

PLANNING COMMITTEE – 4 FEBRUARY 2020

Application 19/01858/FULM (MAJOR)

No:

Proposal: Residential development of 120no. 2, 3 and 4 bed dwellings and ancillary works

Location: Land Off Oldbridge Way
Bilsthorpe

Applicant: Mr Matt Jackson – Gleeson Homes

Agent: None

Registered: 16.10.2019 **Target Date:** 15.01.2020

Extension of Time Agreed Until 11.02.2020

Website [https://publicaccess.newark-sherwooddc.gov.uk/online-](https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PZEWC1LB04M00)
Link: [applications/applicationDetails.do?activeTab=documents&keyVal=PZEWC1LB04M00](https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PZEWC1LB04M00)

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the development represents a significant departure from the statutory development plan.

The Site

The application site is a large, broadly linear plot approximately 7.9 hectares in extent abutting the southern edge of the village envelope of Bilsthorpe towards the west of the village. Owing to the positioning of the site adjacent to the village envelope, three of the four boundaries are shared with residential curtilages of existing properties. Land to the south is open countryside. The red line site location plan wraps around the edge of the village envelope with the exception of the exclusion of an existing playing field to the north east corner of the site. The site slopes gradually from north to south with an existing agricultural land use.

The site is within Flood Zone 1 according to the Environment Agency maps although land outside the site, to the southern boundary, falls within Flood Zone 3. There are no designated heritage assets within the site. There are no formal rights of way within the site itself albeit it is understood from anecdotal evidence (and indeed as witnessed on site) that the site is used informally by the public for dog walking etc.

Relevant Planning History

Outline planning permission was granted on the 28th April 2017 for the residential development of up to 113 dwellings and associated infrastructure (16/01618/OUTM) following a resolution to grant at the January 10th 2017 Planning Committee. The application was granted at a time where

the LPA were uncertain of their position in respect to demonstrating a five year land supply and therefore were taking a pragmatic approach. Nevertheless, a shorter timeframe for the submission of a reserved matters application was imposed by condition (18 months). There was a subsequent Section 73 application to amend a condition in respect to the highways access which was approved on 1st March 2018 (17/01910/OUTM) albeit reserved matters submission was required by 28th October 2018 in order to meet the original 18 month timeframe. The reserved matters submission was received within the prescribed timeframe and granted permission on the 7th June 2019 (18/01971/RMAM). The permission remains extant until 7th December 2020.

The Proposal

The current application seeks full planning permission for the residential development of the site for 120 two storey dwellings. The schedule of accommodation sought is as follows:

No. of beds	No. of units	% of total (120 units)
2	25	21
3	74	62
4	21	17

The proposed dwellings would be a mixture of semi-detached and detached delivered through 13 different property types. Each property would be afforded at least two car parking spaces (some including garage spaces).

The site would be developed in two distinct areas separated by a wide expanse of open space (as was the case through the extant permission). 97 of the units would be served by Oldbridge Way to the eastern end of the site with the remaining 23 served by Allendale and The Crescent in the north west.

The intention is for 36 of the homes to be Low Cost Homes for sale to eligible households at a price equivalent to at least 20% below local market value. The submitted draft head of terms also makes reference to contributions towards libraries, outdoor sports; health; children and young people and transport improvements.

The application has been considered on the basis of the following plans and references:

- Design and Access Statement dated October 2019;
- Addendum Transport Assessment – 107 v2 dated September 2019;
- Affordable Housing Statement received 15th October 2019;
- Archaeological Geophysical Survey
- dated July 2017;
- Ecological Impact Assessment (EcIA) including Extended Phase I Habitat Survey & Appraisal of Likely Impact upon the possible Sherwood Forest pSPA – 424.03044.00109 Version No: 4 dated October 2019;
- Economic Benefits Report Version 001 dated September 2019;
- Flood Risk Assessment – 18/035.01 Revision 02 dated 23rd September 2019;
- Materials Schedule received 15th October 2019;
- Phase 2 Geotechnical and Geo-Environmental Site Investigation – 41552-003 dated 12th November 2018;
- S106 Heads of Terms received 15th October 2019;

- Travel Plan – P0404ZJ dated September 2019;
- Maximising Security through Design received 15th October 2019;
- Site Location Plan – 1047-2/6- received 21st January 2020;
- 2D Topographical Survey – 18120-J dated 24/09/18 (Sheets 1 and 2);
- 201 Dwelling Type – 201/1G dated July.10;
- 212 Dwelling Type – 212/1- dated Feb 16;
- Detailed Landscaping Proposals – 1 of 4 – 2971/1 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 2 of 4 – 2971/2 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 3 of 4 – 2971/3 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 4 of 4 – 2971/4 Rev. K received 22nd January 2020;
- Landscape Management Specification – Rosetta Landscape Design dated 2019;
- Existing Trees on Site – 1 of 2 – 2971/5 dated 6th September 2019;
- Existing Trees on Site – 2 of 2 – 2971/6 dated 6th September 2019;
- 301 Dwelling Type – 301/1H dated July.10;
- 303 Dwelling Type – 303/1E dated July.10;
- 304 Dwelling Type – 304/1E dated July.10;
- 309 Dwelling Type – 309/1E dated Jun.11;
- 311 Dwelling Type – 311/1B dated Dec.13;
- 313 Dwelling Type – 313/1- dated Feb 2016;
- 314 Dwelling Type – 314/1- dated Feb 2016;
- 315 Dwelling Type – 315/1A dated May.18;
- 410 Dwelling Type – 401/1G dated July.10;
- 403 Dwelling Type – 403/1J dated July.10;
- 405 Dwelling Type – 405/1E dated July.10;
- 1800mm High Close Boarded Timber Fence – 0282 SD-100 Rev. F dated 13.04.11;
- 1800mm High Timber Fence with 300mm Trellis – 0282 NSD104 Rev C dated 16.05.19;
- 1200mm High Timber Fence – 0282 Rec. C NSD105 dated 16.05.19;
- Detached Single Garage Details – 0282 SD 700 Rev. C dated 22.08.12;
- Detached Double Garage Details – 0282 SD 701 rev. D dated 22.08.12;
- Planning Layout – Sheet 1 of 2 – 1047-2/3H received 21st January 2020;
- Planning Layout – Sheet 2 of 2 – 1047-2/4H received 21st January 2020;

Departure/Public Advertisement Procedure

Occupiers of 100 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

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 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character
ShAP1 - Sherwood Area and Sherwood Forest Regional Park

Allocations & Development Management DPD

DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM8 – Development in the Open Countryside
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019;
- Planning Practice Guidance (online resource);
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019;
- Technical housing standards – nationally described space standard (March 2015),

Consultations

Bilthorpe Parish Council – The Parish Council discussed the above at their council meeting on Monday 9th December.

They have asked that if the attached walk ways/pavements were to be included as previously agreed, they would support the application. They are very keen for Crompton playpark to not be used as a short cut, which we have discussed before.

Attached plan indicates linkages within the site which are shown on the proposed planning layout. The latest layout plan also removes the linkage to southern boundary of the play area.

Eakring Parish Council – No comments received.

Rufford Parish Council – No comments received.

NSDC Parks and Amenities – No comments received.

NSDC Conservation – We are in receipt of your request for Conservation advice for the above proposal.

We raised no objection to a previous scheme for residential development of 113 units on this site (ref 16/01618/OUTM & 18/01971/RMAM).

There are no identified heritage assets within the proposal site.

Bilthorpe Conservation Area (CA) is approximately 230m from the eastern boundary of the proposal site. There are no listed buildings within a 250m buffer zone, but there are 4 listed

buildings within 500m. There are various non-designated heritage assets within 1km, including areas of archaeological interest.

Legal and policy considerations

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In addition, section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. Key issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, land-use, relationship with adjacent assets, alignment and treatment of setting. It should be noted that the Newark & Sherwood Amended Core Strategy DPD has been through examination and determined to be sound. It therefore carries material weight in the decision-making process.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF – revised February 2019). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. LPAs should also look for opportunities to better reveal the significance of designated heritage assets when considering new development within their setting (paragraph 200).

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).

Assessment of proposal

Having reviewed the submitted plans and details, Conservation has no material objection to the proposed development:

- Although the quantum of development is slightly higher, the proposed development is not significantly different in landscape terms to that envisaged with the previously approved development scheme (16/01618/OUTM & 18/01971/RMAM).
- Due to the buffer formed by the Forest Link housing development and the distance away from significant receptors, Conservation does not feel that the proposal will have an adverse impact on the setting or significance of the CA;
- The Grade I Church of St Margaret is a significant building within the CA and enjoys a prominent location at the top of Church Hill. It enjoys group value with the Grade II listed Manor Farmhouse adjacent and its boundary wall and gateway entrance. However, it is felt that the proposed development would not harm the parish landscape setting of the Church, and that the proposed development would otherwise appear as a continuation of the existing urban extensions on the west side of Kirklington Road;
- The proposal would not adversely affect the setting of 56 Kirklington Road to the southeast. The distance from the proposal site combined with a landscape buffer at the termination of the Southwell Trail at Forest Link ensures that the proposal will not have any significant impact on the setting of the listed building;
- There is no identified archaeological interest within or close to the proposal site. Various earthworks can be found to the south and southeast. The closest site is the earthworks to the southeast of Forest Link and relates to late medieval enclosures. However, the Historic Environment Record shows no interrelated potential interest in the proposal site.

I have taken account of the Southwell Trail in reaching these views, noting the ability to enjoy and experience the historic environment outside of and on approach to the immediate setting and surroundings of heritage assets.

NSDC Strategic Housing - No comments received but verbal discussions discussed in the appraisal below.

NSDC Environmental Health –A Construction Method Statement for the site should be provided before any works commence, outlining measures to limit noise emissions from the site and from plant machinery, hours of operation, dust suppression etc.

The following should be contained in the Construction Method Statement:

No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the construction period:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of oils, fuels, chemicals, plant and materials used in constructing the development
- The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing
- Wheel-wash washing facilities and road-cleaning arrangements

- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from site preparation and construction works
- Measures for the protection of the natural environment
- Hours of work on site, including deliveries and removal of materials
- Full details of any piling technique to be employed, if relevant
- Location of temporary buildings and associated generators, compounds, structures and enclosures, and
- Routeing of construction traffic.
- Measures to limit noise emissions from the site and from plant machinery

I would request the following conditions, some of which will be incorporated into the Construction Method Statement requested:

Restriction on hours of operation:

The hours of operation on site should be limited to Monday to Friday 08:00 to 18.00hrs, 08:00 to 13.00hrs Saturday and no works on site on Sundays/Bank Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working.

Hours of delivery:

No deliveries shall be received or dispatched from the site outside the hours of Monday to Friday 08:00 to 18.00hrs, Saturday 08.00 to 13.00 hrs nor at any time on Sundays and Bank Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working.

Limit hours of operation of machinery:

No piling to be undertaken or vibrating rollers to be used on site Saturday, no works Sundays or Bank Holidays. The local Authority should be notified of any Piling technique to be employed on site in advance.

Reason: To protect the amenity of the locality, especially for people living and/or working.

Dust:

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site and all access and egress roads has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

Reason: To protect the amenity of the locality, especially for people living and/or working.

A BS4142:2014 assessment assessing sound at the site of the proposed new dwellings should be undertaken due to the close proximity of Industrial/commercial premises.

Within BS4142 industrial and commercial sources are specified as being Sound from:

1. Industrial/manufacturing processes.

2. Fixed mechanical/electrical plant and equipment.
3. The loading and unloading of materials at industrial and/or commercial premises.
4. Mobile plant and vehicles specific to a premises activities or process around a given industrial/commercial site.

Reference should also be made to BS8233:2014 so appropriate internal and external noise levels can be achieved to guarantee the amenity of the future occupants. BS8233:2014 set's out appropriate internal and external noise levels for Bedrooms, Living Rooms, Dining Rooms and Gardens for the day time (07:00 to 23:00) and night time (23:00 to 07:00).

NSDC Environmental Health (contaminated land) – With reference to the above development, I have received a Phase 1 Geotechnical And Geo- Environmental Site Investigation report submitted by Eastwood and Partners on behalf of the developer.

This includes an environmental screening report, an assessment of potential contaminant sources, a brief history of the sites previous uses and a description of the site walkover.

Following this preliminary desk study, a Phase 2 Geotechnical and Geo-Environmental Site Investigation report has also been submitted by the same consultant.

This document confirms that of the intrusive sampling carried out, there were no exceedances of the relevant screening criteria for the proposed use.

Given this evidence, I am in agreement that the on-site soils do not present a potential risk to human health for the proposed residential use.

NSDC Communities and Arts Manager – No comments received.

NCC Archeology Advisor - The geophysical survey identified a limited number of potential archaeological features, including part of a semi-circular anomaly which is clearly incomplete. I note that the survey results show signs of “staggering”, which tends to reflect rough ground conditions, or the surveyor walking at varying speeds. Whatever the source of the issue, the results have the potential to obscure anomalies, and it is therefore feasible that there is more archaeology present than the survey has indicated.

I therefore recommend that if the planning application is granted consent this should be conditional upon the successful implementation of a programme of archaeological work. I envisage this would take the form of a strip map and record exercise over the 2/3 areas identified as containing potential archaeological features, but allowing for these areas to be extended should additional archaeological remains be revealed – this is particularly relevant for the area around the semi-circular feature.

NCC Highways Authority – *Original comments received 8th November 2019:*

This application proposes to take primary access from Oldbridge Way. The application red line boundary should be amended to include a length of extended Oldbridge Way which is currently subject to a Section 38 highway adoption agreement between the Highway Authority and Peveril Homes. This section of road will need to be adopted prior to, or concurrently with the adoption of other lengths of road served therefrom.

Similarly, the red line boundary should be amended to match up with the public highway boundary at The Crescent, and include the area where a proposed footway connection is made to Chewton Close.

Consideration has been given to the potential impact of the proposal upon traffic conditions in the Bilsthorpe area. There is a moderate level of new vehicle trips at peak times (about 70) and these trips will be widely spread over the highway network given the number of routes in and out of Bilsthorpe in various directions serving Nottingham, Mansfield, Ollerton and the north, Southwell and Newark. For this reason a severe impact cannot be demonstrated on any one junction or link to justify improvements being sought from the developer.

Future maintenance responsibilities for the various footpath connections throughout the site should be confirmed and agreed. It may also be appropriate for the LPA to consider trigger points for the delivery of each footpath connection in the interests of the residents' amenity and to promote sustainable travel. Perhaps a delivery schedule would be helpful.

It would appear the insufficient car parking provision has been proposed. To avoid on-street parking it is recommended that 1-bedroom properties have 1 space; 2- & 3-bedroom properties, 2 spaces, and; 4 + bedroom dwellings, 3 spaces.

In some instances, parking spaces have been placed at the rear of properties and slightly remote from being overlooked or having easy access to the front door. This makes them less attractive to use and can lead to on-street parking. Plots 3,13, 21, 44, 69, 79, 108, 111, 118, 119 are examples of this.

The visibility splay relating to the vehicle access to plot 92 is not shown but needs defining and protecting due to the access being on the inside of significant bend. A drawing should be produced showing 2.4m x 20m splays that can be used to impose a protective condition.

Given the number of issues to be addressed, it is considered that this Authority should issue a 'holding objection' until a satisfactory response from the applicant is received.

NCC Planning Policy –Thank you for your letter dated 17th October 2019 requesting strategic planning observations on the above application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities a number of elements of national planning policy and guidance are of particular relevance in the assessment of planning applications and these include Minerals and Waste, Education, Transport and Public Health.

County Planning Context

Transport and Flood Risk Management

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

Should further information on the highway and flood risk elements be required contact should be made directly with the Highway Development Control Team and the Flood Risk Management Team to discuss this matter further with the relevant officers dealing with the application.

Minerals and Waste

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the saved policies of the Nottinghamshire Minerals Local Plan (adopted 2005), form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the emerging Minerals Local Plan (Publication Version, July 2019) these should be taken into account where proposals for nonminerals development fall within them.

Minerals

The eastern part of the proposed development site at Oldbridge Way lies within the MSA/MCA for brick clay. In accordance with the National Planning Policy Framework (para. 204), the emerging Publication Version Minerals Local Plan contains a policy (SP7) concerning safeguarding and consultation areas. Although the plan is not yet adopted, its provisions should be given some weight as a material consideration. Policy SP7 requires a development within a minerals safeguarding area to demonstrate that it will not needlessly sterilise minerals and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction will be sought where practical. In some cases, large scale prior extraction might not be practical, however consideration should also be given to the potential use of minerals extracted as a result of on-site ground works rather than simply treating them as a waste material.

In terms of this proposal, the applicant should address policy SP7 and consider if prior extraction is feasible and could form part of the land preparation for the development. This would prevent the unnecessary sterilisation of the mineral resource and also reduce the waste generated from the construction stage of the development. The applicant should be able to demonstrate that the feasibility of extracting brick clay prior to development has been considered and if found to be not practical nor viable, the applicant should be able to demonstrate why this is the case.

Overall, considering the proposal is surrounded by residential development, the County Council would not consider the development to be inappropriate in this location, however it should be demonstrated there is a sound argument that identifies a clear and demonstrable need for the nonmineral development and that the practicality of prior extraction has been fully considered.

Waste

In terms of the Waste Core Strategy, the proposed development site, at its closest point, is approximately 206m to the west of the active waste management facility, 'Oakwood Waste Oil'. Considering the distance and that the proposed development does not bring housing closer to the waste management facility, it is unlikely that housing at the proposed development location would present a significant additional sterilisation risk to the permitted waste management site in terms of Nottinghamshire and Nottingham Waste Core Strategy Policy WCS10.

As set out in Policy WCS2 'Waste awareness, prevention and reuse' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.' In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

Strategic Transport

The County Council does not have any strategic transport planning observations to make on this application.

Transport and Travel Services

General Observations and Accessibility

The proposed access point will be from an improved entrance onto Oldbridge Way. The access to the main housing area to the south east part of the site will be from an extension to the existing Oldbridge Way and will serve 97 dwellings. The remaining 23 houses in the northern area will be served by extending the existing roads - Allendale and The Crescent.

There will also potentially be pedestrian access onto Scarborough Road. The nearest bus stops which are frequently served are approximately 400 metres from the centre of the site on Eakring Road, Cross Street and Church Street.

Bus Service Support

The County Council's Transport & Travel Services team has conducted an initial assessment of this site in the context of the local public transport network. Bilsthorpe is served by two commercial services operated by Stagecoach.

Service 28b operates between Mansfield and Eakring, whilst the Sherwood Arrow service links Bilsthorpe with Nottingham and Ollerton. This service also operates to Worksop and Retford on alternate hours. Both services operate to an hourly frequency.

At this time, it is not envisaged that contributions towards local bus service provision will be sought.

Bus Stop Infrastructure

The current infrastructure observations from Transport & Travel Services photographic records are as follows:

NS0032 Church Street – Polycarbonate bus shelter and raised boarding kerbs.

NS0595 Cross Street – Polycarbonate both ways bus shelter and raised boarding kerbs.

NS0596 Crompton Road – Both ways bus stop pole.

NS0599 Church Street – Layby, bus stop pole and raised boarding kerbs.

The County Council requests a Planning Obligation to state the following:

A Bus Stop Infrastructure contribution of £32,000 is paid to provide improvements to the bus stops:

NS0032, NS0595, NS0596 and NS0599, and shall include:

NS0032 Church Street – Install real time bus stop pole & displays including associated electrical connections.

NS0595 Cross Street – Install real time bus stop pole & displays including associated electrical connections.

NS0596 Crompton Road – Install real time bus stop pole & displays including associated electrical connections and raised boarding kerbs. (subject to minor relocation).

NS0599 Church Street – Install real time bus stop pole & displays including associated electrical connections.

Reason: To promote sustainable travel.

Justification

The current level of facilities at the specified bus stops are not at the standard set out in the Appendix to the County Council's Public Transport Planning Obligations Funding Guidance for Prospective Developers. Improvements are necessary to achieve an acceptable standard to promote sustainable travel and make the development acceptable in planning terms.

The site is served by bus service offering connections to key facilities including work, education and shopping and is estimated to generate 25 passenger trips per day (50 return trips) from the stops identified for improvement. This will encourage sustainable public transport access to and from the site for staff, visitors and residents, and therefore assist in achieving the Travel Plan targets.

Research conducted by Transport Focus has highlighted that at-stop real time information is seen as an important factor for non-bus users and is therefore a major factor in inducing modal change.

The real-time displays also provide other network information, including details of current and future disruptions, roadworks and special events, including community information which is not otherwise readily obtainable in a concise format. The displays can therefore help users make informed decisions about their current and future journeys. The overall impact of providing real time and disruption information to customers is positive with additional patronage and increased confidence.

The Campaign for Better Transport state that real time information, particularly physical displays, provide an important reassurance that a bus is going to arrive and also comment that provision of stop displays has a positive impact on all population segments, but particularly for the more disadvantaged groups, where it assists in reducing the social inequality of transport.

The provision of a raised boarding kerb at stop ref. NS0596 will provide level access boarding for people with buggies, wheelchairs and those with reduced mobility.

The improvements are at the closest bus stops serving the site entrances, so are directly related to the development, fair and reasonably related in scale and kind to the development and necessary to make the development acceptable in planning terms (120 dwellings).

Further information can be supplied through developer contact with Transport & Travel Services:

Transport & Travel Services
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP
ptdc@nottscc.gov.uk

Tel. 0115 977 4520

Planning Obligations

Transport and Travel Services

A planning obligation is requested, as detailed above, to provide bus stop infrastructure improvements.

Education

Information regarding the education provision contributions that may be sought to mitigate the impact of this development are currently awaited. This will be provided to the District Council as soon as possible.

Where developer contributions are sought in relation to the County Council's responsibilities it is considered essential that the County Council be a signatory to any legal agreement arising as a result of the determination of this application.

Further information about the County Council's approach to planning obligations can be found in its Planning Obligations Strategy which can be viewed at

<https://www.nottinghamshire.gov.uk/planningand-environment/general-planning/planning-obligations-strategy>

If your Council has any queries regarding planning obligations please contact Andrew Norton, the County Council's Developer Contributions Practitioner on 0115 993 9309 or by email andrew.norton@nottscc.gov.uk

Information on planning obligations is also provided in Appendix 1.

Conclusion

It should be noted that all the above comments could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site.

Additional comments from Developer Contributions Practitioner received 10th January 2020 –

Further to our discussion earlier this week; I have looked into this matter further and can confirm that the projections do take account of the previous planning approvals including the original application for this site (18/01618/OUTM). As a result when considering the current application, consideration can only be given to the impact of the 7 additional dwellings which are proposed. Based on the approach in the County Council's Planning Obligations Strategy, the number of additional places generated would be 1 (7 dwellings x 0.21).

Therefore, on this basis and because even if this application were to be refused, the applicant could implement the original scheme without paying any contributions (as none were required at the time due to current capacity), I can confirm that the County Council would not seek any planning obligations to mitigate the impact of the 7 additional places generated by this proposal.

In terms of secondary education; I can confirm that the County Council's position remains the same as that set out in my email of the 13th November.

I trust this provides the clarification that you require and if you have any queries let me know.

Original comments from Developer Contributions Practitioner received 13th November 2019 –

Primary

The proposed development would yield 25 additional primary school places. As can be seen in the table below; based on current projections there is insufficient capacity to accommodate the additional pupils generated. As a result, the County Council would seek a primary education contribution of £435,650 (25 x £17,426 per place) to provide additional primary provision to serve the development.

Planning area	DfE no	School	District	Net Capacity	Average 5 Year Projection	Housing commitments, 5 yrs	Housing: Local Plans		Places available: surplus (+) or deficit (-)
							5 yrs	6-10 yrs	
Rural	2940	Bilsthorpe Flying High Academy	NEWARK	238	176	36	29	17	-20

Secondary

The development is located in the Rainworth Secondary Planning Area and would generate 19 additional secondary school places. As can be seen in the table below; based on current projections there is insufficient capacity to accommodate the additional pupils generated. The delivery of additional secondary education provision will be delivered via the District Councils Community Infrastructure Levy (CIL).

Planning area	DfE no	School	District	Net Capacity	Pupil projection	Housing				Surplus or Deficit Places
						Commitments, excluding local plan (1-10 yrs)	Local Plan (1-5 yrs)	Local Plan (6-10 yrs)	Local Plan (10+ years)	
Rainworth	4408	Joseph Whitaker Academy	NEWARK	1269	1485	40	11	14	8	-280
Rainworth	0013	PLANNING AREA TOTAL	NEWARK	1269	1485	40	11	14	8	-280

NCC Ecology – No comments received.

NCC Rights of Way – I have checked the definitive map for the area and confirm that there are no recorded rights of way over the proposed development site, however Bilsthorpe Footpath 1 runs adjacent to the site along the Northern border. I attach a plan showing the definitive route of the footpath to make the applicant aware of the legal line.

There is also evidence of use on site that suggests there are routes on the ground that are very well used. In not accommodating public access on these routes the applicants face the potential risk of a claim for public rights to be acquired through usage which could result in the routes being legally recorded subsequent to development work commencing or being completed. In order to mitigate this risk applicants are advised to seek to formally divert or extinguish all routes across the proposed development site under the provisions of Section 257 of the Town and Country Planning Act 1990.

The Rights of Way team would like the applicant to be advised as follows:

- The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path.
- There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.
- The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.
- The existing boundary hedge/tree line directly bordering the development and the right of way is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuring that it is cut back so as not to interfere with right of way.

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'

Natural England – No comments received.

Nottinghamshire Wildlife Trust – No comments received.

Trent Valley Internal Drainage Board – The site is outside of the Trent Valley Internal Drainage Board district and catchment.

There are no Board maintained watercourses in close proximity to the site.

The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

Severn Trent Water -With reference to the above planning application the Company's observations regarding sewerage are as follows.

Condition

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 by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

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

Suggested Informative

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application forms for diversions from either our website (www.stwater.co.uk).

Environment Agency – This type of application falls outside of the scope of applications the EA wishes to see. Please consult the LLFA regarding sustainable surface water disposal.

NCC Flood Team – Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the application which was received on the 17 Oct 2019. Based on the submitted information we have no objection to the proposals and can recommend approval of planning subject to the following conditions;

Condition

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved JOC Consultants Flood Risk Assessment (FRA) 18/035.01 Rev 02 dated 23 September 2019, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

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

Informative

We ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.

Ramblers – I wish to lodge an OBJECTION to this proposal.

Although the site is bounded to the north by Bilsthorpe Footpath 1, the development should not encroach upon this.

This land, however, is clearly well used by the local community and is criss-crossed by "unofficial" paths.

One of Ramblers charitable objectives is to promote walking and we regard this loss of civic amenity and green space as undesirable.

NHS Newark and Sherwood CCG –

Impact of new development on GP practice	The development is proposing 120 (A) dwellings which based on the average household size (in the Newark & Sherwood Council area) of 2.3 per dwelling, primary care health provision would result in an increased patient population of approx 276(B) (2.3 x A).
GP practice most likely to be affected by growth and therefore directly related to the housing development	It is unlikely that NHS England or Mid Notts CCG would support a single handed GP development as the solution to sustainably meet the needs of the housing development and that the health contribution would ideally be invested in enhancing capacity/infrastructure with existing local practices. The practice that it is expected this development to be closest too is: Bilsthorpe Surgery Farnsfield Surgery Hill View Surgery
Necessary to make the development acceptable in planning terms	All practices in the area are working at capacity and therefore in order to make this development acceptable from a health perspective the infrastructure will need to be developed to accommodate the increased population. Infrastructure financing in the form of S106 will therefore be required to ensure that there is adequate primary care health facilities in the area
Plans to address capacity issues	The practices are currently reviewing their options as to how they may accommodate the increased number of patients due to this housing development. It is likely that the plans will include either reconfiguration or extension of existing premises or a new build that this S106 contribution will contribute towards
Fairly and reasonably related in scale and kind to the development.	As a consequence we would ask for £920 per dwelling for costs of health provision as set out in the Newark and Sherwood Developer Contributions and Planning Obligations. Details of this could be provided to the developer upon planning consent being granted and the development starting and any uncommitted funding could be returned within an agreed expiry period
Financial contribution requested	£110,400 (120 x £920 per dwelling)

Representations have been received from 5 local residents/interested parties which can be summarised as follows:

Principle of Development

- Until the village has a neighbourhood plan, larger applications should be put on hold;
- There are already numerous housing schemes coming forward in Bilsthorpe;
- The existing planning applications exceed the needs of the plan;

Impact on Highways

- The A617 and A614 junctions are wholly inappropriate;

Impact on Wildlife

- As many as possible of the existing trees should be retained;
- The trees are vital for nesting birds and other wildlife;

Impact on Infrastructure

- Schools, Doctors and shops cannot cope with the demand;

Other Matters

- The boundary is incomplete to neighbouring properties;
- New applications keep being submitted to keep the plan open – the council should insist they start or make them drop the plan;

Comments of the Business Manager

Planning History

As is referenced by the planning history section above, the site has an extant planning permission (through an outline and subsequent reserved matters approval) for the residential development of 113 units. This remains extant until December 2020 and must therefore be considered as a reasonable fallback position for development on the site.

The main differences between the current submission and the extant scheme are as follows:

- Delivery of an additional 7 no. units;
- Change to housing mix insofar as the extant scheme is broken down as follows:

No. of beds	No. of units	% of total (113 units)
1	6	5
2	46	41
3	49	43
4	12	11

- Changes to the proposed affordable housing provision to no longer deliver affordable rent or intermediate / shared ownership but instead rely solely on low cost homes.
- Changes to the proposed layout to accommodate the additional units / differing house types.

The fallback position will be referenced where appropriate in the following appraisal but for the avoidance of doubt, the current application has been submitted as a standalone application for full planning permission and therefore all material planning considerations require assessment against the Development Plan.

Principle of Development

Irrespective of the above position, the starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that

determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services.

The village of Bilsthorpe is classed as a Principle Village within the settlement hierarchy with a defined village envelope. However, the application site borders but falls outside of this envelope and therefore is within the open countryside. Development within the open countryside is considered against Policy DM8 which aims to strictly control development and limit it to certain development types.

Policy DM8 states that, *“planning permission will only be granted for new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.”*

Whilst there is an extant permission which has accepted the residential delivery of 113 units, the current proposal seeks for an additional 7 no. units. The scheme as a whole does not meet the requirements of Policy DM8 and therefore the principle of development is not accepted.

Clearly this is a different stance to the one which was taken in April 2017 when the original outline permission for 113 was granted. This is reflective of a change in material circumstances in regards to the Council's ability to demonstrate a five year housing land supply. At the time of the original April 2017 permission, the LPA were not confident in robustly demonstrating a sufficient five year land supply and therefore were taking a pragmatic approach to housing delivery (albeit conditioning reduced timescales for implementation in an attempt to boost housing supply in the short term).

The Council has a detailed strategy to deliver the development needed to meet its objectively assessed housing need (a residual 6,248 dwellings at 1st April 2019). The Council has published a Five Year Land Supply Statement (April 2019) which shows that the residual requirement is more than satisfied by the dwellings forecast to come forward within the Plan Period from land which currently benefits from extant consent (some 6,343 dwellings), with this representing 101.52% of the requirement. In addition to this there is a further 3,146 dwellings forecast to come forward within the Plan Period from allocated land which is yet to be subject to extant consent (50.35% of the residual requirement). This reflects a level of planned provision of 151.87% when considered against the residual requirement, exceeding it by some 3,241 dwellings. On this basis, the Statement concludes that the Council has a 6 year housing land supply as of 1st April 2019. In this context, to allow further residential development in the open countryside would be contrary to the intentions of the Development Plan.

Housing Mix and Type

Core Strategy Core Policy 3 indicates that housing developments should be no lower than an average 30 dwellings per hectare and that sites should provide an appropriate mix of housing types to reflect local housing need. The housing mix, type and density will be influenced by the

Council's relevant development plan policies at the time and the housing market at the time of delivery.

The red line site location plan demonstrates a site area of approximately 7.9 hectares. A development of 120 dwellings would deliver a site density of just 15 dwellings per hectare. This is significantly below the aspirations of Core Policy 3. However, in the site circumstances (notably its open countryside location) it would be wholly inappropriate to seek a higher density scheme. The design of the current application follows the principles of the extant permission in that it includes swathes of open space which would allow the development to be interpreted as a transitional development between the open countryside and the village envelope.

The District Council have commissioned a Housing Market and Needs Assessment (HMNA) in 2014 dividing the District into survey areas. Bilsthorpe is within the Sherwood sub-area where the greatest need in the market sector is for three bed dwellings. The following table outlines a comparison of the market sector demand by bed size against the proposed development as currently presented (and subsequently excluding the affordable housing units):

No. of bed	% preference of market demand according to HMNA 2014	% of beds of total proposal as submitted	% of beds in market delivery of proposal as submitted (as a % of 84 units)
1 bedroom	0	0	0
2 bedrooms	36.1	21	2.4
3 bedrooms	50.5	62	72.6
4 bedrooms	13.4	17	25

Given that the majority of the two bed units are intended to form part of the affordable provision, the market provision would be significantly deficient in two bed provision and subsequently over-reliant on three and four bed units. However, the greatest demand in the social sector is for two bed units and therefore this element at least is supported.

It is difficult to be overly prescriptive to the 2014 survey given that this is now almost 6 years old and due to be updated imminently. However, of more relevance to the current assessment is the type of product that would be delivered. Gleeson are a national housebuilder who rely on specific product delivery (which continues to be successful in the market). One of the key characteristics of their product is house types which are modest in size (as discussed further below). There is therefore a case to be made that a Gleeson 3 bed dwelling would still be suited (and affordable) to someone in the market for an average 2 bed dwelling. In this respect, an apparent over-reliance on 3 bed units as identified above is not considered fatal to the scheme to a degree that it would justify refusal.

Impact of Layout on Character including Landscaping and Trees

Given the extant approval for residential development, it has already been accepted in principal that the character of the site will fundamentally change. However, there have been some marginal layout changes since the previous application submission owing to the increased no. of units. The landscape impacts of the proposal therefore warrant a full and thorough assessment in their own right.

The site is bounded on three sides by residential development, the school, public footpath and associated trees, recreational area and to the south by an arable field currently occupied by free range pigs. The southern field boundary is an established hedge with some gaps. The boundaries on the other three sides are varied and include; garden boundaries with varying degrees of tree cover allowing views across the site from neighbouring housing, un-vegetated wooden fencing around the recreation ground, a substantial retaining wall, and amenity tree planting.

The Southwell Trail recreational route terminates immediately to the west of the site at Forest Link and a public footpath, Bilsthorpe FP1, borders the site, affording views across the site to the southern boundary. The established amenity tree planting associated with part of the public footpath, gives views across the site filtered through tree trunks. Further along the route the views across the site are more open.

The site is not crossed by existing rights of way but the site is intensively used informally by local residents for dog walking and to access the playing field and Southwell Trail. The recreation ground, which effectively juts into the development site, will become bounded on nearly all sides by built development rather than looking out into open countryside.

The District Council has undertaken a Landscape Character Assessment (LCA) 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.

The application site is within Policy Zone 7 Oxton Village Farmlands. The zone has been assessed as having a moderate condition and moderate sensitivity resulting in a 'Conserve and Create' recommendation. Identified key characteristics of this landscape zone include a gently undulating topography, intensive arable farming and small patches of deciduous and coniferous woodland.

Previous applications on the site were subject to a landscape and visual impact assessment (LVIA) which was subsequently reviewed by an independent landscape consultant. It is notable that the same has not been done through the current submission. However, in terms of landscape impacts in the context of the LCA undertaken by the District Council, it is not considered that the development now proposed (despite the increase in units) would be perceptively different in comparison to the extant permission.



Approved Layout by application reference 18/01971/RMAM



Proposed Layout by current submission reference 19/01858/FULM

The current application has been accompanied by detailed landscaping plans which follow the principles of the reserved matters submission (albeit actually demonstrate additional landscaping particularly on the southern boundary). The plans include the retention of a tree specimen on the eastern boundary of the site which was raised as a cause for concern in the previous determination. The comments of a neighbouring party are noted which state that the boundary is

incomplete to neighbouring properties. This is inferred to mean an area of landscaping on the eastern boundary where there is some hedgerow demonstrated but not across the entire length of the boundary. The level of proposed planting at this part of the site is actually additional to what has been agreed through the reserved matters approval. It is not considered reasonable to insist on hedging against the entire boundary. It is not considered that the gap in the hedgerow would create an increased security risk to neighbouring parties given that the layout includes specific footpath networks but would allow the legibility of the site to be away from the boundaries.

Noting the fall back position, it is not considered reasonable to insist upon the submission of an LVIA for the current application nor to resist the application purely on the basis of landscape impacts.

Impact of Dwelling Design

Policy DM5 confirms an expectation for new development to reflect the rich local distinctiveness of the Districts landscape and character through its scale; form; mass; layout; design; materials; and detailing.

Despite the significant size of the site at approximately 7.9 hectares the proposal details that the majority of the site would remain undeveloped. As is referenced above, this has been deliberately incorporated into the design of the scheme in order to address matters of landscape character owing to the positioning of the site outside of the defined village envelope (and indeed is a continuation of the principles of the extant permission).

The detailed design intends to deliver the 120 properties through two discrete pockets of development separated from one another by open space. At the north western corner of the site, it is intended for there to be 23 plots. The remainder of the plots would be delivered towards the north eastern boundary of the site. This is notably different from the extant permission where there was a gap between development in this section amounting to three separate parcels (as shown in the layout extracts above).

The properties represent 13 different house types ranging from 2 bed to 4 beds. It is fully appreciated that the large expanses of proposed open space have been designed as a deliberate attempt to reduce the overall build footprint. However, in taking this approach, the result in respect of dwelling design is that a number of the properties are extremely modest in their overall footprint size.

The national Government has published 'Technical housing standards – nationally described space standard' in March 2015. This document deals with internal space within new dwellings and is suitable for application across all tenures. However the National Planning Policy Guidance (online tool) is clear in stating that if an LPA "*wishes to require an internal space standard, they should only do so by reference in their Local Plan to the Nationally Described Space Standard.*" Provision in a local plan can also be predicated on evidence, as the NPPG goes on to describe. In the case of NSDC we have not adopted the national space standards and thus the guidance is that one should not *require* (emphasis added) them for decision making. The standards however do exist and must be material in some way.

The following table is lifted from the March 2015 document:

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Table 2 – Assessment of submitted development

House Type	No. of beds	Floor space (m ²)	Space standard requirement (m ²)	Compliance against (m)
201	2	60.48	70	(-9.52)
212	2	62.37	70	(-7.63)
301	3	70.56	84	(-13.44)
303	3	71.71	84	(-12.29)
304	3	75.00	93	(-18)
309	3	73.24	93	(-19.76)
311	3	70.56	84	(-13.44)
313	3	75.31	84	(-8.69)
314	3	75.31	84	(-8.69)
315	3	75.85	84	(-8.15)
401	4	99.00	106	(-7.00)
403	4	97.36	106	(-8.64)
405	4	108.89	115	(-6.11)

Every single one of the house types would fall short of the national space standards (again for clarity which have not been adopted by NSDC), some by as much as nearly 20m².

However, the houses are specific product types of a national housebuilder who have built in our District previously. Officers are mindful that these are product types which are known to sell and that there is an argument to say that the smaller units present the opportunity for being more affordable even at the market rate which may be appealing to first time buyers and smaller families. Without evidence outlining a specific required space standard for the District or indeed any evidence to the contrary in respect to national housebuilder product sales, it would be extremely difficult to resist the applications solely on this basis. The applicant would have a case to make that any proposed occupiers would be well aware of the size of the units prior to purchase and this must be weighted in the overall planning balance. This is a position which was also

accepted through the reserved matters approval (the majority based on the same house types previously approved).

The overall aspirational character of the site appears to be modern in nature with a varied use of materials. The use of 13 different house types adds visual interest both in individual plots and for the site as a whole. The varying house types are dispersed around the site. The application has been accompanied by a materials schedule which details facing brickwork with dark grey concrete tiles. There is some variation in colour and contrast within individual plots such that there is no objection to the materials schedule presented in principle.

I am satisfied that the parking provision is the most convenient off-street parking available to the occupiers of most plots and will be legible to the occupiers and thus it will be used rather than vehicles being parked on the street. Whilst there are some plots where occupiers would have to walk a short distance to the front door (e.g. some of the Plots addressing corners in the internal road network), this is not the norm in terms of the overall parking delivery. On a development of this nature in terms of scale, Officers consider that there is scope for small areas of compromise in the overall balance and thus this in itself is not considered fatal to the design of the overall scheme. It is noted that the Highways Officer raised this issue as a cause for concern but I am conscious that this arrangement of parking has already been accepted through the reserved matters submission and it would therefore be difficult to resist the current application on this basis.

The reserved matters approval conditioned details of boundary treatments to be agreed at a later date. To the contrary in this application, the original submission included details of boundaries around plots and on the edge of the development. The original plan demonstrated post and rail fences between plots and timber fencing along the southern edge of the built form. The agent suggested that the former could be considered acceptable as it is being used elsewhere in the District on the Gleeson scheme in Ollerton. However, clearly this site represents entirely different circumstances (the Ollerton site was allocated for one) and post and rail fences would not be accepted to discharge the boundary condition on the reserved matters scheme. Revised plans have been submitted which now demonstrate 1.2m timber fences between plots and a 1.8m fence with trellising above along the southern boundary which would help in softening the landscape impact of the built form.

Impact on Amenity

A consideration of amenity impacts relates both to the relationship with existing neighbouring dwellings as well as the amenity provision for the prospective occupiers. Policy DM5 states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.

Given that the site extends beyond the established existing village envelope, the number of existing neighbouring properties adjacent to, and thereby directly affected by the development would be limited. Nevertheless, there are amenity relationships which require careful consideration, notably the existing dwellings along Forest Link to the east of the site; Armstrong Gardens to the north of the site; Chewton Close to the north east; and The Crescent and Allendale to the north.

Beginning with the relationship with the existing properties along Forest Link the proposed dwellings would be at least 11m away from the site boundary. The back to back distances between the proposed dwellings to the rear of the properties on Forest Link would be 33m at a minimum. This would be a two storey to two storey relationship but given the aforementioned distance Officers do not consider that the properties along Forest Link would suffer detrimental amenity impacts in terms of overlooking or overbearing. This position was notably accepted through the extant permission.

There is notably a plot of land outside of the application site and the curtilages of the Forest Link properties which sits between the two. At the moment this area acts as a further buffer to the development proposed. However, there is an extant planning permission on this land (07/00595/FULM) which includes the provision of housing in this area. Given that this is a live application which could be implemented at any time (notwithstanding that there is a recently approved application to make some changes to the dwelling designs – 19/00491/FUL) the dwellings as approved must be afforded weight in the overall amenity balance.

The dwellings as approved would be between 10 and 11m away from their rear boundaries (i.e. the boundary of the application site). They would extend southwards from Oldbridge Way by approximately 36m and thereby solely be adjacent to the curtilage of Plot 1. The plan submitted shows that Plot 1 would be around 8m from the site boundary with a side gable facing the shared boundary. The side gable would feature a small secondary window at ground floor serving the porch but also notably would be adjacent to a large attractive tree which is shown on the landscaping plans for retention. On this basis, the amenity relationship with the extant scheme is considered to be acceptable.

Plot 49 would have a shared neighbouring boundary with no.1 Armstrong Gardens which is a single storey semi-detached bungalow. Plot 49 is a two storey dwelling but at a perpendicular orientation to the neighbouring plot such that it would be a blank two storey gable facing the neighbouring site. The rear elevation of Plot 49 is roughly in line with the side eastern gable of no.1 Armstrong Gardens some 12m away. Whilst there would potentially be some opportunity for the first floor rear windows of Plot 49 to overlook the rear garden of no. 1 Armstrong Gardens (and indeed to a lesser extent the attached no.2) this would be at an oblique line of sight with the primary outlook westwards towards the areas of open space within the site. On this basis it is not considered that this relationship would be sufficiently harmful to warrant resisting the proposal.

As with the properties on Armstrong Gardens, the properties on the western side of Chewton Close are single storey semi-detached bungalows with modest rear amenity gardens. The scheme differs at this point of the site in comparison to the extant approval in that the proposed plots would now not be immediately to the rear of the Chewton Close bungalows (i.e. the built form would be in the separation gaps between the semi-detached neighbouring units). There would still be a single storey to two storey side gable relationship albeit any outlook from the neighbouring plots would be at an oblique line of sight as demonstrated by the extract of the proposed layout plan below:

The proposed access for the development has already been agreed by the previous applications which exist on the site. The Section 106 relating to the outline approval did however include works to the access from Oldbridge Way in terms of ensuring that the road was built to base course level to an adoptable standard in accordance with the details of a 2008 Section 38 agreement. It is notable that since the time of the outline approval, there has been further development on the adjacent Pevril site. The latest set of revised plans includes a revised red line site location plan including the length of extended Oldbridge Way as requested by the Highways Authority.

NCC as the Highways Authority have assessed the application in the context of the proposed internal road network. Their comments are listed in full above which, whilst not objecting to the highways impacts of the proposal in principle, do raise issues in respect to finer details such as footpaths (discussed below) and parking provision (already discussed in brief above in the 'Impact of Dwelling Design' section).

Whilst the latest plans are subject to an outstanding consultation with the Highways Authority, it is presumed that a number of their concerns will remain seen as the internal parking arrangements remain unchanged. In terms of the number of spaces, there are instances where four bed dwellings would only have two spaces (where NCC advise they should have 3). From an Officer perspective the parking provision shown is deemed acceptable and indeed largely mirrors that accepted through the fallback position of the reserved matters application. On this basis, it is not considered that it would be reasonable to resist the current application purely on the basis of the proposed parking arrangements which on the whole show spaces to the side of dwellings.

Given that at the time of agenda print, NCC Highways have not commented on the latest plans, Officers have adapted similar conditions to those which were suggested by the highways authority for the extant reserved matters submission. On the basis of these conditions, it is not considered that there are justifiable grounds to resist the application on matters of highways safety.

Impact on Footpath Network

Comments were received from NCC Rights of Way Team as listed in full above. The reference to claims for public rights of way is noted albeit equally is the confirmation that there are no public rights of way which cross the site. This matter also forms the basis of an objection from the Ramblers Association.

The submitted layout plan (and indeed corresponding landscaping plans) demonstrates linkages throughout the whole site which would formalize the public ability to cross the site. This would meet the expectations through the Parish Council comments as detailed above.

The linkages throughout the site have also been referenced by the latest comments of the Highways Authority with the suggestion that the LPA should consider trigger points for their delivery. The landscaping plans show that the footpaths will be mown to grass which in my view mirrors the existing situation on site with the informal footpaths. There is a balance to be struck and in my view the weighting should be towards the softer landscaped finish of the footpaths. In terms of securing the exact delivery timeframe for the footpaths, I also do not consider this reasonably necessary to the development. The level of open space within the site would mean that even during times of construction, the centre of the site would be void of built form and thus there would presumably remain the ability to cross the site on an informal basis as existing. Given that the paths are not formal rights of way I consider it would be unreasonable to control trigger points for delivery. It should be noted that this was the approach taken in the extant reserved

matters approval and therefore to insist on additional details through this application would be overly onerous.

The comments of the Rights of Way Officer can largely be included as an informative to any forthcoming decision. It is however considered relevant to make explicit reference to the retention of the intended linkages in the landscaping implementation condition if permission is forthcoming.

Impact on Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy DM7 states that new development should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network.

The NPPF incorporates measures to conserve and enhance the natural and local environment and requires outlines a number of principles towards the contribution and enhancements of the natural and local environment within Chapter 15.

The application has been accompanied by an Ecological Impact Assessment dated October 2019. This report acknowledges the presence of the site within the buffer zone for the possible Sherwood Forests potential Special Protection Area (pSPA). The report also acknowledges that the site has been recently designated a local site of nature conservation as Bilsthorpe Grassland on account of the assemblage of butterflies it is reported to supported.

Local Wildlife Sites are afforded protection due to their substantive nature conservation value. Their selection takes into consideration the most important, distinctive and threatened species and habitats within a national, regional and local context, making them some of our most valuable urban and rural wildlife areas.

Ordinarily this would potentially amount to a factor to resist the development of the site in principle. However, as is rehearsed through the reserved matters submission application which remains extant, it appears that the LWS was designated just after the original outline application was approved. On that basis, Officers at the time did not consider it reasonable to resist the reserved matters application on ecological grounds subject to consideration of the potentially present species in the landscaping proposed. Given the extant permission for development, it follows for this application that the designation of the LWS should not result in a refusal of the application in its own right. The large areas of open landscaped space allow for measures to enhance the wildlife value of the undeveloped areas of the site where possible. These measures could be secured by suitably worded condition if permission were to be otherwise forthcoming. The ecological position is not considered to have materially changed since the time of the reserved matters approval and therefore there is no justification to resist the application against Core Policy 12 of Policy DM7.

Impact on Flood Risk and Drainage

The site is within Flood Zone 1 in its entirety according to the Environment Agency maps. There is an area within Flood Zone 3 to the south of the site but this is outside of the application boundary.

NCC Flood have required the application and raised no objection subject to the exact surface water drainage details being agreed through condition which has been agreed by the agent.

Developer Contributions

It is referenced throughout the report that the extant approvals on the site arose purely from a time where the LPA were taking a pragmatic approach to development outside of settlement boundaries. This approach was only adopted where the development was otherwise policy compliant (i.e. could deliver the full suite of developer contributions envisaged / required by the Developer Contributions Supplementary Planning Document).

The current submission includes a draft heads of terms which details the contributions which the developer is now promoting. It is notable that the figures referred to in most aspects (i.e. library; outdoor sports; health; children and young people) are the exact same figures that were secured for 113 dwellings. Clearly this application now seeks for an additional 7 no. dwellings and therefore the figures would need to be uplifted to reflect this. The agent is agreeable to this in principle. Despite the original comments of NCC Education which suggested they would be seeking a contribution, it has since been confirmed that in the context of the extant permission which did not require a contribution it would not be required for the current scheme to make a contribution either (albeit this is following clarification with NCC that this scheme would be delivered on the same timeframe).

What is more fundamental to the current application is that the affordable housing secured by the extant approvals is now intended to be entirely different.

The extant legal agreement secured 30% on site affordable housing as follows:

Tenure Mix	No. of units
1 bed affordable rent	6
2 bed affordable rent	10
3 bed affordable rent	4
2 bed intermediate / shared ownership	8
3 bed intermediate / shared ownership	6
Total	34

The heads of terms for the current submission seeks the application to be determined on the basis of the provision of 36 no. 'low cost homes' as defined in sub section d) of the affordable housing definition in the NPPF (Annex 2: Glossary):

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

This approach does not reflect the split of affordable housing provision sought by Core Policy 1 of Core Strategy which seeks 60% Affordable Rent and 40% Affordable Home Ownership. The proposal is therefore very clearly contrary to the Development Plan in this respect.

This has been subject to careful consideration and indeed discussion with colleagues in both the Planning Policy team and Strategic Housing team. The difficulty in assessment arises from a number of factors which are explored below.

On the face of it, the proposal is contrary to Core Policy 1 and should be refused on this basis. However, taking this through to an appeal process (which is highly likely in Officers view given previous discussions with the applicant), the LPA would be required to defend the refusal with appropriate evidence. The concern of Officers is that Core Policy 1, even though it was adopted in 2019, does not refer to *all* of the definitions of Affordable Housing within the NPPF (i.e. including criteria d) on which the current application relies). The policy is based on an evidence base from 2014 which is due to be updated in June 2020. Thus the applicant would have a case to make that our current evidence base is out of date and ultimately the LPA have no evidence to demonstrate that low cost homes as defined by the NPPF are not needed. In Officers view this leaves a position where there is doubt to the specific affordable housing type that is required. This in turn leads to doubt in the context of defending an appeal on this basis. Clearly the type of the low cost affordable housing proposed would still need to be carefully controlled by a Section 106 agreement to ensure that it truly meets the definition of the NPPF (and does not simply become a help to buy product).

It is unfortunate that the proposal does not represent a mix of affordable housing products but this again does not in Officers submission represent justifiable grounds for refusal in the absence of the appropriate and up to date evidence to defend such a reason.

To clarify, any approval would be accompanied by a Section 106 which secures the contributions as outlined in Appendix 1. As with the extant approval, following review of the Playing Pitches Strategy, the Western area of the District has spare capacity for playing pitches even in the context of future demand with the expectation of youth pitches 11v11 where there is currently spare capacity but future demand would leave a shortfall of 0.5 pitches. Based on Sports England costs the contribution for 0.5 of a youth pitch would be £35,000. The remainder of the pitch could be built out with contributions from other allocated sites which are coming forward. Given that this cost is based on actual costs rather than projected costs per person, there is no requirement to uplift from the existing S106.

Other Matters

The application submission includes an Economic Benefits Report dated September 2019. This document includes a number of figures stated as being accountable to the development including £10.2 million spent on labour and services in construction; £193,534 additional annual Council Tax; and 126 sustained or created direct jobs. These figures have not been explicitly verified but there is no dispute that residential development makes a significant contribution to all tiers of the economy. To clarify the benefits of the scheme as detailed are considered to weight positively in the overall planning balance undertaken below.

The previous applications on the site have been subjected to conditions requiring the completion of archeological works. The current submission has submitted the same report (by pre-construct geophysics dated July 2017) which was submitted to discharge the condition in October 2017.

Nevertheless, at time of the discharge of condition application, further details were negotiated in respect to the archeological methodology. Notwithstanding this, comments received from NCC on the current application have suggested further archeological works are necessary. The agent has agreed that they would be amenable to a condition to submit these works at a later date.

The consultation section above details the request for numerous conditions by Environmental Health Officers namely in relation to construction works. Some of these, such as the production of a construction management plan are considered reasonable. However, it is not considered reasonable to separately condition dust measures as this could fall within the management plan. Equally, the request for noise surveys on the basis of the operations of the Strawsons site which is over 200m away from the site boundary is not considered reasonably necessary (and has never been requested for applications on this site in the past).

NCC Comments include a request for a contribution to be made towards the upgrade of four bus stops in the vicinity of the site. In the previous applications this was dealt with by condition which Officers consider to be a more reasonable approach as it would be more accurate to the costings of the improvements. A similar condition to that imposed on the original outline application could therefore be imposed.

The latest set of plans include a star annotation within each plot to show a potential positioning for bin storage either to the rear or the side of the plots. This would clearly be a preference to bins being placed forward of principle elevations albeit in a number of instances occupiers would have to walk the bins through their garages. In reality therefore, the indicated bin storage locations (which are not intended to be actual covered areas) may not be the most practical solutions. Nevertheless, they do at least demonstrate a capability for bins to be hidden from view in the most part which would also be desirable for occupiers. Given that it is not expected for the bins to be within formal structures, it is not considered necessary to seek further details of bin storages by condition.

Overall Balance and Conclusion

The proposal for 120 dwellings in the open countryside represents a departure from the Development Plan. However, as is detailed above, there are material considerations which must be taken into account in this determination. Specifically, until December 2020, there is an extant reserved matters application which would allow the erection of 113 dwellings. Whilst the current proposal would give an additional 7 units, the actual perceivable impact of these additional units would be limited in the context of the overall site. In order to realise the intentions of the original approval, which was given at a time when the LPA could not confidently demonstrate a five year housing land supply, any subsequent approval would have to be conditioned to allow commencement no later than December 2020.

The above appraisal details other compromises with the scheme in comparison to the extant approval, notably the housing mix which now presents only one type of affordable housing (albeit meeting the definition of affordable housing in the NPPF). As is detailed above, the LPA do not hold sufficient evidence at this time to demonstrate that low cost affordable housing is not needed in the District and therefore it is not considered defensible to resist the application on this basis. All other matters remain broadly the same as the extant approval on the site. Taking all matters into account, and attaching significant weight to the meaningful contribution towards the Districts housing supply in the short term, the balance is tipped towards approval. As with the extant approval, this rests on the basis of a Section 106 to secure appropriate contributions as

outlined at Appendix 1.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons shown below and subject to the applicant entering in to a legal agreement to secure the contributions outlined in Appendix 1.

Conditions

01

The development hereby approved shall be commenced no later than 7th December 2020.

Reason: In acknowledgement of the fall-back position which exists and to expedite the contribution towards the Districts housing supply.

02

The development hereby approved shall be carried out in accordance with the following plans unless otherwise agreed through a non material amendment:

- Site Location Plan – 1047-2/6- received 21st January 2020;
- 201 Dwelling Type – 201/1G dated July.10;
- 212 Dwelling Type – 212/1- dated Feb 16;
- Detailed Landscaping Proposals – 1 of 4 – 2971/1 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 2 of 4 – 2971/2 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 3 of 4 – 2971/3 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 4 of 4 – 2971/4 Rev. K received 22nd January 2020;
- Landscape Management Specification – Rosetta Landscape Design dated 2019;
- 301 Dwelling Type – 301/1H dated July.10;
- 303 Dwelling Type – 303/1E dated July.10;
- 304 Dwelling Type – 304/1E dated July.10;
- 309 Dwelling Type – 309/1E dated Jun.11;
- 311 Dwelling Type – 311/1B dated Dec.13;
- 313 Dwelling Type – 313/1- dated Feb 2016;
- 314 Dwelling Type – 314/1- dated Feb 2016;
- 315 Dwelling Type – 315/1A dated May.18;
- 410 Dwelling Type – 401/1G dated July.10;
- 403 Dwelling Type – 403/1J dated July.10;
- 405 Dwelling Type – 405/1E dated July.10;
- 1800mm High Close Boarded Timber Fence – 0282 SD-100 Rev. F dated 13.04.11;
- 1800mm High Timber Fence with 300mm Trellis – 0282 NSD104 Rev C dated 16.05.19;
- 1200mm High Timber Fence – 0282 Rec. C NSD105 dated 16.05.19;
- Detached Single Garage Details – 0282 SD 700 Rev. C dated 22.08.12;
- Detached Double Garage Details – 0282 SD 701 rev. D dated 22.08.12;
- Planning Layout – Sheet 1 of 2 – 1047-2/3H received 21st January 2020;
- Planning Layout – Sheet 2 of 2 – 1047-2/4H received 21st January 2020;

Reason: To define the permission.

03

The development hereby permitted shall be carried out with the Materials Schedule received 15th October 2019 unless otherwise agreed in writing through a non-material amendment or subsequent Section 73 application.

Reason: In the interests of visual amenity.

04

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved JOC Consultants Flood Risk Assessment (FRA) 18/035.01 Rev 02 dated 23 September 2019, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

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

05

The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved 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 reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

06

No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the construction period:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of oils, fuels, chemicals, plant and materials used in constructing the development
- The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing
- Wheel-wash washing facilities and road-cleaning arrangements
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from site preparation and construction works
- Measures for the protection of the natural environment
- Hours of work on site, including deliveries and removal of materials
- Full details of any piling technique to be employed, if relevant
- Location of temporary buildings and associated generators, compounds, structures and enclosures, and
- Routeing of construction traffic.
- Measures to limit noise emissions from the site and from plant machinery

For the avoidance of doubt, the CEMP details should demonstrate that:

- The hours of operation on site will be limited to Monday to Friday 08:00 to 18.00hrs, 08:00 to 13.00hrs Saturday and no works on site on Sundays/Bank Holidays.
- No deliveries shall be received or dispatched from the site outside the hours of Monday to Friday 08:00 to 18.00hrs, Saturday 08.00 to 13.00 hrs nor at any time on Sundays and Bank Holidays.
- No piling to be undertaken or vibrating rollers to be used on site Saturday, no works Sundays or Bank Holidays. The local Authority should be notified of any Piling technique to be employed on site in advance.

Reason: To protect the amenity of the locality, especially for people living and/or working.

07

No development shall be commenced until a scheme for archaeological investigation, mitigation and recording has been submitted to and agreed in writing by the Local Planning Authority. Thereafter works shall take place in accordance with the agreed scheme.

Reason: In order to adequately address and safeguard any archaeological interest that the site may have.

08

To avoid negative impacts to nesting birds, any clearance works of vegetation on site should be conducted between October to February inclusive, outside the bird breeding season. If works are conducted within the breeding season, between March to September inclusive, a nesting bird survey must be carried out by a qualified ecologist prior to clearance. Any located nests must then be identified and left undisturbed until the young have left the nest.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2019).

09

No part of the development hereby permitted shall be brought into use unless or until a scheme to upgrade the four bus stops in the vicinity of the site (NS0032, NS0595, NS0596 and NS0599) has been submitted to an approved in writing by the LPA. The approved scheme shall be fully implemented prior to occupation of any dwelling or in accordance with a phasing plan which shall be first agreed in writing by the LPA. For the avoidance of doubt the submitted scheme shall include real time bus stop poles & displays including associated electrical connections, solar lighting, raised boarding kerbs and enforceable bus stop clearways.

Reason: To promote sustainable travel.

10

Any access taken from Allandale and/or The Crescent shall serve no more than 12 dwellings in each case, unless otherwise agreed in writing with the LPA.

Reason: To restrict further development being served from a standard of existing access that would not support a significant increase in traffic; in the interests of safety.

11

Prior to the occupation of any plot hereby approved, the boundary treatments for that plot, as shown on plan references Planning Layout – Sheet 1 of 2 – 1047-2/3H received 21st January 2020 and Planning Layout – Sheet 2 of 2 – 1047-2/4H received 21st January 2020 (with associated details on plan references 1800mm High Close Boarded Timber Fence – 0282 SD-100 Rev. F dated 13.04.11; 1800mm High Timber Fence with 300mm Trellis – 0282 NSD104 Rev C dated 16.05.19; and 1200mm High Timber Fence – 0282 Rec. C NSD105 dated 16.05.19) shall be implemented on site in full. The approved boundary treatments to the southern boundaries (i.e. the 1.8m fences with trellis on top) shall thereafter be retained for a minimum period of 10 years unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity, particularly in respect to softening the landscape impacts of the built form from the open countryside to the south.

12

The landscaping details shown on the following plan references:

- Detailed Landscaping Proposals – 1 of 4 – 2971/1 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 2 of 4 – 2971/2 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 3 of 4 – 2971/3 Rev. K received 21st January 2020;
- Detailed Landscaping Proposals – 4 of 4 – 2971/4 Rev. K received 22nd January 2020;

shall be carried out in full within 12 months of the first occupation or a period agreed subsequently in writing by the Local Planning Authority. The landscaping shall be maintained in accordance of the details within the 'Landscape Management Specification – Rosetta Landscape Design dated 2019'. For the avoidance of doubt, the mown paths shall be retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority. Any trees shown to be retained shall for a minimum of five years unless they become otherwise diseased or damaged and their removal is agreed in writing by the local planning authority.

Reason: To enhance and protect the landscape value and biodiversity of the site.

13

The development hereby approved shall not be occupied until a draft information leaflet to be distributed to all occupiers within the development regarding the ecological value of the local area and the sensitivities of woodlark and nightjar, requesting that dog walking after dusk, during the breeding season within the key areas for nightjar, is avoided. Once approved by the local planning authority in consultation with the Nottinghamshire Wildlife Trust, the information leaflet shall form part of the 'welcome pack' to be distributed by the developer of the site to each new and / or returning occupier.

Reason: In order to protect biodiversity in the District in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2019).

14

Prior to any development above damp proof course level, details of bat boxes and bird nest boxes to be placed on either retained trees or new housing on the perimeters near to hedge/tree lines and a timetable of implementation shall be submitted to and approved in writing by the District Council. Once approved the bat boxes and bird nest boxes shall be erected in accordance with the approved details.

Reason: In order to enhance habitats on the site in accordance with the aims of Paragraph 118 of the National Planning Policy Framework (2012).

15

The area in front (highway side) of the access visibility splays related to plot 92, shown on drawing Planning Layout – Sheet 1 of 2 – 1047-2/3H received 21st January 2020, must be kept clear of any obstruction, structure, erection or planting exceeding 0.6m.

Reason: In the interests of highway safety.

16

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.).

17

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. Details of the garage doors shall be first submitted to and agreed in writing with the LPA.

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.

18

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

01

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.

02

The Rights of Way team would like the applicant to be advised as follows:

- The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path.
- There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.
- The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.
- The existing boundary hedge/tree line directly bordering the development and the right of way is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.

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'

03

You are advised to consider whether there are opportunities to incorporate innovative boundary measures to restrict public access and cat access to the areas important for woodlark and nightjar when submitting details relating to the reserved matters.

04

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application forms for diversions from either our website (www.stwater.co.uk).

05

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. Please contact david.albans@nottsccl.gov.uk for further details.

06

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 2015 (as amended).

BACKGROUND PAPERS

Application case file.

For further information, please contact Laura Gardner on extension 5907.

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

Lisa Hughes

Business Manager – Growth and Regeneration

Committee Plan - 19/01858/FULM



