

**Conditions for Fernwood 17/01266/OUTM**

Commencement	01	<p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved on any phase, whichever is the later.</p> <p>Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
Time Period	02	<p>The reserved matters application for the first phase or sub phase of the development shall be made to the Local Planning Authority before the expiration of two years from the date of this permission and all subsequent reserved matters applications shall be submitted before the expiration of seven years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
The Reserved Matters	03	<p>Details of the appearance, landscaping, layout (including internal accesses) and scale ('the reserved matters') for each phase or sub phase of the development pursuant to Condition 4 (Phasing) of the development shall be submitted to and approved in writing by the local planning authority before development in that phase or sub phase begins and the development shall be carried out as approved.</p> <p>Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal to comply with the requirements of Section 92 of TCP Act 1990, as amended by Section 51 of the Planning &amp; Compulsory Purchase Act 2004 and in the interests of highway safety, sustainable travel and highway capacity issue.</p>
Phasing	04	<p>The development hereby approved shall be implemented in accordance with the Indicative Phasing Plan (drawing no. PP-02) and each reserved matters application shall be accompanied by an up to date phasing plan and phasing programme which includes details as follows:</p> <ul style="list-style-type: none"> <li>I. Site accesses and major internal infrastructure including internal roads, pedestrian and cycle crossings, footpaths and cycleways;</li> <li>II. Confirmation of the timescale for the implementation of the off-site highway infrastructure including highway improvements/traffic management and any restoration;</li> </ul>

		<p>III. Timing and delivery of the associated green infrastructure (as indicated on the Green Infrastructure Strategy drawing no. JBA 16/268 Figure 7.21) with that phase (including public open space, allotments, NEAPs, LEAPs and associated parking facilities).</p> <p>unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the site is developed in a satisfactory manner and for the avoidance doubt.</p>
Plans	05	<p>Reserved matter submissions for any phase or any use shall be substantively in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• Illustrative Master Plan (drawing no. MP-02)</li> <li>• Proposed Access Roundabout (drawing no. FRN-BWB-GEN-XX-DR-TR-001 Status S2 Rev. P1)</li> <li>• Green Infrastructure Strategy (drawing no. JBA 16/268)</li> <li>• Illustrative Landscape Masterplan for Plots and POS (drawing no. JBA 16/268-SK01)</li> <li>• Application Site Boundary (drawing no. Master01)</li> <li>• Phasing Plan (drawing no. PP-02)</li> </ul> <p>unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the site is developed in a satisfactory manner and for the avoidance doubt.</p>
Design Statement to accompany RMA	06	<p>Each reserved matters application shall be broadly in accordance with the Illustrative Master Plan (drawing no. MP-02) and the approved Design and Access Statement dated June 2017, subject to revisions agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure consistency with the Masterplan and Design and Access Statement and ensure the site is developed in a satisfactory manner.</p>
Overarching Construction Environmental Method Statement	07	<p>No development shall take place on any phase or sub phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by, the local planning authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall set the overall strategies for:</p> <ul style="list-style-type: none"> <li>• the parking of vehicles of site operatives and visitors;</li> <li>• loading and unloading of plant and materials;</li> </ul>

		<ul style="list-style-type: none"> <li>• storage of plant and materials used in constructing the development;</li> <li>• the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</li> <li>• wheel and vehicle body washing facilities;</li> <li>• provision of road sweeping facilities;</li> <li>• measures to control the emission of noise, dust and dirt during construction</li> <li>• a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>• the means of access and routing strategy for construction traffic;</li> <li>• details of construction traffic signage;</li> <li>• a strategy to control timings of deliveries to avoid the morning and evening peak travel times (such as being co-ordinated by a logistics manager in order to prevent queuing on the surrounding highway network);</li> <li>• a construction Travel Plan;</li> <li>• management of surface water run-off, including details of a temporary localised flooding management system;</li> <li>• the storage of fuel and chemicals;</li> <li>• the control of temporary lighting;</li> <li>• measures for the protection of retained trees, hedgerows and watercourses;</li> </ul> <p>Reason: To ensure appropriate mitigation for the impact on residential amenity caused by the construction phases of the development and to reflect the scale and nature of development assessed in the submitted Environmental Statement and to accord with the objectives of the NPPF and Newark and Sherwood Core Strategy Policies CP9, CP12, CP13 and NAP2C and in line with the ES.</p>
Site Waste Management Plan	08	<p>No development shall be take place on any phase or sub phase until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall set out the volumes and types of waste that are likely to be produced during the development within that phase or sub phase and shall set out actions for the recycling, recovery, re-use and disposal of each waste stream. The development within that phase or sub-phase shall thereafter be carried out in full accordance with the approved SWMP.</p> <p>Reason: In the interests of the environment.</p>
Phased Archaeology	09	<p>No development shall take place within any phase or sub phase pursuant to Condition 4 until an Archaeological Written Scheme of Investigation (WSI) for the relevant phase or sub phase is submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved WSI unless</p>

		<p>otherwise agreed in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none"> <li>• the results of the geophysical survey</li> <li>• the statement of significance and research objectives</li> <li>• the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</li> <li>• the programme for further mitigation, post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material.</li> </ul> <p>Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of significant archaeological remains of the site and to accord with the with the objectives of the NPPF and Newark and Sherwood Core Strategy Policies CP14 and NAP2C.</p>
Overarching, Removal of hedgerow	10	<p>No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive. Where this is not possible, areas should be cleared of vegetation only if they have first been surveyed by a suitably qualified ecologist and the area has been found to be clear of nests immediately prior to the destructive works commencing and these findings have been submitted to and confirmed in writing by the Local Planning Authority. If an active nest is identified, confirmation of this shall be submitted to and confirmed in writing by the Local Planning Authority then the area will need to be retained until the young have been deemed, by a suitably qualified ecologist, to have fledged and a five meter buffer around the nest should be maintained. Only once this has happened can the area be cleared from site.</p> <p>Reason: To safeguard protected species and to accord with the objectives of the NPPF and Newark and Sherwood Core Strategy Policies CP12 and NAP2C.</p>
Update of Tree Survey and Mitigation	11	<p>Prior to commencement of development in any phase or sub phase pursuant to Condition 4, an updated Arboricultural Survey and Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall include measures to protect trees and hedgerows to be retained within that phase or sub phase and details of mitigation measures where necessary. The approved mitigation measures shall be implemented on site in accordance with an agreed timetable and shall be retained during the development of the site, unless otherwise agreed in writing by the local planning authority.</p> <p>Any trees/shrubs (planted by way of mitigation) which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority.</p>

		Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation in line with the measures identified in the Addendum to the AIA.
Both strategic landscaping and landscaping of individual plots	12	<p>The first reserved matters submission for the landscaping of each phase (as required by condition 3) shall include the submission of a updated Landscape Masterplan and full details of both hard and soft landscape works (both in the public realm/strategic landscaping works and for individual plots) for that phase and a programme for their implementation. This submission shall include:</p> <ul style="list-style-type: none"> <li>• Provision for hedgerows and tree planting in line with Illustrative Landscape Masterplan for Plots and POS (drawing no. JBA 16/268-SK01) or any updated version that shall be agreed through the relevant reserved matters approval</li> <li>• Hard landscaping details which shall include car parking layouts and materials, materials for other vehicle and pedestrian access and circulation areas, minor artefacts and structures for example, furniture, refuse or other storage units, signs, lighting etc.</li> <li>• Soft landscaping details which shall include planting plans, written specification (including cultivation and other operations associated with plant and grass establishment) and schedules of plants, including species, numbers and densities together with clear annotations as to existing trees and hedgerows that would be retained plus proposed finished ground levels or contours. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.</li> </ul> <p>Reason: In the interests of visual amenity and biodiversity, to ensure that trees and hedgerows to be lost as a result of development is properly and commensurately mitigated with replacements, to reflect the scale and nature of development addressed in the Environmental Statement and to ensure accordance with the objectives set out in the NPPF and the Newark and Sherwood Core Strategy Policies CP12, CP13 and NAP2C.</p>
Implementation scheme for landscaping	13	<p>All hard and soft landscape works for each phase or sub phase shall be carried out during the first planting season following commencement of that phase/ in accordance with the approved implementation and phasing plan for each phase including as approved by the associated reserved matters approval. The works shall be carried out before any part of the phase or sub phase is occupied or in accordance with a programme which shall first be agreed in writing with the local planning authority.</p> <p>Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.</p>
Phased Update of	14	Prior to commencement of development within any phase or sub phase pursuant to Condition 4, a scheme to update the

Ecological Surveys and Mitigation		<p>Extended Phase 1 Habitat Survey and any associated protected species surveys will be submitted to and approved in writing by the Local Planning Authority. The updates shall then be provided in accordance with an agreed timetable. Where protected species are identified as being present on site, a scheme of mitigation shall be submitted to and approved in writing by the Local Planning Authority. This scheme of mitigation shall include a working design, method statement and timetable of works to mitigate any adverse effects to protected species. The mitigation measures should follow the principles of Section 6 of the Great Crested Newt Survey Report dated July 2017 and carried out by Lockhart Garratt and para. 5.5 of the Reptile Survey Report dated August 2017 and carried out by Lockhart Garratt. The development shall be implemented in accordance with the approved schemes unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that decisions regarding the details of the scheme are made in accordance with up to date ecological information and so that any mitigation which may be required can be put in place in a timely manner in the interests of ecology and to accord with the objectives of the NPPF and Newark and Sherwood Core Strategy Policies CP12 and NAP2C.</p>
Phased Update of Tree Survey	15	<p>The first reserved matters application for each phase pursuant to Condition 4, that involves any works to trees and/or hedgerows shall be accompanied by an updated Tree Survey and Arboricultural Impact Assessment (AIA).</p> <p>Reason: To ensure that decisions regarding the details of the scheme are made in accordance with up-to-date arboriculture information and to accord with the objectives of the NPPF and Development Plan policies CP12 and NAP2C.</p>
Habitat Creation & Management Plan	16	<p>No development shall be commenced in respect of each phase or sub phase pursuant to Condition 4, unless a detailed Habitat Creation and Management Plan associated with that phase or sub phase has been submitted to and approved in writing by the Local Planning Authority. The Habitat Creation Plan may form part of the Construction Environmental Management Plan (identified at condition 07) and shall include details of the following within each phase, as appropriate:</p> <ul style="list-style-type: none"> <li>• The location and extent of all new habitats including all works required for the creation;</li> <li>• For the creation of new habitats, these details shall identify target habitats with reference to the Nottinghamshire Local Biodiversity Action Plan and shall include details of all tree, woodland, scrub and hedgerow planting, and wetland and grassland establishment, and will provide information regarding ground preparation; cover material; soil profiles; sources of tree and shrub stock (which should be of local provenance – seed zone 402 or 403), seed mixes for grassland, woodland and wetland areas (to be used in grassland establishment methods, and which shall be of certified native origin); proportions; size; spacing; positions; densities; sowing rates; methods of</li> </ul>

		<p>establishment; areas left for natural regeneration; creation of wetland areas; and fencing off of planting areas. For the management of created and retained habitat, these details shall include the identification of management objectives; annual work programmes; and monitoring</p> <ul style="list-style-type: none"> <li>• Measures to enhance retained habitats;</li> <li>• How public access will be controlled to limit disturbance to wildlife;</li> <li>• Ecological enhancements to include bird, bat boxes and the creation of artificial hibernaculae for reptiles at appropriate points within the site which should offer immediate enhancements and longer term enhancements where appropriate;</li> <li>• Opportunities to enhance the proposed drainage features on site to benefit biodiversity;</li> <li>• Details of a habitat management plan for existing and new habitats during the establishment phase including details/arrangements for on-going management and monitoring for not less than 5 years;</li> <li>• An implementation timetable for all elements.</li> </ul> <p>The approved Habitat Creation and Management Plan shall be implemented on-site as approved, in accordance with the agreed timetable unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To safeguard protected species and their habitats and in order to provide ecological enhancements in a timely manner in line with the CP12, NAP2C of the Development Plan and the advice contained in the NPPF as well to take account of the Nottinghamshire Local Biodiversity Action Plan.</p>
Operational phase external lighting scheme to accompany RMA	17	<p>First applications for reserved matters approval for each phase shall be accompanied by a detailed external lighting scheme (for the operational phase) designed to ensure the impacts of artificial light are minimised and that light spill onto retained and created habitats, particularly around the site periphery and green corridors through the site are avoided. Any security lighting / floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The details of any such lighting shall be submitted to and approved by the Local Planning Authority (together with a lux plot of the estimated luminance). The development shall proceed within each phase or sub phase in accordance with the agreed external lighting scheme.</p> <p>Reason: This condition is necessary to ensure that the impacts of external lighting on nocturnal wildlife, particularly bats are minimised in accordance with CP12 and the NPPF and to protect drivers from uncontrolled light sources near the public highway.</p>
Foul Sewage Disposal	18	<p>No development shall be commenced within each phase or sub phase (pursuant to Condition 4) until drainage plans for the disposal of foul sewage for that phase or sub phase have been submitted to and approved in writing by the Local</p>

		<p>Planning Authority. The scheme for each phase or sub phase shall be implemented in accordance with the approved details before the development in that phase or sub phase is first brought into use.</p> <p>Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce of creating or exacerbating a flooding problem and to minimise the risk of pollution.</p>
<p>Detailed Surface Water Drainage Scheme as required by LLFRA and STW</p>	<p>19</p>	<p>No development shall be commenced within each phase or sub phase pursuant to Condition 4 until a detailed surface water drainage scheme for that phase or sub-phase, in accordance with the approved Flood Risk Assessment and based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. In addition to dealing with surface water drainage this scheme shall also be designed to maximize biodiversity opportunities. The scheme shall subsequently be implemented prior to first occupation of any dwelling within that Phase or sub phase unless otherwise agreed in writing with the Local Planning Authority. The scheme to be submitted shall include the following:</p> <ul style="list-style-type: none"> <li>• Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;</li> <li>• Detailed site levels designs for the site. This information should be accompanied by a contour plan and a flood routing plan. The site should be designed to retain all surface water flows within the site and route these to the attenuation ponds. Flows crossing the site boundary onto 3<sup>rd</sup> party land are not acceptable.</li> <li>• Detailed drainage layout including building/plot drainage where possible. This is to include a fully referenced network plan with supporting calculations and documentary evidence of infiltration coefficients if used. The performance specification should follow the guidance within Sewers for Adoption 6<sup>th</sup> edition (or any later edition as may be published) in terms of the criteria for pipe-full flows, surcharge and flooding;</li> <li>• Full drainage simulation outputs to demonstrate that the drainage system can fulfil the design criteria and that failure of the drainage system during short-duration high-intensity events does not automatically mean that properties flood. The management of accumulations of water on the site should be clearly defined and the potential flow routes considered. The designers should consider how exceedance flow routes may be maintained and not blocked by fences, garden sheds and the like. In this regard they should be designed where possible to avoid reliance on 3<sup>rd</sup> party properties and should use public open space and highways.</li> <li>• All infiltration areas with supporting specification, calculations and construction details where applicable.</li> <li>• Attenuation pond/tank details including volumetric calculations, geotechnical &amp; slope-stability calculations as appropriate, specification of materials used to construct any berms.</li> </ul>



		<ul style="list-style-type: none"> <li>• Full specification &amp; general arrangement drawings for inlet/outlet structures and flow control structures. The details should also include the access arrangements for clearing and maintenance including in times of flood/failure of the infrastructure.</li> <li>• Full documentary evidence for consideration by the LPA/LLFA legal advisors of the rights to discharge to any watercourse.</li> <li>• All calculations should be provided using contemporary drainage software (Windes or similar). If possible electronic files should be provided to support paper and pdf outputs. Information can be provided in common software packages and formats including PDS, Windes, xyz, genio, word/excel/autocad etc. All documents should be referenced with a unique identifier – drawing number, document number/revision etc. Calculations and drawings should be cross-referenced and issue sheets provided to enable tracking of revisions to information;</li> <li>• Timetable for its implementation;</li> <li>• Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.</li> </ul> <p>Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.</p>
FRA	20	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment at Land South of Hollowdyke Lane Fernwood by Larkfleet Homes dated June 2017 for the proposed residential development of 350 units and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> <li>1. The finished floor level shall be set as per the drawing titled “Provisional Foul and Surface Water Drainage Strategy Sheet 2 of 2” (Drawing Number MA10402/200-2) unless otherwise agreed in writing by the LPA.</li> <li>2. All dwellings within flood zones 2 and 3 should be two storey dwellings.</li> <li>3. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</li> </ol> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants.</p>

FFL Condition	21	<p>Each reserved matters application (that involves the erection of dwellings) shall be accompanied by details of the proposed finished floor levels of the proposed residential dwellings. The development shall thereafter be carried out in accordance with the approved finished floor levels. For the avoidance of doubt, the finished floor level shall be set no lower than the drawing titled "Provisional Foul and Surface Water Drainage Strategy Sheet 2 of 2" (Drawing Number MA10402/200-2) unless otherwise agreed in writing by the LPA.</p> <p>Reason: To reduce flood risk to the proposed development.</p>
Suspended Solids Condition	22	<p>Prior to the commencement of any phase or sub phase (pursuant to Condition 4) of the development hereby approved a scheme detailing treatment and removal of suspended solids from surface water run-off during construction works shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented within that phase or sub phase as approved.</p> <p>Reason: To reduce the risk of surface water pollution.</p>
Highways England Conditions	23	<p>No more than 100 dwellings of the proposed development hereby approved shall be occupied until improvements to the B6326 / Goldstraw Lane roundabout in broad accordance with that shown in Waterman drawing Goldstraw Lane Roundabout dated 24/07/2015 are submitted to and agreed by the Local Planning Authority in consultation with Nottinghamshire County Council (acting as Local Highway Authority) and Highways England, subject to Detailed Design and Road Safety Audit, and are complete and open to traffic.</p> <p>Reason: To ensure that the A1 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, in the interests of road safety.</p>
	24	<p>No more than 100 dwellings of the proposed development hereby approved shall be occupied until improvements to the A1 / B6326 junction in broad accordance with that shown in Milestone drawing 14106/037 are submitted to and agreed by the Local Planning Authority in consultation with Nottinghamshire County Council (acting as Local Highway Authority) and Highways England, subject to Detailed Design and Road Safety Audit, and are complete and open to traffic.</p> <p>Reason: To ensure that the A1 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, in the interests of road safety.</p>

NCC Highway Conditions	25	<p>No part of the development hereby permitted shall take place until details of the new development road layout intended for adoption have been submitted to and approved in writing by the Local Planning Authority including drainage and outfall proposals. The development shall be implemented in accordance with the agreed details to the satisfaction of the Local Planning Authority. Such details shall include for potential bus routes, and full access connections with Hollowdyke Lane and adjacent land to the south.</p> <p>Reason: To ensure the development is constructed to adoptable standards.</p>
	26	<p>No more than 300 dwellings forming part of the development hereby approved shall be occupied unless and until a road link catering for vehicles and pedestrians is constructed in accordance with a scheme which shall first be submitted to and approved in writing by the LPA and made available for public use between Hollowdyke Lane and the B6326 Great North Road.</p> <p>Reason: To provide connectivity and permeability between areas of development and promote sustainable travel.</p>
	27	<p>No more than 100 dwellings forming part of the development hereby approved shall be occupied unless and until improvements to the B6326 Great North Road between the main access roundabout and the Dale Way junction have been made to reduce the carriageway to 7.3m, provide street lighting, and a cycle/footway on the east side of the B6326 in accordance with details to be first submitted to and agreed in writing by the LPA.</p> <p>Reason: To promote sustainable travel.</p>
	28	<p>No more than 300 dwellings forming part of the development hereby approved shall be occupied unless and until improvements to the B6326 Great North Road/London Road/A1 Slip Road have been made to improve capacity in accordance with details to be first submitted to and agreed in writing by the LPA, but shown <i>indicatively</i> on Waterman's drawing 210354-010.</p> <p>Reason: In the interests of highway safety and capacity.</p>
	29	<p>No more than 20 dwellings on the development hereby approved shall be occupied unless a pair of bus stops are installed on Great North Road to the satisfaction of the Local Planning Authority and shall include a bus stop pole and</p>

		<p>flag, a raised boarding kerb, polycarbonate bus shelter, additional hardstanding (if required), solar lighting, real time information display and associated electrical connections and an enforceable bus stop clearway.</p> <p>Reason: To promote sustainable travel.</p>
Travel Plan	30	<p>No development shall commence within each phase or sub phase until a scheme of implementation for the details within the 'Transport &amp; Infrastructure Planning Residential Travel Plan' dated June 2017 has been submitted to an approved in writing by the local planning authority. The Travel Plan shall be updated if required as part of each Reserved Matters submission for each phase or sub phase of development. The scheme shall be implemented as approved. For the avoidance of doubt the scheme shall include provisions for the delivery of the 'Developer Commitments' outlined by para. 7.6 of the document.</p> <p>Reason: In the interests of sustainable transport and to ensure the development takes the form agreed by the authority and thus results in a satisfactory form of development.</p>

### **Notes to Applicant**

#### 01 (Conditions)

The applicant's attention is drawn to those conditions on the decision notice, which should be discharged before the development is commenced. It should be noted that if they are not appropriately dealt with the development may be unauthorised.

#### 02 (S106)

A S106 Agreement (Planning Obligation) accompanies this permission and should be read in association with the legal agreement made under Section 106 of the Town and Country Planning Act 1990.

#### 03 Construction hours)

The developer is advised that in respect of the CEMP condition, hours of construction would be expected to be along the lines of between the hours of 07:30 and 18:00 on Mondays to Fridays; 07:30 to 13:00 Saturdays, and at no time on Sundays and Bank Holidays unless specifically agreed in writing by the Local Planning Authority beforehand.

#### 04 (NEAP expectations)

The developer is advised that in respect of the **NEAP**, it is expected that this should be provided in accordance with the specification for a 'Neighbourhood Equipped Area for Play' taken from the Fields in Trust publication 'Planning and Design for outdoor Sport and Play'.

Specifically it should include the following elements:(1) The NEAP should occupy a well-drained site, with both grass and hard surfaced areas, together with impact absorbing surfaces beneath and around play equipment or structures as appropriate; (2) it should include an activity zone of at least 1000 square metres, comprising an area for play equipment and structures, and a hard surfaced area of at least 465 square metres (the minimum needed to play 5-a-side football); (3) a buffer zone of 30 metres minimum depth should separate the activity zone and the boundary of the nearest property containing a dwelling. A greater distance may be needed where purpose-built skateboarding facilities are provided. The buffer zone should include varied planting to provide a mix of scent, colour and texture; (4) it should provide a stimulating and challenging play experience that includes equipment and other features providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, natural play, ball games, wheeled sports or other activities. There should be a minimum of nine play experiences included; (5) seating for accompanying adults and siblings should be provided, together with one or more litter bins (6) the older children's/youth element should be either through the provision of a tarmac surfaced, fenced and marked out Multi-use Games Area or a tarmac surfaced skate/wheeled sport park containing at least 4 separate ramps (7) there should be a sign indicating that the area is for children and young people's play and that dogs are not welcome. The name and telephone number of the facility operator should be provided, together with an invitation to report any incident or damage to the NEAP.

#### 05 (Highways England)

The highway mitigation works associated with this consent involves works within the public highway, which is land over which you have no control. The Highways Agency (the Agency) therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Agency's Section 278 Business Manager David Steventon to discuss these matters on [david.steventon@highways.gsi.gov.uk](mailto:david.steventon@highways.gsi.gov.uk)

#### 06 (EHO)

NSDC Environmental Health (Land Contamination) advise that an advisory booklet is available – “Developing Land in Nottinghamshire: A guide to submitting planning applications for land that may be contaminated”. This is available from Planning Services, the Proactive Team of Environmental Services or the NSDC website using the following link:

<http://www.newark-sherwooddc.gov.uk/pp/gold/viewGold.asp?IDType=Page&ID=7895>.

Prior to undertaking an intrusive site investigation the applicant is advised to consult with:

#### **Natural England**

Block 6 & 7 Government Buildings  
Chalfont Drive  
Nottingham

NG8 3SN

Tel: 0115 929 1191

Fax: 0115 929 4886

Email: [eastmidlands@naturalengland.org.uk](mailto:eastmidlands@naturalengland.org.uk)

**Heritage England**

Ancient Monuments Inspector

44 Derngate

Northampton,

NN1 1UH

Tel: 01604 735400

Fax 01604 735401

E-mail: [eastmidlands@english-heritage.org.uk](mailto:eastmidlands@english-heritage.org.uk)

**Heritage Planning Specialists**

Nottinghamshire County Council

Trent Bridge House

Fox Road

West Bridgford

Nottingham

NG2 6BJ

**Tel:** +44 (0)115 977 2162

**Fax:** +44 (0)115 977 2418

**E-mail:** [heritage@nottscc.gov.uk](mailto:heritage@nottscc.gov.uk)

to prevent damage or harm to the historic environment.

Where the presence of contamination is found or suspected the developer and/or his contractor should have regard to Health and Safety Executive guidance - "The Protection of workers and the general public during the development of contaminated land".

07 (STW)

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

#### 08 (NCC HWA)

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.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act with the Highway Authority.

#### 09 (Pro-Active)

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

#### 010 (CIL)

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.