

PLANNING COMMITTEE – 3 DECEMBER 2019

Application No:	19/01016/RMAM (MAJOR)
Proposal:	Reserved matters application for Phase 1 residential development comprising 143no. dwellings with access gained from the primary, central spine road (outline permission ref. 16/02173/OUTM)
Location:	Former Thoresby Colliery, Ollerton Road, Edwinstowe, Nottinghamshire
Applicant:	Harron Homes Ltd - Mr John Booth Agent: DLP (Planning) Ltd
Registered:	31st May 2019 Target Date: 30th August 2019
	Extension of time agreed until 6th December 2019

This application is before Members as the recommendation (for approval) differs from that of the host (Edwinstowe) Parish Council. Cllr P Peacock has also requested that the application be considered by the Planning Committee.

The Site

Thoresby Colliery closed in July 2015 and the wider site extends to approximately 150.3ha, comprising the former pit yard area, spoil heaps and arable fields fronting the A6075 Ollerton Road to the south. The colliery site lies to the north east of the settlement of Edwinstowe and is primarily accessed from the A6075 Ollerton Road via the existing colliery access road.

This application site forms a residential phase and extends to some 12.8 hectares of land located to the east of the existing colliery access road adjacent to the Ollerton Road boundary to the south. The site is set at a similar height to the adjacent highway to the south albeit it appears to rise gradually from south to north. The site is being stripped ready for development and is having the drainage tanks infrastructure laid in accordance with a previous reserved matters application that approved a pre-development stage. Existing vegetation adjacent to the highway screens the site. Land immediately to the north and east will form later phases of residential development which also benefit from outline permission.

To the north and east of the wider site is the Birklands and Bilhaugh Special Area of Conservation and Special Sites of Scientific Interest that lie within the adjacent Special Area of Conservation (Birklands and Bilhaugh; Birklands West and Ollerton Corner). The Sherwood Forest National Nature Reserve (NNR) and Country Park lies to the west. The site also lies within the 5km buffer zone of the Sherwood Important Bird Area, and parts of the of the site are within 500m of an Indicative Core Area identified by Natural England for a potential prospective Special Protection Area (SPA). The site lies within the parish of Edwinstowe and within the Edwinstowe and Clipstone Ward.

Relevant Planning History

Thoresby Colliery closed in 2015, with the loss of 600 jobs. It was the last deep coal mine to close in Nottinghamshire. The spoil heap to the north is already subject to a significant restoration scheme agreed with Nottinghamshire County Council which will see it restored to heathland, woodland and grass land, which has commenced.

The applicants, Harworth Group, are a large property regeneration company which specialise in the remediation of brownfield sites such as former colliery sites and coking works.

The site is allocated as a Strategic Urban Extension site in the Amended Core Strategy adopted in March 2019 (Policy ShAP4) which identifies the application site for large scale housing development, employment land uses, leisure and community uses including retail to meet local needs and associated green, transport and other infrastructure.

A scheme for the restoration of the former spoil heaps has been approved by Nottinghamshire County Council originally in 1996 (3/96/0531). This was updated in 2012 (31/11/01826/CMA). The movement of soils and spoil spreading, seeding and planting to restore the spoil heap have consequently commenced and are ongoing. Other relevant site history is as follows:

16/SCR/00009 – A screening opinion was submitted in August 2016 seeking an opinion on a proposal for mixed uses including residential, employment and recreational uses. The Council considered that any application would need to be accompanied by an Environmental Statement.

16/02173/OUTM – An outline planning application was presented to Planning Committee in October 2017 for a residential development up to 800 dwellings, a strategic employment site comprising up to 4,855 sqm class b1a, up to 13,760 sqm class b1c, and up to 13,760 sqm class b2, a new country park, a local centre, containing a mix of leisure, commercial, employment, community, retail health, and residential uses, a primary school, open space and green infrastructure together with associated access works including the details of the primary access junctions into the site from Ollerton Road. Members resolved to grant subject to conditions and the signing and sealing of a S106 Agreement. The approved outline scheme will be a phased development over 8 phases. An updated report was presented to Planning Committee in February 2019 and outline permission was approved in March 2019 subject to 51 conditions and a number of planning obligations secured by a section 106 Agreement:

- Affordable Housing of 7.5% of total number of dwellings
- Primary Education contribution, 1.3ha of land and £3,600,000 for new school
- Healthcare contribution of £786,096
- Sports Pitch contribution £590,176
- Ollerton Roundabout contribution of £1,198,000
- Library contribution of £35,130
- Community Facility contribution of £607,256
- Open Space of 11.89 ha of land comprising;
 - Sustainable urban drainage;
 - Multi-use games area;
 - Public open space;
 - Children's and young people's space comprising 2 x locally equipped area for play and 1 x neighbourhood play area;
- Maintenance of the open space/country park and monies to do so.
- Review of viability prior to occupation of 400th dwelling

19/00674/RMAM – Reserved Matters were granted under delegated powers in July 2019 for the enabling infrastructure phase of the comprehensive development. The approved works included the provision of a new ghost island at the junction of the existing colliery access with Ollerton Road, a new main spine road to serve the first two phases of the residential development which utilises the existing colliery access drive together with its associated highway drainage, surface water and foul infrastructure drainage systems, landscaping and earthworks. It also included the approval of an air quality assessment which covered the whole of the site and all phases of development.

19/01116/DISCON – Condition 18 in relation to Habitat Creation and Management plan was discharged on the 30th August 2019 for the for enabling infrastructure works only

19/01117/DISCON - Conditions 9 and 10 (Oil and petrol separators and removal of suspended solids from surface water run off) for the whole site were discharged on 30th August 2019.

The following conditions were also discharged purely in relation to the enabling infrastructure phase of the development:-

11 (CEMP)

12 (SWMP)

16 (Arboricultural works)

19 (External Lighting)

Condition 31 (retained building strategy) was also discharged as part of this application.

19/01865/RMAM – Phase 2; Reserved Matters submission for 220 no dwellings with access gained from the primary, central spine road (permitted under 19/00674/RMAM) including open space, landscaping (soft and hard) and associated internal road infrastructure. Application lodged by Barratt Homes in October 2019 which is currently pending consideration.

The Proposal

As originally advanced the scheme related to 132 dwellings. However due to concerns raised by officers with regard to housing mix and design, the scheme has been amended and has been the subject of further re-consultation.

The proposal relates to the reserved matters application for phase 1 of the overall development and now comprises the erection of 143 (132 market and 11 affordable) dwellings to be delivered in 4 phases starting in the south-east and moving anti-clockwise.

The scheme will deliver 13 different house types, all two storey properties, typically being between circa 7.6 and 8.5m in height. Materials proposed are either red or buff brick, some render panels and grey plain concrete roof tiles.

The proposal has been assessed against the following plans and documents:

- Thoresby Vale PH1 Planning Layout drg. no. 514-001 Rev H, deposited 25th October 2019
- Thoresby Vale PH1 External Materials and Boundary Treatments Plan 514-006 A, deposited 25th October 2019
- Landscape Masterplan drawing ref. R 2232 1D, deposited 12th November 2019
- Thoresby Vale PH1 Screening illustration. no. 514-007 deposited 25th October 2019
- Materials Plan. 514-005 Rev C, deposited 12th November 2019

- 13 house types are advanced with different variances of these. All of the plans are listed in condition 10.
- Design and Access Statement, deposited 30th May 2019
- Planning Statement, deposited 30th May 2019
- Noise Impact Assessment by Environmental Noise Solutions Limited, dated 23.05.2019
- Master developer Statement, deposited 25th October 2019
- Housing Mix Report 08th October 2019

Departure/Public Advertisement Procedure

Occupiers of 3427 neighbouring properties (both residential and commercial) have been notified by letter of the proposal, site notices have been displayed at the site and a press advert has been placed in the local press.

Planning Policy Framework

The Development Plan

Newark and Sherwood Amended Core Strategy (March 2019)

- Spatial Policy 1 Settlement Hierarchy
- Spatial Policy 2 Spatial Distribution of Growth
- Spatial Policy 5 Delivering the Strategy
- Spatial Policy 6 Infrastructure for Growth
- Spatial Policy 7 Sustainable Transport
- Core Policy 1 Affordable Housing Provision
- Core Policy 3 Housing Mix, Type, and Density
- Core Policy 9 Sustainable Design
- Core Policy 10 Climate Change
- Core Policy 12 Biodiversity and Green Infrastructure
- Core Policy 13 Landscape Character
- Core Policy 14 Historic Environment
- ShAP 3 Role of Edwinstowe
- ShAP 4 Land at Thoresby Colliery

Newark and Sherwood Allocations & Development Plan Document (adopted July 2013)

- Policy DM3 Developer Contributions
- Policy DM4 Renewable and Low Carbon Energy Generation
- Policy DM5 Design
- Policy DM7 Biodiversity and Green Infrastructure
- Policy DM9 Protecting and Enhancing the Historic Environment
- Policy DM12 Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework (2019).
- National Planning Policy Guidance
- Newark and Sherwood Affordable Housing SPD (June 2013)

- NSDC, Landscape Character Appraisal, SPD
- 6 C's Design Guide
- National Design Guide, October 2019
- Edwinstowe Conservation Area Appraisal and Management Plan, adopted November 2019

Consultations

Edwinstowe Parish Council – (15.11.2019) ‘This development has not been passed by the Parish Council. It needs to be called in by the Parish Council. We have sent NSDC an inaccurate decision notice.’ Corrected comments awaited.

(15.11.2019) – Support ‘The green space indicated adjacent to phase 1 (which is in phase 4) can this be developed in phase 1 instead of phase 4’

(02.07.19) Edwinstowe PC feel that this phase of the application is over intensive and lacks green space within the phase itself. We feel that the design of the houses themselves fails on creativity and also pays scant regard for the environment. The Statement states at point 1 that sustainability is a key aim of the overall development. There are no aspects of Phase1 that lead us to believe it is any way sustainable eg the fitting of solar panels etc. There is also no children’s play area in Phase 1 which is a serious omission. This development, particularly its layout which seeks to squeeze the maximum residential development out of every possible square metre available, is also not in keeping with the surrounding natural environment. The Council would also like to see wildlife friendly swift bricks, house martin, sparrow parades and boat [sic] boxes built into the house design. We would urge the planning authority to strive for a better quality and more environmentally friendly development given both the size and the prominence of the site and its proximity to Sherwood Forest Nature Reserve.

Perlethorpe Parish Council – No comments received

Bilsthorpe Parish Council – No response in relation to the amended plans (which increase mix and unit numbers etc).

(11.09.19) Objected to the application on the grounds that there are no open green spaces, there are no plans for additional school places, the houses are very close together and there are no play areas.

Ollerton and Boughton Town Council - No response in relation to the amended plans (which increase mix and unit numbers etc).

(30.09.19) At the meeting of the Town Council’s Planning Committee last night, following careful consideration the members agreed that whilst they support the design in principle they are disappointed to see that several requested surveys have not yet been received.

The members of Ollerton and Boughton Town Council are therefore requesting that the decision on this application be deferred until all requirements regarding outstanding surveys are satisfied prior to development.

The members of Ollerton & Boughton Town Council strongly request that these comments be taken into account when the application is considered by members of NSDC Planning.

(14.06.19) Support the application subject to the required surveys being undertaken prior to the development of the site.

Nottinghamshire County Council (Highways Authority) – Awaiting response to amended plans.

(10.09.19) - The proposed layout as shown on drawing 514-001-F is acceptable in highway terms.

In order to promote sustainable travel, the only amendment I would wish to see is the provision of a pedestrian/ cyclist access directly with the Main Colliery Site Access to the west and/or the A6075 Ollerton Road to the south. Whilst 'indicative future footpath links' have been shown it is uncertain whether these are to be delivered, and, in the case of the link to the Colliery Site Access, whether it is correctly positioned in relation to the road that will become adopted highway. Its current position enters the site via a shared private driveway.

On the assumption that the above matter can be given further consideration, 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.

Notes 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. A Section 38 Highway Adoption Agreement is likely to be required and further details can be provided - Contact: david.albans@nottscc.gov.uk

(02.07.19) Concerns raised and holding objection lodged.

Consultant Tree Officer – (13.11.2019) ‘Proposed soft landscaping is now acceptable. I think mixed native (hedgerow) would be ok for boundaries but internally proposed species are ok.’

(04.11.2019) (06.09.19) - Previous comments apply.

(14.06.19) ‘The proposed soft landscaping will be heavily constrained by the regimented design of the layout where limited space is available for both canopy and root development.

The majority of new tree locations are shown directly adjacent to proposed drives [sic] and access roads with no clear indication given of specific tree locations.

Proposed species mix is therefore unclear but there is heavy reliance on a limited number of species (7).

Mix includes trees with heavy blossom which while attractive for a short time will cause problems with nuisance or causing honeydew fall for some occupants.

The same issues will be encountered with species bearing fruit.

Proposed species will have little tolerance to predicted climate change and invasive pests and diseases.

Tree form in many areas needs to reflect constraints of drives and highways--while Tilia "Green spire" and Carpinus betulus" Frans fontaine" are noted in recognition of a more columnar form ultimate size and loss of form may be problematical.

Many other variants are available that may be more suitable in more enclosed areas e.g. Acer campestre "Nanum" or "Arends" Acer platanoides "Columnare", Betula "Ermanii", Crataegus mongyna "Stricta", Fagus sylvatica " Stricta", Gingho biloba " Nanum" , Liquidambar styraciflua " Slender silhouette", Quercus palustris "Green pillar", Quercus robur "Fastigiata (Koster).

Any tree planted should have sufficient rooting volume to allow full root development-- this may require use of structural cells or other engineered solutions to avoid damage to infrastructure and to ensure sufficient irrigation.

Given the indicative position of trees robust protection measures are likely to be required to minimise damage.

Natural England – No comments received

Nottinghamshire Wildlife Trust – No comments received

RSPB – (19.6.19): Thank you for consulting the RSPB. We have no comments to make on this application per se, but we do want to use this early opportunity to raise an important matter relevant to all the planning applications submitted (or yet to come) at Thoresby Colliery.

Condition #18 of outline permission ref. 16/02173/OUTM states that no development can commence unless a detailed Habitat Creation and Management Plan (“HCMP”) associated with that phase or sub phase has been submitted to and approved in writing by the Local Planning Authority.

We cannot over-emphasise how critical it will be to us that the detail in HCMP is satisfactory in all aspects. It will be crucial not just to guarantee the ecological quality of the restored pit top but also to help ensure there are no indirect adverse effects on the nearby National Nature Reserve and other designated wildlife sites. It will also be important that the HCMP is not developed piecemeal - it needs to present a single clear picture of how many different and complex habitat creation and management functions will work together across the whole site. Approval of the HCMP will also be a starting gun for construction operations to begin, so it is also surely of high interest to any developers involved in the site. To avoid any unnecessary delays to commencement of development and ensure that the RSPB and all the stakeholders in this site have full opportunity to consider and comment on it, we will be urging Harworth Group plc that work on the HCMP is not delayed too long. We hope the Local Planning Authority shares our views on the importance of this.

NDSC (Strategic Housing) – No comments received on the amended scheme.

(01.10.19) The DCA survey’s evidence states that the greatest demand is for 2 bedrooms in the market sector (335) and then 3 beds at 247. 4 beds represent only 65 units.

I would suggest that the scheme requires a review that accommodates an element of two beds. Of the 132 units a more appropriate mix would be:-

2 bed house	32
2 bed bungalows	20
3 bed houses	40
4 bed houses	40
Total	132

Whilst this proposed mix is estimated and does not fully concur with housing need, it offers a marketable mix to the developer.

Comments have been received from 13 households (some have responded to the re-consultation) which can be summarised as follows:

- Views of the Parish Council are supported;
- Concerns are raised with regards to the phasing of the development and provision of infrastructure;
- Given the number of dwellings there development would impact on local infrastructure including roads and health and education services;
- Increased traffic will exacerbate existing traffic congestion and on street parking issues experienced within the village – there is little room for upgrading;
- The highway infrastructure is not in place to accommodate the development – there are already significant issues at the Ollerton Roundabout;
- The additional use of existing sewerage systems will create potential flood risks and surface water run off into the Maun;
- There are no affordable houses being built on the site;
- Existing drains struggle to cope, future developments should be forced to complete a S106 agreement to bring vital infrastructure up to date;
- The proposal would impact on nature conservation and ecology of the area;
- The site is heavily contaminated;

- This application should not be approved until issues raised within 19/00674/RMAM (enabling development phase) are resolved and the application approved otherwise consultation is pointless;
- The Landscape Masterplan only shows landscaping to the individual properties which could be removed which will not be 'policed' and is inadequate;
- There is no green space in this phase of the development;
- There is no children's play area – the application refers to nearby play and recreational space but none is shown on the layout plan;
- The school is not scheduled until phase 9 – how will existing schools cope with the new homes;
- The application refers to community and employment areas but these will not be forthcoming for many years. The employment phase needs to be brought forward;
- The application states that there is sufficient off street parking in compliance of parking guidelines. This is unlikely to prevent excessive on street parking;
- The development is over intensive;
- Construction traffic should be via the central spine road and not directly onto the A6075. Wheel washing facilities are unlikely to be used and regular road sweeping will increase traffic congestion;
- There is no need for a ghost island;
- Public consultation is just a paper exercise – views of the local community are always ignored;
- The original permission should never have been approved - the site is in open countryside, in a Special landscape Area and adjacent to a Wildlife site and includes agricultural land. It does not conserve or enhance the natural environment;
- The proposal does not support the local community;
- The proposal does not respond to the local character and history – the street-scenes shows rows of miserable looking houses in grey and black;
- Local housing need has already been identified;
- The proposed entrance feature is poor - the winding wheels should remain in situ;
- The Colliery is an important part of Edwinstowe's heritage – the workshop site should be part of the Country Park and a memorial garden to miners who lost their lives should be provided;
- Was access to the restored tip granted to Haworth Estates – the Country Park is not part of this development;
- The development is a blot on the landscape;
- An extra 11 dwellings to increase the developer profit margin;
- Drives do not have safe pedestrian access;
- A number of surveys are outstanding.

Comments of the Business Manager

Background and Context

Members resolved to approve outline permission for a mixed use development on this allocated site at Planning Committee in October 2017 and in February 2019 (when an update report was presented taking account of the updated NPPF) in accordance with the officer recommendation. Lengthy delays followed relating to the signing and sealing of the Section 106 Agreement which was eventually executed in March 2019.

The principle of this phased development has therefore been established through the granting of the outline consent. The principle of the uses, the parameters and general disposition of uses are therefore established and need not be considered further in any detail. The scheme secured a range of developer contributions as set out in the site history section earlier in the report.

The delivery model is similar to that at Land South of Newark (the strategic urban extension) in that the site is owned by Harworth Group plc, who are essentially the Master Developer who will be responsible for delivering the majority of the infrastructure. They have already secured reserved matters approval for an enabling phase which included the development of the spine/access road (known as The Avenue) into the site as well as meeting the overarching pre-commencement conditions such as the dealing with any air quality, ground water pollution etc. They then offer each phase which is appropriately remediated and serviced on a serviced 'ready to go' basis to different house builders. This approach requires significant upfront investment. Thoresby Group therefore retain a role of coordinating the overall mix, design ethos and provision of infrastructure moving forward for the developments lifetime.

The principle of phased residential development has therefore been established through the granting of the outline consent with the means of access being the only matter that was considered and ultimately approved. Phasing of the development remains unchanged from that advanced at outline stage.

Housing Density, Mix and Type

Density

The quantum of overall housing was set at outline stage and to a degree the density was also indicated. It is noted that this parcel of residential development was indicatively shown to provide for around 130 dwellings. The scheme has increased to 143 but I consider that this is broadly in line with the Master Plan and Design and Access Statement. This will be one of the lower density parts of the site at around 24 dwellings per hectare but it is anticipated that higher densities will be focused towards the local centre. I am satisfied that the proposal meets with the expectations of the outline permission, CP3 and ShAP4 in striking an appropriate balance for density levels.

Mix

Core Policy 3 (Housing Mix & Density) seeks to secure housing that meets the needs of the district, namely family housing of 3 bedrooms or more, smaller housing of 2 bedrooms or less and housing for the disabled and elderly population, but to reflect local need. It also states that such a mix will be dependent on the local circumstances of the site and any localised housing needs information.

The Strategic Housing Market Assessment of 2015 (SHMA) is, as the name suggests, a high level market assessment of houses required in the Nottingham area. I am not convinced that this the most appropriate way of assessing localised housing need. However if regard is to be had to this document, the need is as follows; 52% identified need for 3 beds , 28.8% need for 2 beds, 14.5% identified need for 4+ beds and 4.7% identified need for 1 bed units.

The Sub Area Report of the DCA Housing Needs Survey from 2014 indicates that the most needed type of market housing in the Sherwood Area (within which this site falls) is 2 bedroom dwellings (51.8%) followed by 3 bedrooms (38.2%) followed by 4 bedroom dwellings (10%) with no requirement identified for 1 bedroom units. The report also identified that the main property

type in the sub area as existing are semi-detached dwellings, with Edwinstowe being the most popular choice for future housing requirements.

Market Mix

Notwithstanding the above policy requirements, Members will be aware that at outline stage a viability case was advanced which adopted an ‘assumed mix’ for the wider site which then influenced the level of developer contributions that were secured. This assumed mix was not strictly in line with the policy objectives but struck a balance between getting an acceptable mix whilst obtaining a range of developer contributions in order to mitigate the impacts of the scheme upon infrastructure. This assumed mix was implicitly accepted when outline permission was granted.

Whilst this assumed mix is not set in stone, there is little scope in terms of amending this mix without it affecting the scheme’s viability and necessitating a re-opening of a viability discussions and reconsideration of matters considered and fixed at outline stage (most notably the quantum of 7.5% affordable housing).

As originally submitted the developer proposed a scheme dominated by detached four and five bedroom dwellings with just 8 three bedroom homes. This was not considered to be acceptable in terms of providing an appropriate market mix and the developer was invited to alter the scheme which it has done and also increased the number of units. The increase in units (to 143 including affordable dwellings) is considered acceptable in the context that the masterplan at outline showed this phase to advance 130 units.

It should be noted that house type ‘Dunstanburgh’ has been categorised by the applicant as a 5 bedroom dwelling. However this also has an upstairs study that in my view is capable of being used as a single bedroom. I therefore categorise this as a 6 bedroom unit.

In terms of the overall market mix the table below summarises the position:

Unit Type	No of units Original (% rounded up)	No of units Revised (% rounded up)	Viability Assumed Mix
1 bed	0	0	18 (2.43%)
2 bed	0	0	82 (11.07%)
3 bed	8 (7%)	40 (30%)	327 (44.18%)
4 bed	97 (79%)	75 (57%)	261 (35.25%)
5 bed	12 (10%)	8 (6%)	52 (7.02%)
6 bed	5 (4%)	9 (7%)	-
Total	122	132	740 (100%)

You will note that in terms of its proportionate share of the entire site when compared to the assumed mix, the Harron Homes mix does not conform. The amendments have improved the mix

and it now offers 40 x 3 bedroom dwellings with the remainder of the market mix being detached larger dwellings. No 2 bedroom dwellings have been advanced for the market.

However the Master Developer supports the mix. In a supporting statement by them, they note that adjacent Phase 2 (currently pending consideration) has been submitted by Barratt Homes and they offer the following commentary:

“There are differences in the product mix between the Harron Homes and David Wilson Homes scheme. Given the two sites will be selling side by side, Harworth consider that in order that average sales rates, approximately 3 private sales per calendar month, are to be achieved it is important that there is differentiation. Two sales outlets offering very similar products to the market at the same time would risk undermining each other and slow the progress of the wider site.

Given the current “placemaking” agenda Harworth have focussed resources on establishing a sense of place by creating the gateway into the site. An active residential sales outlet on either side of the tree lined entrance spine road, will establish the site quickly and set the right, quality tone, with which to bring forward further development.

The initial phases are bias toward the delivery of 4 bed detached properties. Harworth support this approach and given the site wide context consider it to be in line with the outline framework.....

Residential phases in the northern quarter radiating out from the local centre/new public realm, are proposed to be higher density mews and apartment style dwellings, sustainably positioned close to amenities and within the industrial character area of the site. Harworth anticipate, residential development in this area of the site to be bias toward 1, 2 and 3 bed dwellings. Including a proportion of 4 and 5 bed properties around the higher density local centre would be difficult and would likely prejudice the feasibility of delivering a mews/apartment type scheme in this area. Harworth consider a bias of 1, 2 and 3 bed dwellings in the northern quarter, surrounding the proposed “heart of the community” to be in line with the outline framework.”

I take comfort from the above that a greater mix will be forthcoming in later phases and am particularly persuaded by the statement from the Master Developer. I also note that the Housing Report prepared by the agent and submitted in support of the scheme references market evidence from Wilkins Hammond concludes that the local area is currently dominated by semi-detached houses, and that recent new build developments in the area have included limited detached houses. It goes on to suggest that a significant proportion of residents are employed in managerial/lower managerial positions, making the demand for larger executive style housing strong and that it is considered that there is a current under-supply of larger, detached housing stock on offer to the market.

I further note that the Barratt scheme does provide for more, smaller market dwellings and thus there would be competing offers available that will be complementary and provide a catalyst for kick starting what will be an exciting redevelopment project. Taking all of this into account I consider that the mix is on balance acceptable.

Affordable Mix

It should be noted that the quantum of affordable housing (7.5% equating to 60 units overall on the wider site) has been set firm at outline stage and embedded into the S106 Agreement. The s106 requires the owners to submit a scheme detailing the tenure split, design and location prior to construction begins on each phase. However it is timely to consider part of this now as by first construction the design, type and location would have been approved.

Harron Homes advance a proportionate share (8% rounded up) of affordable housing, being 11 dwellings. The proposed affordable housing mix is as follows:

House Type	Bedrooms
1 bed flat	0
2 bed	3
3 bed house	8
Total	11

The proposed tenure split will be 60% rent and 40% shared ownership as agreed with the Council's Strategic Housing Officer. Details of the plot numbers has not been provided but would need to be as part of an obligation of the s106 Agreement.

Design, Layout and Visual Impact

Given the extant approval for outline planning permission for residential development, it has already been accepted in principal that the character of the site will fundamentally change. However, with the benefit of full layout and elevational details, the LPA are now in a position to fully assess the magnitude and ultimately appropriateness of this against the policy context set out in policies CP9, CP13, ShAP4 and DM5.

The Master Developers have set a Design Code but this has no planning status having never been formally advanced as part of an application. However its objective is to create a sustainable development that respects the positive features of the site, creates a legible and attractive place with a sense of identity of a high quality and provide a well-planned layout with pleasant well designed streets and spaces. These elements are what are expected for good design in any event.

The design approach adopted for this phase is one of a modern interpretation of local house types and features in order to create its own character and identity but utilising a materials pallet reflecting the built form of Edwinstowe and Ollerton, being predominantly red brick, with some interspersed buff brick and rendered dwellings. Most have plain grey tiles with the use of red plain tiles on some houses. All 13 house types are two storey. Overall I find that the house types are an interesting mix of styles that have some features that reflect the local vernacular. No precise details have been provided in terms of brick/roof tile manufacturers so it will be necessary to control these elements by condition.

As the land rises gradually across the site, details of the finished floor levels in relation to ground levels is considered important in ensuring that the adjacent phases sit well with one another and this is a matter than can be subject to condition.

The development would be well screened and be set behind mature belts of existing landscaping that front Ollerton Road and the main entrance into the wider site known as The Avenue. Access into this Phase is from the east with the highway looping around with cul-de-sacs and private

driveways off it. Dwellings are designed to front both Ollerton Road and The Avenue accessed by private drives to their frontages. Having dwellings addressing the road frontages is welcomed so as to avoid views of gardens and the inevitable domestic paraphernalia which can result in clutter.

I note that Edwinstowe Parish Council have expressed concerns that they want to see the use of more sustainable features in the development such as solar panels. Whilst I agree that this would be a benefit for the scheme, this is not a matter robustly embedded within policy. I note that site specific policy ShAP4 (point 14) requires 'consideration of the provision of on-site renewable energy scheme to help meet the energy requirements of the development'. Upon request the developer has been asked to consider the matter further and has now incorporated electric charging points for all dwellings. I consider that in the absence of a more specific policy (such as an SPD or neighbourhood plan) setting out a requirement to provide for a certain quantum of sustainable features that it would be unreasonable to demand more.

Car dominance is matter that has been carefully considered in terms of how this would look visually. The vast majority of the plots are set back to allow frontage parking within their plot with only a limited number (17) having parking to the side served by driveways/garages. In support of their application the developer has provided details of boundary treatments and photomontages (see images below provided by applicant to show screened car parking) to show how this would appear in the street-scene given concerns were raised about car dominance. A landscape masterplan has also been provided. This shows that on key/prominent plots hedgerows would be planted to soften the appearance of cars parked and some corner plots would utilise estate rails with hedgerows to define frontages. Other frontage plots show the use of dwarf walls with railings or 1.8m high walls where these turn corners and enclose rear gardens. Timber fencing has been reserved for dividing between dwellings internally away from the public realm. Overall I am satisfied that the resultant visual appearance of this approach will be acceptable.



Heritage Considerations

At outline stage it was noted in the committee report and in decision taking terms that the wider (whole) site was located 300m from Edwinstowe Conservation Area and that there are a number of listed buildings and a registered park in the area which could be affected by the scheme. Having regard to the policy context and all relevant considerations I consider that this scheme is acceptable particularly given that heights of buildings are restricted to genuine two storey development and given the existence of structural landscaping to the south and west. It is noted that since the outline permission was granted, Edwinstowe Conservation Area Appraisal and Management Plan has been adopted. However this does not change my view the impact upon setting.

Upon investigation archaeological potential was established to be very low at outline stage with very little surviving archaeology and no mitigation was therefore required. I am satisfied therefore

that heritage matters have been adequately addressed and that the scheme preserves the historic significance of assets in the vicinity in line with DM7 and CP14.

Public Open Space

The timing of delivery and the quantum of public open space (POS) to be provided on site is controlled by the s106 Agreement. At outline stage a Masterplan was advanced showing how the scheme might look and condition 5 of the outline permission required the development to be 'substantially in accordance with' it unless otherwise agreed.

Extract of approved Masterplan submitted at outline stage:



The scheme as advanced by Harron Homes does not provide any public open space whereas the outline permission did show an element of this to the NW of this parcel of land. This is a matter of concern raised by Edwinstowe and Bilsthorpe Parish Councils (and some residents) which they consider to be a serious omission. Whilst acknowledging these concerns I do not consider this should be fatal to the scheme.

The Master Developer in their supporting statement has set out that they will deliver the amenity land and green infrastructure on a phased basis as below:



Members will note that public open space is located immediately to the north of this phase which will be delivered in the near future and thus will serve both Phase 1 and Phase 4 with the wider site delivering a country park which residents will be able to enjoy. Whilst I agree that ideally some public open space would have been provided early in the development, overall I do not consider that the proposal would be unacceptable for its lack on on-site POS within this immediate phase and find that on balance it accords with the policy provisions set out in SP8, ShAP4, CP9 and DM5.

Impact on Amenity (upon existing and proposed occupiers and Noise Impacts)

Policy context in respect of the impact on living conditions is set out in policies DM5 and CP9 of the Development Plan as well as the NPPF.

Relationships between proposed dwellings (generally in the region of around 19.5m to 23m rear to rear elevations on a relatively flat site) are considered to be satisfactory in order to meet the needs of privacy and avoid adverse impacts. In any event buyers would be aware of these relationships at the outset.

A small number of existing dwellings lie to the south of the A6075 where the distance between dwellings is such (120m min) that there would be no adverse impacts in terms of overlooking, overshadowing etc. and this is also the case for the dwellings located to the east and west where the distances are c425m. The impact from the construction phase of the development was considered at outline stage and conditions were imposed in order to deal with impacts. These conditions have been discharged and the matter need not be considered any further as part of this scheme.

Condition 32 of the outline consent required with the submission of reserved matters for each phase, an up-to-date noise assessment and mitigation strategy, where appropriate.

A Noise Assessment by ENS dated May 2019 has been submitted. This identifies the A6075 as a sole source of noise and identifies no changes in circumstances since the outline scheme was considered.

A technical appraisal is undertaken with mitigation measures for the noise suggested as being standard double glazing and standard trickle vents for the dwellings themselves which would reduce noise levels to well within acceptable guidelines.

For the plots adjacent to the A6075, most gardens are positioned to the rear and are therefore screened by the dwellings themselves. There are two plots (115 & 136) where this is not the case and it is recommended that these gardens are screened with 1.8m solid acoustic timber fencing as this would reduce external noise levels to below 50dB L satisfying the desirable guideline as recommended by British standard noise guidance.

Subject to conditions being imposed to ensure that these mitigation measures are installed on site, I am satisfied that the noise levels will be satisfactory and comply with relevant guidance as well as Policies DM5 and CP9 of the Development Plan.

Highway and Parking Matters (including legibility and appearance of parking)

During the lifetime of this application, the layout has been amended to address matters raised by NCC Highways Authority. One of the matters raised was to request the inclusion of pedestrian and cycle access directly with the main spine road and to the south. The applicant has shown links would be made albeit this is onto parts of the land controlled by the Master Developer who are satisfied with this arrangement. Overall this has removed the concerns that NCC Highways initially raised and incorporates more sustainable access points as required by SP7, ShAP4 and DM5.

With regards to the quantum of parking, the two bedroom dwellings have been provided with 2 spaces per plot, the 3 bedroom affordable units with 2 spaces, 3 bedroom market homes with 3 (including integral garage) spaces and all of the larger units of 4 or more bedrooms have a minimum of 2 spaces (some have 4) plus garages (both integral and detached) which increase the number of available spaces. I note there is no provision for visitor parking and given that most dwellings have frontage parking it does somewhat limit the amount of available space for on-street parking without blocking driveways in some areas. The developers state that they do not consider visitor bays are necessary as the roads are 5.5m wide in the majority. NCC Highways have not raised objection to this and overall the number of spaces would appear to be adequate.

Landscaping and Ecological Matters

ShAP4 sets out that green infrastructure is to be provided to include landscaping and structural planting throughout the development, links to the countryside beyond, enhancements to the existing habitats and local landscape to name some of the objectives.

It should be noted that the structural landscaping most closely associated with this phase is actually outside of the application site, being that which fronts onto Ollerton Road and the central access spine road known as The Avenue falling within the remit of the Master Developer. The landscaping for this phase is therefore limited to within the confines of the Harron Homes parcel of land.

In support of the application a Landscape Masterplan has been submitted which has been revised to take account of the comments of the Council's consultant Tree Officer who now confirms their objections have been overcome. Proposed trees are now smaller specimens which will not require a large rooting area to avoid the need for structural cells and other engineered solutions, with species being amended to remove blossom and fruit likely to cause nuisance. The hedgerows

around the residential plots are not of native species comprising beech and laurel etc. However these species are considered appropriate for the domestic boundaries and it would be the external site boundaries and structural landscaping where this needs to be native. I note that the Tree officer indicates this approach is acceptable and suggests a condition regarding its implementation which I consider to be reasonable.

It is noted that Edwinstowe Parish Council would like to see habitat improvements within the scheme and mention the use of swift bricks, house martin, sparrow parades and bat boxes built into the house design. Condition 18 of the outline permission states that no development can commence unless a detailed Habitat Creation and Management Plan ("HCMP") associated with that phase or sub phase has been submitted to and approved in writing by the Local Planning Authority.

I note that the latest Materials Plan (514-005 Rev C) details that 14 bat boxes and 14 bird nest boxes would be provided on dwellings sited at the peripheries of the phase adjacent to existing trees belts/wildlife corridors. I consider that the number and siting of these would be appropriate. The implementation of these is for Condition 18 of the outline permission albeit I expect that these would be installed when the dwellings are built. Given the lack of POS where other habitat might have been created I consider that installation of these 28 artificial nest boxes is sufficient to partly discharge C18 of the outline consent for this phase of the development in line with the requirements of CP12, DM7 and DM5 and need not be considered further at this stage.

Other Matters

Matters such as Land Contamination and Remediation, Drainage, Waste Management and Construction Environmental Management Plans were dealt with by the outline permission and the enabling application 19/00674/RMAM and do not form of this reserved matters stage. Capping of rear gardens is not yet resolved with Environmental Health Officers but this is not for consideration as part of this application.

I note that Bilsthorpe Parish Council raise concerns about lack of school places. Land to provide a new primary school was secured along with £3.6m to build this at outline stage via the s106 Agreement and this is not a matter that is open for consideration at this stage in the process.

Conditions of the outline permission

The majority of the pre-commencement conditions imposed at outline stage require that no development is commenced until such time as outstanding details (such as detailed drainage plans, land contamination mitigation etc.) have been agreed with the Authority. Some of this information has been provided as part of this reserved matters or as part of the current Discharge of Condition applications noted within the planning history section of this report, whilst others have not yet been provided and will require the submission of a formal Discharge of Condition application, whereby statutory consultees will be given the opportunity to make representations. It is likely that some of these conditions will be discharged on a phase by phase basis. For the avoidance of doubt it should be noted that conditions imposed at outline stage will still apply unless they are not applicable to the development in question, have been discharged or have been dealt with as part of the reserved matters process.

Planning Balance and Conclusion

The principle of development for 800 homes and the delivery of an appropriate quantum of associated infrastructure to serve the development was secured at outline stage. It is noted that the majority of the concerns by local residents relate to such matters.

Phase 1 was shown on the outline masterplan as providing approximately 130 dwellings whereas this reserved matters application is now for 143 dwellings. However I consider that the amount and disposition of dwellings is appropriate when taken in context of the wider development.

I have found no harm arising from the scheme in terms of highway safety or parking and the amenity of both existing and future residents is considered to be acceptable. Noise issues arising during the construction and operational phases have been/can be mitigated by conditions imposed already at outline and more specifically in relation to plots as set out below.

The mix of houses on this phase does not meet the 'assumed market mix' advanced as part of the viability submission at outline stage. However in response to concerns raised by officers, the market mix has been amended and now comprises 30% 3 bedroom dwellings, 57% 4 bedroom dwellings, 6% 5 bedroom dwellings and 7% having 6 bedrooms. No market two bedroom dwellings are promoted. However I have been persuaded by the comments made by both the master developers and the developers set out earlier in this report and on balance consider that the mix of units is acceptable when taking a holistic view of the overall site. I also note that the affordable housing will offer a small number of 2 and 3 bedroom dwellings in line with the s106 requirements.

Whilst noting the concerns of Edwinstowe Parish Council regarding the scheme's failings in creativity and lack of sustainable features, I consider that the design and layout is acceptable, having taken references from house types in the area. The lack of green space on this phase is not considered fatal to this scheme given that the development immediately to the north will feature public open space and overall the scheme will deliver a large amount including a country park. The provision of soft and hard landscaping as advanced is acceptable and appropriate for the site context.

Given the site doesn't contain any of the structural landscaping nor any public open space, enhancements to the landscape and ecology will be more limited than other phases. However the scheme advances 10% of the homes having artificial roost/nesting boxes at eaves height on plots that are adjacent to the strategic landscape corridors which I note is something that the host parish council were keen to see incorporated.

Overall, I consider that the scheme advanced is when taken in context, acceptable and a recommendation of approval is offered.

RECOMMENDATION

That reserved matters approval is approved subject to the conditions shown below:-

01 (External Materials)

No development above damp proof course (within in each sub phase) shall take place until a schedule of manufacturers details (and samples upon request) of the external facing materials

(tiles including colour/finish) 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.

Reason: Insufficient details have been provided with the application and this condition is necessary in the interests of visual amenity.

02 (Levels)

No part of the development within each sub phase shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved dwellings 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.

03 (Internal Noise Mitigation)

All dwellings shall be fitted with a minimum of standard double glazing and standard trickle vents (or better) prior to first occupation of each dwelling.

Reason: To protect the occupiers from an unacceptable noise impacts in line with the necessary mitigation identified in the Noise Impact Assessment by Environmental Noise Solutions Limited, dated 23.05.2019 which accompanied this application.

04 (External Noise Mitigation)

Prior to first occupation of Plots 115 and 136, a 1.8m high solid wall shall be installed on their southern boundaries in the positions shown on drawing number 514-006 Rev A. These boundary treatments shall be retained on site for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority through an appropriate application.

Reason: To protect the occupiers of these plots from an unacceptable noise impacts in line with the necessary mitigation identified in the Noise Impact Assessment by Environmental Noise Solutions Limited, dated 23.05.2019 and in line with the External Materials and Boundary Treatments Plan which accompanied this application.

05 (Driveways to be bound in perpetuity)

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.).

06 (Garage Doors types)

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.

07 (Control of surface water onto highway)

No dwelling forming part of the development hereby permitted shall be occupied until a drainage scheme to prevent surface water from entering the public highway from the access drives, driveways and/or parking areas of each plot has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site prior to first occupation and shall then be retained for the lifetime of the development.

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

08 (Implementation of Landscaping and boundary treatments)

The approved landscaping scheme (as shown on drawing number R/2232/1D; Landscape Masterplan) shall be completed during the first planting season following the first occupation, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of seven years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the local planning authority. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme including the provision of boundary treatments shall be completed prior to first occupation of each associated dwelling.

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

09 (Bird and Bat Boxes)

The bird and bat boxes as identified on drawing number 514-005 Rev C (Materials Plan) shall be installed on site prior to first occupation of each dwelling upon which they are to be sited and shall be installed at eaves level of that dwelling unless otherwise agreed in writing by the Local Planning Authority. These bird and bat boxes shall be retained on site for the lifetime of the development.

Reason: In order to create habitat and to ensure these features are retained on site in line with the requirements of the policies CP12, DM7 and DM5 of the Development Plan.

010 (Approved Plans)

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

House Types: Dunstanburgh (drawing no.s AV-DU-PD1, AV-DU-PD2, OR-DU-PD2, OR-DU-PD1, PD/31/01, PD/31/02) Edlingham (drawing no.s AV-ED-PD1, AV-ED-PD2, OR-ED-PD1, OR-ED-PD2, PD/04/01, PD/04/02) Salcombe (drawing no.s AV-SAV1-PD, OR-SAVO-PD, PD/07/01, PD/07/02) Settle (drawing no.s AV-SEV1-PD, PD/53/03, PB/53/03) Tonbridge (drawing no.s AV-TO-PD, OR-TO-PD, PD/57/01, PD-514-03) Windsor (drawing no.s AV-WD-PD, PD-55-01, OR-WD-PD, PD-514-02) Warkworth (drawing no.s AV-WW-PD1, AV-WW-PD2, PD/61/01, PD/61/02 and PD/61/03) Baybridge (drawing no.s OR-BB-PD, PD-71-01) Nidderdale (drawing no. OR-ND-PD, PD-54-01, PD-514-01) Hadleigh (drawing no. PD-01-01) Bamburgh (drawing no. PD.14.00, PD-14-01) Alderton (drawing no. OR-AD-PD, PD.70.01) Brick double garage front pitch, G1-00-PD, Thoresby Vale PH1 Planning Layout drg. no. 514-001 Rev H, Thoresby Vale PH1 External Materials and Boundary Treatments Plan 514-006 A, Landscape Masterplan drawing ref. R 2232 1D, Thoresby Vale PH1 Screening illustration. no. 514-007, Materials Plan. 514-005 Rev C

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

011 (ECP provision)

No dwelling hereby approved shall be occupied until its associated outdoor electrical charging point has been installed on site in line with the application submission. The electrical charging point shall be retained for the lifetime of the development.

Reason: In order to secure the EC charging points at an appropriate time in the development as advanced by the applicant in terms of providing for sustainable development features within the development in line with the aspirations of the Development Plan.

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. A Section 38 Highway Adoption Agreement is likely to be required and further details can be provided - Contact: david.albans@nottscc.gov.uk

02

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

03

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

04

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

BACKGROUND PAPERS

Application case file.

For further information, please contact Clare Walker on extension 5834.

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

Lisa Hughes
Business Manager – Planning Development

Committee Plan - 19/01016/RMAM

