfactory with regards to visual amenity and landscape impacts. There would no unacceptable adverse impacts in respect of ecology, flood risk or highway matters. Whilst there are a few relationships on the absolute cusp of acceptability in terms of living conditions, due to revisions made during the lifetime of the application I have concluded that the impacts are not so significantly detrimental that they would warrant a reason for refusal and the vast majority of these relationships exceed the margins of acceptability.

Whilst the proposed mix now being promoted does not exactly reflect the need evidence for market dwellings in the Mansfield Fringe Sub Area, I accept that the scheme promotes a range of house types and within the 3 bedroom range (the highest percentage promoted) these are not excessive in size and range from terrace to detached dwellings. When taken in the round I consider that the housing promoted is appropriate having regarding to the density and improved layout (visually) on offer compared to the consented scheme. In other words the harm identified is outweighed by the positives of the scheme.

The proposal necessitates a Section 106 Agreement/Deed of variation to the existing Section 106 Agreement to ensure that all pro-rata developer contributions for both the 30 dwellings to be erected under the previous permission and the 122 to be erected under the new full permission are forthcoming at an appropriate stage and that there is sufficient incentive for the development to be completed in its entirety. Subject to securing the Deed of Variation and the conditions below, the recommendation is for approval.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons shown below and subject to the signing and sealing of a Section 106 Agreement to secure the matters outlined in the Developer Contributions section of this report.

Conditions

01 (Time for implementation)

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 (Surface Water and Foul Drainage)

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

03 (Existing and Finished Floor Levels)

No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved buildings have been submitted on a single plan/or document and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

04 (External facing materials)

No development above damp proof course shall be commenced until a full schedule of the external facing materials to be used in the development (including the provision of samples upon request) have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

05

No development shall be commenced until full details of the temporary fencing which is to be installed to protect the retained vegetation (hedgerows and plantation woodland) during the construction phase of the development have been submitted to and approved in writing by the

Local Planning Authority. The details shall include the type of fencing proposed the precise location and method (where applicable) of its installation. The approved temporary fencing shall be placed and retained on site during the entire construction phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting the retained natural environmental from harm during the construction phase.

06 (Ecology – Precautionary approach)

During construction the following precautionary approaches shall be adhered to;

- Any trenches dug during works activities should be covered or if left open overnight, should be left with a sloping end or ramp to allow any badgers or other animal that may fall in to escape.
- Any pipes over 200mm in diameter should be capped off at night to prevent animals entering.
- If any mammal holes appear within the site between the time of the survey and beginning of works (including site clearance) an ecologist must be contacted for advice before works can continue.

Reason: In the interests of affording mammals adequate protection during the construction period in line with the advice from the applicants ecological consultants.

07 (Ecology - Passive displacement of vegetation)

Ground clearance shall be undertaken in line with the passive displacement of vegetation as set out in the applicant's ecological appraisal which forms part of this application. For the avoidance of doubt this will involve the directional strimming of the suitable ground vegetation as follows:

- Passive displacement shall only be undertaken during suitable weather conditions, i.e: daytime temperature 11°C or higher, within the reptile active season (mid-March to mid-October);
- Ground vegetation will first be cut to a height of 200mm and 2 hours later it will be reduced to 100mm to allow reptiles to move out of the working area;
- Strimming should be undertaken in the direction of off-site immature plantation woodland to the west and north of the site to encourage reptiles to move into these commuting habitats and towards suitable offsite habitats elsewhere.
- If a vehicle mounted mower is used a working speed no greater than walking pace is to be used to allow for any reptiles present to move out of the path of the mower.
- All arisings will be removed from the working area to prevent potential areas of refugia from being used by reptiles moving across the area.
- Following this, any potential places of rest and shelter (including the pile of heras fencing feet in the east of the site) shall be removed carefully under supervision of the ecologist.

- Any animals caught will be relocated to the suitable retained habitat within hedgerows along the northern and western boundaries. Any material recovered shall be removed from the site to prevent the creation of suitable refugia within refuse piles.
- During the construction phase of the proposed works, construction materials and products such as wood and rubble will be placed within a suitable compound away from potential reptile habitat to prevent these from being used by reptiles during works.

Reason: In the interests of providing adequate ecological protection during the construction period in line with the advice from the applicants ecological consultants.

08 (External lighting)

Prior to first occupation details of any external lighting shall be submitted to and approved in writing by the local planning authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution and measures to minimise the impacts on the ecological value of the site as set out in the ecological appraisal which supports this submission. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and in order to protect the ecological value (particularly bats) of the site.

09 (No removal of vegetation during bird breeding season)

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site in line with the recommendations of the ecological appraisal submitted in support of this submission.

010 (Hard and soft landscaping)

Prior to first occupation, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- 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 to significantly enhance the ecological value of the site, including the use of locally native plant species;
- hard surfacing materials including proposed boundary treatments (including fence/wall designs and heights).

Reason: In the interests of visual amenity and biodiversity and ensuring that the development significantly enhances its setting and local character.

011 (Implementation of landscaping)

The approved soft landscaping shall be completed during the first planting season following first occupation of any dwelling, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. The approved hard landscaping shall be implemented prior to first occupation of the site.

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

012 (Ecological enhancements)

Prior to first occupation of the development hereby approved, a scheme for ecological enhancements shall be submitted to and be approved in writing by the Local Planning Authority. The ecological enhancements could include, but is not limited to, the provision of bird nesting and bat roosting boxes and hibernacula. The scheme should detail the precise numbers, designs and positions (including height where appropriate) of these and the timings of installation. The approved scheme for enhancements shall be installed/implemented on site as agreed and shall thereafter be retained on site for the lifetime of the development.

Reason: In order to provide appropriate ecological enhancements for the site that build upon the recommendations set out in the ecological appraisal submitted as part of the submission.

013 (Provision of bound surfacing)

No dwelling forming part of the development hereby permitted shall be occupied until its associated drive/parking area is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced drive/parking area shall then be maintained in such hard bound material for the life of the development.

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

014 (Garage door set back)

Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the garage doors are opened/closed and to protect the free and safe passage of traffic, including pedestrians, in the public highway.

015 (Provision of parking area with drainage)

No dwelling forming part of the development hereby permitted shall be occupied until its associated access/driveway/parking area is constructed with provision to prevent the unregulated

discharge of surface water from the access/driveway/parking area to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

016 (Plans)

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

- Site Layout, Drawing No. CP3/SL/01 Rev M (received 04.01.2018)
- Site Location Plan, CP3-LP-01 Rev A
- Stafford, Plans & Elevations, Drawing No. SF-WD10 Rev G
- The Alwick, Plans & Elevations, Drawing No. AN-WD10 Rev L
- Clayton, Plans & Elevations, Drawing No. CA-WD10 Rev G
- Chedworth, Plans & Elevations, Drawing No. CD-WD10 Rev T
- Corfe, Plans & Elevations, Drawing No. CF-WD10 Rev K
- Hanbury, Plans & Elevations, Drawing No. HB-WD10 Rev W
- Hatfield, Plans & Elevations, Drawing No. HT-WD10 Rev U
- Leicester, Plans & Elevations, Drawing No. LR-WD10 Rev H
- Lumley, Plans & Elevations, Drawing No. LY-WD10 Rev R
- Moseley, Plans & Elevations, Drawing No. MS-WD10 Rev T
- Rufford, Plans & Elevations, Drawing No. RF-WD10 Rev X
- Roseberry Plans & Elevations, Drawing No. RS-WD10 Rev U
- Sutton, Plans & Elevations, Drawing No. ST-WD10 Rev E
- Souter, Plans & Elevations, Drawing No. SU-WD10 Rev Y
- Winster, Plans & Elevations, Drawing No. WS-WD10 Rev W

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.

Notes to Applicant

01

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

02

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

(as amended).

03

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.

04

The decision should be read in conjunction with the Section 106 Agreement deed of variation which secures a range of developer contributions.

BACKGROUND PAPERS

Application case file.

For further information, please contact **Clare Walker** on ext 5834

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 and Regeneration

Committee Plan - 18/01861/FULM

