

## PLANNING COMMITTEE – 6 OCTOBER 2020

<b>Application No:</b>	<b>20/00475/FULM</b>
<b>Proposal:</b>	<b>Residential development of 81 no. 2, 3 and 4 bed dwellings and ancillary works</b>
<b>Location:</b>	<b>Land at New Lane, Blidworth</b>
<b>Applicant:</b>	<b>Gleeson Regeneration Ltd - Mr Matt Jackson</b>
<b>Registered:</b>	<b>30.03.2020</b> <b>Target Date: 29.06.2020</b>
	<b>Extension of Time Agreed Until 08.10.2020</b>
<b>Website Link:</b>	<a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=Q7ACRDLB04M00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=Q7ACRDLB04M00</a>

**This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as Blidworth Parish Council has objected to the application which differs to the professional officer recommendation. In addition Cllr Arnold has specifically requested that the application is referred to committee on the basis of the village objections particularly regarding the highways access.**

### The Site

The application site comprises approximately 3.13 hectares of grassland currently maintained as arable farmland within the settlement of Blidworth as defined by the Proposals Map of the Allocations and Development Management DPD. There is a public footpath which crosses the site towards the south eastern corner and the designated conservation area of Blidworth abuts the southern boundary of the site. The site as existing is predominantly open with hedged boundaries. Although there is no formal vehicular access to the site, it appears that the site has been previously accessed both to the north from New Lane and from the south from Marriott Lane.

There is a significant gradient change within the site whereby the site displays a central valley. The topography of the development site falls across the site from the north to south, approximately 9 metres from New Lane to the natural bowl in the centre, before rising again to the southern boundary, reaching a high point in the south eastern corner of approximately 11 metres above the natural bowl level.

The site is on the western edge of the settlement directly adjacent to the defined Nottingham Derby Green Belt. As such land to the west is predominantly open in character. The site is otherwise surrounded by residential curtilages of varying plot sizes. The eastern boundary of the site is shared with a number of bungalows occupied by elderly residents developed and managed by Nottinghamshire Community Housing Association with on-site warden and communal facilities (at Marklew Close). These bungalows are set at a lower level than the site itself. The site is bounded by trees and hedgerows.

## Relevant Planning History

The most relevant planning history for the site is application reference **17/02326/FULM** for 99 new dwellings. The application was referred to Planning Committee in October 2018 with an Officer recommendation of approval. However, Members resolved to refuse the application for the following reason:

*The LPA are aware of the advice contained within the NPPF and NPPG with respect to both viability and sustainable development when all material planning considerations are taken as a whole. Chapter 2 of the NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development.*

*The development proposed includes numerous elements which overall represent a heavily compromised scheme. As a consequence the scheme lacks the ability to generate full and appropriate mitigation for the level of development proposed in terms of appropriate developer contributions. In addition to this, the proposal would amount to detrimental impacts to neighbouring amenity (the properties on Marklew Close); the operation of the highways network; and an overall compromised design with a dominance in places of on-street parking and a lack of appropriate hard and soft landscaping mitigation. The cumulative impact of these factors is considered to tip the planning balance towards an unacceptable scheme. Therefore, despite the site being allocated for development, the LPA consider that in this case, the detail of the scheme in the whole is contrary to the aims of sustainable development and should be refused.*

*The development is thereby contrary to Spatial Policy 6 (Infrastructure for Growth), Spatial Policy 7 (Sustainable Transport), Core Policy 1 (Affordable Housing), Core Policy 9 (Sustainable Design) and Core Policy 12 (Biodiversity and Green Infrastructure) of the adopted Newark and Sherwood Core Strategy and Policies DM2 (Development on Allocated Sites), DM3 (Developer Contributions and Planning Obligations), DM5 (Design), DM7 (Biodiversity and Green Infrastructure), DM12 (Presumption in Favour of Sustainable Development) and Policy BI/Ho/3 (Blidworth - Housing Site 3) of the adopted Allocations and Development Management DPD which together form the relevant policies of the Development Plan and does not constitute sustainable development for which there is a presumption in favour of as set out in paragraph 11 of the NPPF 2018.*

The LPA were notified of a submission of an appeal but this was not validated by the Planning Inspector within the prescribed timeframes and the period for appeal has now lapsed.

There is also planning history relating to the north eastern corner of the site:

**14/00791/OUT** - Proposed Erection of 4 Detached Dwellings (Outline Application - renewal of extant permission ref: 11/00162/OUT).

This application was permitted in July 2014 but is no longer extant on the basis that no reserved matters applications were received within three years as required by condition.

Prior to the above application the same portion of the site was also subject to refusals for similar development including one refusal (on the basis of the means of access and setting a precedent for piecemeal development) which was subsequently allowed on appeal (**11/00162/OUT**).

## The Proposal

The current application seeks full planning permission for 81 dwellings comprised of 13 different house types which make up the following housing mix:

No. of Beds	No. of Units
2	26
3	41
4	14

The majority of the house types proposed are two storey dwellings with a variety of detached and semi-detached properties. The plans have been amended on more than one occasion during the life of the application such that the latest revisions now include a single storey house type for 5 of the units. The schedule of accommodation included on the Site Layout Plan outlines the gross internal floor area of each of the house types ranging from 60.5m<sup>2</sup> (2 bed. 2 storey) to 99m<sup>2</sup> (4 bed. two storey). Materials proposed include a selection of facing bricks with concrete tile roofs in dark grey.

The majority of the dwellings would be served by a single vehicular access from New Lane to the northern boundary with a spine road running southwards through the site. 5 of the properties would be served by a separate private drive access also on the northern boundary of the site from New Lane.

24 of the properties (30%) would be affordable split into 60% affordable rent and 40% intermediate. The application has been accompanied by a draft heads of terms document which confirms the intention for a number of contributions including education and community facilities.

An area of public open space is proposed to the eastern boundary of the site with a drainage basin immediately to the south of it. There would also be an area of local play to the south of the drainage basin adjacent to the right of way route through the site (which would continue its existing legal line).

As mentioned, the scheme has been revised during its lifetime (the original proposal was for 85 units) owing to concerns raised by both Officers and Consultees as discussed in the appraisal section below. For the avoidance of doubt, the application has been considered on the basis of the following plans and documents.

- Site Location Plan – 3247 – 1 – 000 dated 04.03.20;
- Proposed Site Layout – 3247 – 1 – 001 U dated 08.09.20;
- Proposed Street Scenes – 3247 – 1 – 002 A dated 04.03.20;
- Topographical Survey – 19306-J dated 26/11/19;
- 201 dwelling type – 201/1G;
- 202 dwelling type – 202/1F;
- 212 dwelling type – 212/1-;
- 254 dwelling type – 254/1;
- 301 dwelling type – 301/1H;
- 304 dwelling type – 304/1E;
- 307 dwelling type – 307/1B;
- 309 dwelling type – 309/1E;

- 313 dwelling type – 313/1-;
- 314 dwelling type – 314/1-;
- 315 dwelling type – 315/1A;
- 401 dwelling type – 401/1G;
- 403 dwelling type – 403/1J;
- 1800mm High Close Boarded Timber Fence – 0282 SD-100;
- 1800mm High Fence & Brickwork Wall – 0282 NSD111 Rev. C;
- 1200mm High Timber Fence – 0282 NSD105 Rev. C;
- Detached Single Garage Details – 0282 SD700 Rev C;
- Detached Double Garage Details – 0282 SD701 Rev. D;
- Sales Garage Details – 0282 SD704;
- Engineering Layout – STE/Blidworth/Appraisal dated 5-3-20;
- Affordable Housing Statement by Gleeson received 8<sup>th</sup> September 2020;
- Archeological Desk Based Assessment by ArcHeritage 2020;
- WSI for Archaeological Evaluation Trenching, ArchHeritage 2020
- Biodiversity Management Plan (BMP) and Construction Environmental Management Plan (CEMP: Biodiversity) by SLP ref: 424.03044.00150 Version No. 3 dated August 2020;
- Design and Access Statement by Niemen Architects dated March 2020;
- Detailed Landscape Proposals (1 of 2) 3632/2 Rev. E;
- Detailed Landscape Proposals (2 of 2) 3632/3 Rev. E;
- Ecological Impact Assessment (EclA) including Extended Phase 1 Habitat Survey and Appraisal of likely impact upon the Possible Sherwood Forest pSPA by SLR Ref: 424.03044.00150 Version 1 dated December 2019 (with associated Appendices);
- Economic Benefits Report by Gleeson Version 001 dated March 2020;
- Flood Risk Assessment by joc consultants ltd. Ref: 19/030.01 Rev. 01 dated 12<sup>th</sup> March 2020;
- Geotechnical and Geo-Environmental Site Investigation by Eastwood & Partners ref 44476-003 dated 1<sup>st</sup> May 2020;
- Geophysical Survey Report by Magnitude Surveys Ref: MSSK683 dated June 2020;
- Heritage Statement by ArcHeritage 2020;
- Housing Schedule received 8<sup>th</sup> September 2020;
- Interim Travel Plan by attp ref AH/19024/TP/1 dated March 2020;
- Materials Schedule by MJGleeson;
- S106 Heads of Terms;
- Transport Assessment by attp ref AH/19024/TA/1 dated March 2020 (received 28<sup>th</sup> April 2020);
- Off-site Highway Works – 190024/P/001 Rev. G;
- Swept Path Analysis – 190024/P/002 Rev. D;
- Forward Visibility Analysis – 190024/P/003 Rev. D;
- Highways Works Plan – 190024/P/004;
- Tree Survey by Rosetta Landscape Design ref 3632 with associated plan Existing Trees on Site – 3632/1 dated 25 Mar 20;

#### Departure/Public Advertisement Procedure

Occupiers of 165 properties have been individually notified by letter. Three site notices have also been displayed near to the site and an advert has been placed in the local press. An additional two rounds of consultation have also been undertaken on receipt of revised plans.

## **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 6 – Infrastructure for Growth  
Spatial Policy 7 - Sustainable Transport  
Core Policy 1 – Affordable Housing Provision  
Core Policy 3 – Housing Mix, Type and Density  
Core Policy 9 -Sustainable Design  
Core Policy 10 – Climate Change  
Core Policy 10A – Local Drainage Designations  
Core Policy 11 – Rural Accessibility  
Core Policy 12 – Biodiversity and Green Infrastructure  
Core Policy 13 – Landscape Character  
Core Policy 14 – Historic Environment  
MFAP1 – Mansfield Fringe Area

#### **Allocations & Development Management DPD**

DM1 – Development within Settlements Central to Delivering the Spatial Strategy  
DM2 – Development on Allocated Sites  
DM3 – Developer Contributions and Planning Obligations  
DM5 – Design  
DM7 – Biodiversity and Green Infrastructure  
DM9 – Protecting and Enhancing the Historic Environment  
DM12 – Presumption in Favour of Sustainable Development  
Policy Bl/Ho/3 – Blidworth – Housing Site 3

#### **Other Material Planning Considerations**

- National Planning Policy Framework 2019;
- Planning Practice Guidance (online resource);
- Developer Contributions and Planning Obligations Supplementary Planning Document 2013;
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019;
- Rights of Way Circular (1/09) Version 2 October 2009.

#### **Consultations**

##### **Blidworth Parish Council – *Additional comments received:***

Blidworth Parish Council would like to respond stating that their original Objections remain unchanged despite the amendments.

*Additional comments received:*

Blidworth Parish Council wish to respond stating that their original objections still stand. However, looking at the application the amendments have been noted and the Parish Council feel that the modifications to the road have not made any improvement but have made them worse. Yellow lines will exasperate the existing parking issues for shops and amenities in the village.

*Original comments received:*

Blidworth Parish Council wish to strongly OBJECT to this proposal based on the following:

Design and Visual Impact

The location of this development was once part of Greenbelt, and will have an impact on the landscape. The design and visual impact of this development will impact highly on the Village.

The Parish have reason to believe that due to Blidworth being a mining Village, subsidence is present and there is a potential fault running through the site.

The Water supply is already compromised as illustrated by residents. The water pressure is low enough to cause significant issues to some households and further demand will exacerbate this problem. Pipe width is already compromised.

The telephone network cannot support fast broadband as Blidworth is over 3K from the nearest telephone exchange and this will lead to slower broadband speeds which are not easily remedied.

Privacy, Daylight and Sunlight

Consideration has not been taken into account of the residents in the area. Residents on Marklew Close will lose privacy, daylight and sunlight as the proposal sees the erection of a large fence to the rear of their gardens. With the difference in heights, the new residents will be able to potentially see directly into the properties of the residents on Marklew Close losing their privacy and the fence will cause loss of both sunlight and daylight into their homes. (See photographs attached)

Noise, Smell and Pollution

Due to the proximity of the new development current residents would be subject to noise, smell and pollution. Furthermore the local area has been subject to contamination from the local tip (now fenced off due to it being a hazard) and no study or assessment has yet been carried out to identify the potential level of contamination. (Potential identified in The Strategic Housing Land Availability Assessment carried out in 2010). By the nature of this land, the building plot sits lower on the land than the tip and could allow contamination to occur.

Historic maps of the area show a quarry on New Lane which took in ash and Clinker from the surrounding pit villages. The Proposed development shows the creation of an Attenuation Basin for flood water. As such this basin will be contaminated if rainwater drains through the land to enter it. Again by the nature of this land, the building plot sits lower on the land than the tip and could allow contamination to occur.

## Access and Traffic

Blidworth is currently under strain from excessive traffic passing through to other destinations. Building Development in Rainworth, Mansfield (Lindhurst Development) and Ravenshead all add to this problem. The potential of an additional 200 cars + (from 100 dwellings) will cause further delays, accidents and wear on the current road system (which needs attention). Our recent discussions with VIAEM regarding the junction with Blidworth Lane and Warsop Lane, Rainworth indicates an increase in the volume of traffic travelling in and out of the village and requires further investigation.

The Newark and Sherwood District-wide Transport study produced in 2010 by the WYG illustrates figures that are clearly out of touch. New developments in the surrounding areas (Mansfield District Council and Gedling Borough Council) have not been taken into account and a new up to date assessment needs to be carried out which will reflect the actual increase in the number of road users.

The Strategic Housing Land Availability Assessment carried out in 2010 states this proposed site is not suitable. The Highways Engineers comments state: *Visibility and on site highway layout to be provided to standard. Off site highway works required. Traffic Assessment required. Abuts that part of New Lane that is effectively a country Lane with a narrow carriageway and no footway. New Lane in this vicinity is not therefore of a standard that could support further development.*

As far as the Parish are aware further works or assessment have not been carried out and since this time the road has deteriorated further.

Furthermore the same assessment provides a suitability conclusion of: *The site is not suitable. Possible highway constraints in this location make this site unsuitable for development*

New Lane itself is a two way single carriageway which is currently difficult for two cars to pass and will not be suitable for HGV's lorries and other traffic. It is extremely difficult to access at the present time due to parked cars (see photos attached) and will be far worse with an increase in vehicles, and most definitely not suitable for construction traffic.

The Parish are concerned that there is no proposal of how to control traffic entering and leaving New Lane. The Road is currently classed at single track as we are not aware of any white lines defining two way traffic. The Road is clearly substandard and has not been subject to the essential surveys/assessment that it requires.

Several pieces of grassed highway land on New Lane from the junction with Mansfield Road have been maintained by the Parish Council for over 20 years.

## Health and Safety

The current road structure into New Lane is problematic and causing many safety issues. It is not suitable for purpose. Car parking to use Blidworth's local shops and amenities means that the safety of pedestrians, disability scooter users and motorists are unable to use the pavements and cross the road safely. In making this a major road junction would ensure the Health and Safety of residents is compromised further.

The Parish also have concern for access when required by the Emergency Services. The Health and safety of the homeowners could be compromised if such services cannot access the site.

The Health and Safety of our residents at several of the 'Elderly Residents complex's' within the Village will be compromised as increased traffic will make crossing road junctions to access local amenities such as the Library and Doctors surgery extremely difficult. This will be increasingly difficult for our elderly and disabled residents.

The safety of horse riders which use New Lane as an important bridleway will also be compromised.

The steepness of the site makes icing a significant issue in winter.

The Parish are informed by residents that there are significant issues with flooding, especially sewage overflow, during times of heavy rain on Dale Lane, Blidworth.

Severn Trent Water has attended site on many occasions to pump out sewage and make safe. The sewers on Warsop Lane regularly block and also require manual pumping.

The Planned Attenuation basin has potential Health and Safety issues as it could be hazardous for children who could play in the surrounding area. The Parish are unable to identify how this will be policed, when in place to avoid danger from drowning.

The health of local residents are also affected. At a recent Safety meeting the Manager of Marklew Court had received concern from their residents that not only will their light and privacy be compromised but the residents that have retired here would be unable to enjoy their homes.

The Parish also have concern for the children from the local school that walk regularly to the Library. The road at present continues to be not safe and increased traffic will only intensify this problem which may result in the children not being able to make this journey.

### Ecology, Landscape

The study shows that potential residents will be encouraged to walk, and cycle within the Village. Firstly the roads are currently not safe or suitable. The original footpath that runs through the land will be removed. The Parish are not aware of any 'Public Right of Way order' which has been submitted to allow this to happen. Potential walkers which will generally be children will mean crossing 2 roads and a minimum of 8 drop kerbs/drive accesses. The current footpath is used by children to avoid current roads and congestion.

The approach to a green infrastructure proposes that our children are encouraged to cycle to the neighbouring secondary school in Rainworth. The Parish for many years have had concern for our children walking to school due to the speed of motorists on Mansfield Road leading to Warsop Lane. The Parish have recently submitted a petition to Nottinghamshire County Council in an attempt to reduce the speed limit in an attempt to secure the safety of our children. If we cannot ensure that our children can be safe walking to school, how can we possibly entertain the idea of cycling? The pavement and tracks are not safe or fit for purpose.

New Lane is part of the Sustrans Cycle Track and no provision has been made for the safety of cyclists.



The Ecology statement states that 12500m<sup>2</sup> of the development will be lawn and 1000m<sup>2</sup> will be landscaped. Although the plans show the majority of dwellings to have 2 spaces for off street parking other cars and visitors will need to park on the road. In future years, how can the Parish be sure that this lawned area won't be turned into more parking for the vehicles?

There is a considerable amount of wildlife within this area including pipistrelle bats and common buzzards that roost and nest on or near the site.

Natural springs have also been identified on the site by consultees. We cannot see any provision for open spaces for children to play.

### Crime (and fear of

With an increased population in the Village and a diminishing Police presence in the area, we feel the Village may see an increase in crime.

### Economic Impact

Local schools and Doctors surgeries both in the Village of Blidworth and its neighbouring villages of Rainworth and Ravenshead are at full capacity putting a strain on resources and causing problems to long standing residents in the village who are having to travel out of the village for these services. As no provision for CIL or section 106 monies has been made, this development is unviable without provision for the services the village already needs.

The Parish Council also feel that there is not enough provision for 'Affordable Housing' within the development.

### Planning history/related decisions

It can be seen from the comments by the Flood Risk Management Team (NCC) that a number of potential plots are at the risk of flooding. Both the County and District Councils and Severn Trent Water are aware of flooding issues in the vicinity of the area.

In addition, the Parish Council would like to add:

The Allocations and Development Management Options report states that Southwell is considered to be a town requiring respect for its historic nature and that Southwell underwent a "conservation area character appraisal". Blidworth is a village with an equally important history and whilst smaller but not insignificant, requires similar protections. The church dates back to 1066. Blidworth has notable history stretching back to the Domesday book and is building its local profile with features such as the Rockings ceremony and sculpture, Will Scarlet's grave, the Druid stone, Memorial to Matthew Clay and Mill refurbishment.

The Village of Blidworth, on the edge of the Newark and Sherwood District does not receive the due care and respect that it deserves. There appears to be no 'joined up thinking' in terms of adjacent/area developments. This has an enormous impact on our Parish boundary in terms of traffic, schools and public services.

Blidworth is an area of outstanding rural character and natural beauty, with significant equine leisure activity which is a major source of employment in the area. Blidworth has been labelled a "regeneration area". Given the very small amount of land designated for employment use within our village envelope, it would be better to class Blidworth as a "sustainable community". An increase in road traffic, building on important bridleway routes, and loss of green belt land all contribute to a loss of our ability to sustain an important aspect of our village character and employment.

Blidworth Parish Council expects that the promise made by the National Government to listen to local communities under the Localism Bill to be supported and upheld by Newark and Sherwood District Council.

**Cllr Woodhead** - This development will cause a lot of disruption to our elderly people who live on Meadow Road, New Road and Marklew Close, as the only road to this development is New Lane.

This Lane was not meant to take a lot of traffic and the constant stream of noise from this traffic will be a problem to all who live in that area, as well as wild life.

Another factor to be considered is the Municipal Tip, New Lane, no longer in use but there were no restrictions on what could be tipped at the time so we don't know what we are dealing with there, the Developer may not know of this Tip as it's not marked on any maps that I have looked at.

The development will be on public footpath 1, and this has been walked for many years by all ages. The Library was in the Methodist Church on Main Street so the quickest way from the Pit Village was the footpath through the Meadows.

I also remember when a crack appeared on one of the 4 houses at the top of the Meadows and that was investigated by The Council. (Not sure if it was SRDC or NSDC) but it was investigated at the time.

Then we should consider the long term traffic problem in the heart of Blidworth, near the Post Office, Chippy, veg shop, chemist, surgery and other outlets. Mansfield Road is the Bus Route through Blidworth and heavily congested at anytime of the day.

Blidworth does not have any car parks so drivers park on New Lane and walk to the shops and this Development will cause severe problems to our Village Shops if parking is to be restricted in any way.

The junction at Tesco, several business' feed into that area and queuing traffic for Tesco can be seen waiting on Haywood Oaks Lane.

I do not believe Blidworth can cope with the volume of traffic that will be generated by a large development.

We also have a lot of local shoppers on foot, and they struggle to cross our roads as they are now, without any more traffic passing through.

We also have a large amount of HGV's running into Blidworth because they are serviced on Burma Road Industrial Estate.

We also have a large population of Horses in and around Blidworth so we also need to consider them too.

**NSDC Community Sports and Arts Manager** –If this application is approved then I would request a full community facility contribution in accordance with the current SPD Developer Contributions Policy. Such contribution would be used to improve the community infrastructure in Blidworth for the benefit of the local community.

**NSDC Parks and Amenities Officer** – Verbal comments discussed in appraisal below.

**NSDC Strategic Housing –**

### Introduction

Strategic Housing provide a response to the consultation referring to the Council's policies on affordable housing (Core Policies 1, 2 and 3 refers) and based on an evidence base including (but not exclusively) the 2014 Housing Market and Needs Assessment and accompanying Sub area report, lettings information from Newark and Sherwood Homes and if applicable a local parish housing needs survey.

Guidance is provided on the following:-

- The qualifying thresholds for affordable housing provision.
- Number of affordable housing units required on site (policy dictates 30%)
- Type of units i.e. an appropriate mix of house/flat/bungalow
- Tenure mix – i.e. social and affordable rent/intermediate housing (shared ownership)
- Design and layout – seeking to integrate the affordable housing as part of the overall mix (Pepper Potting)
- Occupancy and nominations – to ensure the Council secures the nomination rights
- Local connection guidance to ensure homes for local people (for the purposes of the S106)
- Phasing of the affordable housing as part of the overall scheme
- The Council's adopted Supplementary Planning Document: Affordable Housing (2013) seeks to secure on all qualifying sites 30% affordable housing (Core Policy 1). The qualifying threshold for Blidworth is 5 or more dwellings or sites of 0.2 ha or above. Therefore the Council will seek 25 units of affordable housing on a scheme of 85 dwellings.

### Preferred Tenure

The overwhelming need in the district is for social rented accommodation, however, in the interests of meeting the needs of the residents and to promote a balanced housing market an element of intermediate housing will be considered. Further to analysing the housing need in the Blidworth locality the proposed affordable tenure split for this site and each unit types should be 60% social rented and 40% intermediate housing. The proposal as it is presented does not reflect housing need in the Blidworth locality. Based on the proposal I would expect to see a scheme of the following tenures:-

	Rent	Intermediate (S/O)	Discount for sale	Total
2 Bed House/Bungalow	8	5	3	16
3 Bed	5	2	2	9
	14	7	5	25

### *Design Standards*

With regard to the space/design standards the Council encourages developers, as per point 3.14 of the Affordable Housing Supplementary Planning Document, to meet the Homes and Communities Agency Design and Sustainability Standards for the affordable housing units, for reference a link to this document is below. The units should also not be distinguishable from the open market housing and dispersed (pepper potted) on the scheme. It is noted that no plot numbers have been identified and these should form part of the requirements of the S106 agreement if possible. In the absence of grant funding then discussions with the Council regarding the application of the standards should be commenced.

<http://www.homesandcommunities.co.uk/ourwork/design-and-sustainability-standards>

### *Registered Providers*

It is preferable that the developer seeks to engage with a Registered Provider at an early stage. The Council currently works with the following providers, but not exclusively:-

- Nottingham Community Housing Association
- Derwent Living
- Waterloo Housing
- Metropolitan Housing Trust
- Longhurst Housing Group
- Framework, (Specialist provider)

### *Additional Information*

In terms of phasing of the affordable housing on the site, reference should be made to point 3.28 of the Affordable Housing Supplementary Planning Document.

In terms of occupancy, nominations etc., reference should be made to point 3.30 of the Affordable Housing Supplementary Planning Document.

It is recommended that the District Council's Legal Services section provides advice on the drafting of the Section 106, in particular referring to the affordable housing requirements.

### **NSDC Environmental Health (contaminated land) – Additional comments received 5<sup>th</sup> May 2020:**

I have now had the opportunity to review the Geotechnical and Geo-Environmental Site Investigation report submitted by Eastwood & Partners in support of the above planning application.

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

Following intrusive sampling, the report confirms that no exceedances of any screening criteria for any samples has been recorded and that the site is suitable for the proposed use.

In relation to previous comments from Environmental Health, an amended version of the report has been produced to include consideration of the historic waste tip/landfill site.

This provides discussion on the land topography, materials likely to have been tipped and their potential to biodegrade and produce gas given the timescale and the distance from site.

I generally concur with the findings of the report and am therefore in a position to be able to recommend that there is no longer a requirement for a contamination condition.

*Original comments received:*

I have now had the opportunity to review the Geotechnical and Geo-Environmental Site Investigation report submitted by Eastwood & Partners in support of the above planning application. This includes an environmental screening report, an assessment of potential contaminant sources and a description of the site walkover. Following intrusive sampling, the report confirms that no exceedances of any screening criteria for any samples has been recorded and that the site is suitable for the proposed use. I generally concur with the findings of the report in relation to the risk from onsite soils, however Environmental Health is aware of a nearby landfill site which has not been considered within the assessment. Anecdotal evidence suggests that the landfill site was used as a refuse tip circa 1931 and has since been covered with soil and now vegetation. There is the potential for landfill gas from this site to affect the development site. I would therefore request that further assessment of this nearby feature is carried out. I would expect this to be controlled by the use of a planning condition.

**NSDC Conservation** –We are in receipt of your request for conservation advice on the above scheme.

We have previously considered historic environment issues with regards to strategic housing on this site during pre-application discussions in 2015 (ref PREAPP/00042/15) and the recently refused scheme for 100 houses (ref 17/02326/FULM).

The proposal site is not situated within the Blidworth Conservation Area (CA) although it is situated directly adjacent. Impact on the setting of the CA is therefore a material consideration. The remnants of Blidworth windmill are situated c.350m to the west and are Grade II listed. The Grade II\* listed Church of St Mary is also approx. 400m away, to the southwest.

Legal & 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.

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

### Significance of heritage asset(s)

Blidworth CA was designated in 1977 and covers the historic core of the settlement. The settlement is medieval in origin, and is mentioned in Domesday as part of the Hundred of Thurgarton (it had a recorded population of 5 households in 1086). The Church of St Mary of the Purification is a focal building at the heart of the historic core, being of 15<sup>th</sup> century origin and Grade II\* listed. There are a number of historic buildings within the CA, primarily focused along Main Street, typically 18<sup>th</sup> and 19<sup>th</sup> century stock. The landscape surrounding the CA is generally positive and has archaeological interest (as indicated in the Nottinghamshire Historic Environment Record). The remnants of an early 19<sup>th</sup> century windmill sit on the high ground to the north of Main Street. This Grade II listed building enjoys a significant landscape setting.

The proposal site itself has limited historic interest. The land is currently agricultural in character. It probably formed part of the medieval open fields.

The footpath running from Meadow Road down to the southwest corner of the proposal site is an historic track (see map extracts attached), and offers important first glimpses of the CA. The rising

land towards the former windmill to the west is also positive, noting that the CA boundary encompasses a significant area of countryside setting around the historic core of the village.

### Assessment of proposal

Although Conservation raised concerns with a number of elements on the previous scheme (ref 17/02326/FULM), it did not materially object to the general scale, layout or quantum of development. Key issues related to retention of the historic footway across the field and the intersection with the CA in the southern part of the site. Although this scheme was fundamentally refused by the LPA, the revised plans did address conservation concerns with respect to the entrance to the CA (by rearranging development to integrate with Marriott Lane).

The latest proposal is for 85 dwellings, comprising 2, 3 and 4 bed dwellings. The house types are simple, comprising brick and tile with simple fenestration and some detailing such as corbelling.

Having reviewed the submitted details, we have the following observations:

- The angled roadway from Marriott Lane gives the impression of integration and continuity, which is welcomed. Attention to detailing on dwellings closest to the CA is encouraged, including the addition of chimneys. A number of the units forming the gateway to the CA should be amended to better respect the setting and entrance to the CA. Units 60 and 61 for example would benefit from not having the projecting central gables (this is not a traditional feature of the CA), and unit 62 would benefit from articulation of a narrower gable (suggest that this is reduced from c.8m to less than 7m). Better quality roofing materials could also be used on these 'gateway' dwellings (natural red clay pantiles perhaps or good imitation slate);
- The right of way would be better treated as a dedicated footpath rather than as a secondary element to the highway, and better orientated to follow the existing route (including, for example, not following diverting around turning heads). We otherwise defer to the RofW Officer at NCC;
- Panel fences should be avoided where they can be seen in the public realm as far as practicable, and an increase in tree planting and retention of hedging at the fringes of the CA should be encouraged.

If the above comments are taken into account, Conservation would not object to the proposed development.

**NCC Policy** – Thank you for your email dated 8th June 2020 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 Publication Version of the Minerals Local Plan (July 2019). These should be taken into account where proposals for nonminerals development fall within them.

### *Minerals*

In relation to the Minerals Local Plan, there are no Minerals Safeguarding and Consultation Areas covering, or in close proximity to, the site. There are no current or permitted minerals sites close to the application site. The County Council does not, therefore, wish to raise any objections to the proposal from a minerals perspective.

### *Waste*

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per 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 proposal.



## Transport & Travel Services

### *General Observations*

Site access appears to be via a new access onto New Lane. The closest bus stops are approximately 375 metres away from the centre of the site on Mansfield Road. The proposed additional pedestrian access points to the south and east also give access to other bus stops under 400 metres distance on both Mansfield Road and Main Street.

### *Bus Service Support*

The County Council has conducted an initial assessment of this site in the context of the local public transport network. Most dwellings within the development are within a 400 metre walking distance from the centre of Blidworth where Trentbarton and Stagecoach operate regular services towards Mansfield, Newark and Nottingham. 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 photographic records are as follows:

NS0271 New Lane – Bus stop pole, polycarbonate bus shelter and raised boarding kerbs

NS0348 Belle Vue Lane – Bus stop pole, polycarbonate bus shelter, raised boarding kerbs and non-enforceable bus stop markings

NS0346 Mansfield Road – Bus stop pole, polycarbonate bus shelter and raised boarding kerbs

NS0347 Mansfield Road – Bus stop pole, polycarbonate bus shelter, raised boarding kerbs and layby

NS0362 Beck Lane – Bus stop pole and raised boarding kerbs

NS0370 Beck Lane – Bus stop pole and raised boarding kerbs.

The County Council seeks a Planning Obligation as follows:

A Bus Stop Infrastructure contribution of £36,600 to provide improvements to the bus stops denoted as NS0271, NS0346, NS0347, NS0348, NS0362 and NS0370 which shall include:

NS0271 New Lane – Install real time bus stop pole & displays including associated electrical connections

NS0346 Mansfield Road Install real time bus stop pole & displays including associated electrical connections

NS0347 Mansfield Road – Install real time bus stop pole & displays including associated electrical connections

NS0348 Belle Vue Lane – Install real time bus stop pole & displays including associated electrical connections

NS0362 Beck Lane – Install real time bus stop pole & displays including associated electrical Connections

NS0370 Beck Lane – Install real time bus stop pole & displays including associated electrical connections.

### *Sustainable Travel*

The site's Interim Travel Plan 'Table 5.2: National Statistics Mode Split Data Newark and Sherwood 006B' refers to a 5% Bus Modal share. It is noted that a target is stated of a 10% reduction target in single occupancy car trips is over the five-year TP monitoring period. A specific Public Transport modal share target should be specified that reflects the choice of existing bus services within walking distance of the development, Section 4.29 should include reference to free introductory bus travel, which should be made available to residents of the development, to encourage modal change and reduce the impact of the development on the local highway network.

### *Justification*

The level of funding requested would provide the following improvements:

Stops denoted as NS0271, NS0346, NS0347, NS0348, NS0362 and NS0370: Install real time bus stop pole & displays including associated electrical connections.

The site is served by several regular and fully accessible bus services operated by Trentbarton and Stagecoach East Midlands including daily links to Mansfield and Newark, and to Sutton-in-Ashfield, Hucknall and Nottingham on Mondays to Saturdays. The services provide access to employment, education, shopping, health and leisure, and should be complemented by the provision of bus stops with improved facilities meeting the standard set out in the County Council's [Public Transport Planning Obligations Funding Guidance for Prospective Developers](#).

The site layout includes access to three bus stop pairs which will encourage sustainable public transport access for residents. The stops include a broad range of facilities, but do not meet the Council's standard. For this development the provision of real time and disruption information is likely to be positive, encouraging additional patronage and increased confidence. 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 with making informed decisions about their current and future journeys.

The improvements would include improvements to the closest bus stops to the site, so are directly related to the development, fair and reasonably related in scale and kind to the development (85 dwellings) and necessary to make the development acceptable in planning terms.

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](mailto:ptdc@nottscc.gov.uk)  
Tel. 0115 977 4520

### Built Heritage

The heritage impact assessment accompanying the proposals is adequate in so far as it correctly identifies the heritage assets within the zone of visual influence of development within the site. The account of the levels of impact would not normally be acceptable without supporting information, such as a photographic survey from and towards key heritage asset receptors or a complete Landscape and Visual Impact Assessment. The evidence has been reviewed using Google Streetview and it is considered that the Grade II listed Blidworth Windmill is the most likely designated heritage asset within the setting of which the proposed development will be Buildings at Risk Register and that a publicly funded project to undertake repairs is planned. The impacts of the proposed development will be amplified from the 'negligible' level identified in the HIA to at least a 'slight adverse' as and when the repairs and public access to the windmill have been put in place. The County Council does not have any comments on the details of the proposed development, such as building form, architecture or layout, as these have been covered by the District's conservation officer.

### Planning Obligations

The planning obligations being sought by Nottinghamshire County Council in order to mitigate the impact of the proposed development are set out below.

#### *Transport & Travel Services*

A developer contribution of £36,600 is requested, as detailed above, to provide bus stop infrastructure improvements.

#### *Education*

The proposed development of 85 dwellings on this site would yield an additional 18 primary and 14 secondary aged pupils.

#### *Primary*

Based on current data there is a projected surplus of places in the Primary planning area and the impact of the development alone would not lead to a deficit in provision.

The County Council reserves the right to re-assess the response if prior to determination, further planning applications are made, or new pupil forecasts are published, which would result in a forecast shortfall of pupil planning places in the relevant planning area.

## *Secondary -*

The current projection is as follows:

There is projected to be insufficient places, so the County Council would seek a secondary education CIL contribution based on formula: 14 places x £23,875 = £334,250 to provide additional secondary provision in the Rainworth planning area.

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>

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.

## Conclusion

It should be noted that all comments contained above 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 received:*

### 1. Background

The County Council has a statutory responsibility, under the terms of the 1964 Public Libraries and Museums Act, to provide "a comprehensive and efficient library service for all persons desiring to make use thereof".

In Nottinghamshire, public library services are delivered through a network of 60 library buildings and 3 mobiles. These libraries are at the heart of our communities. They provide access to books and DVDs; a wide range of information services; the internet; and opportunities for learning, culture and leisure.

The County Council has a clear vision that its libraries should be:

- modern and attractive;
- located in highly accessible locations
- located in close proximity to, or jointly with, other community facilities, retail centres and services such as health or education;
- integrated with the design of an overall development;
- of suitable size and standard for intended users.
- contain a comprehensive range of stock to meet the needs of the local community

Our libraries need to be flexible on a day-to-day basis to meet diverse needs and adaptable over time to new ways of learning. Access needs to be inclusive and holistic.

### 2. Potential development of Land at New Lane, Blidworth

There is currently a proposal for a new development on land at New Lane, this would comprise 85 new dwellings. At an average of 2.3 persons per dwelling this would add 196 to the existing libraries' catchment area population. The nearest existing library to the proposed development is Blidworth Library.

We would not seek any costs towards increasing the size of the library to accommodate this population but for this development a contribution will be sought for additional library stock. An increase in population of 196 would put more demand on the stock at this library and a developer contribution would be expected to help address this situation.

The Museums, Libraries and Archives Council (MLA) publication "Public Libraries, Archives and New Development: a standard approach" recommends a standard stock figure of 1,532 items per 1,000 population.

Blidworth is currently below the MLA optimum stock level (see table on page 2) and so a developer contribution would be sought to ensure current stock levels are not put under further pressure as a result of the new development.

The County Council would seek a developer contribution for the additional stock that would be required to meet the needs of the 196 population that would be occupying the new dwellings. This is costed at = 196 (population) x 1.532 (items) x £10.00 (cost per item) = £3,003.00

### Library Optimum Stock Levels

<b>LIBRARY</b>	<b>Catchment Popn Est (Census 2011)</b>	<b>Total Lending Stock</b>	<b>Ref Stock</b>	<b>Total Stock</b>	<b>Optimum Stock figure</b>	<b>Difference Optimum vs Actual stock</b>
<b>Blidworth Library</b>	4663	6368	48	6416	7144	<b>-728</b>

*Revised comments on the amended scheme confirm that the request would be £2849.00.*

### **NCC Highways Authority – Additional comments received 25 August 2020:**

'Further to comments dated 10 August 2020, I now refer to revised drawings 3247-1001-S and 190024/P/001/G which address previously raised issues to this Authority's satisfaction. (Please ensure these drawings have been submitted to the LPA and form part of any list of approved drawings).

Drawing 190024/P/001/G shows a proposal to widen New Lane to a general width of 5.5m with traffic calming build outs to offer priority movement and the introduction of 'no waiting at any time' waiting restrictions. This generally conforms with the layout that was accepted by this Authority under planning application 17/02326/FULM. The design and implementation of the above highway features will be subject to additional Highway Authority checking/safety auditing in due course, and; most importantly, approval of a Traffic Regulation Order. This involves a legal and democratic process and therefore cannot be fully guaranteed to occur.

It is considered that the works to improve New Lane would need to be completed prior to works within the site to safely cater for the associated construction traffic that will occur if permission is granted (see condition below).

Notwithstanding the above it is considered that the proposal can be approved subject to the following conditions:

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

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

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

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

No dwelling forming part of the development hereby permitted shall be occupied until its associated driveway / parking / turning area is constructed with provision to prevent the unregulated discharge of surface water from the driveway /parking/turning area to the public highway in accordance with details first submitted to and approved in writing by the LPA. 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.

Prior to the commencement of development, the Highway works as shown for indicative purposes only on drawing 190024/P/001/G shall be completed. For the avoidance of doubt, these works require a Traffic Regulation Order to enable the priority workings, which will need to be agreed and fully implemented to the satisfaction of the Local Planning Authority in discussion with the Highways Authority.

Reason: To provide adequate & safe access to the site.

Prior to commencement of the development, an application shall be made to provide the Traffic Regulation Order (double yellow lines) shown for indicative purposes only on drawing 190024/P/001/G on New Lane in the vicinity of Mansfield Road. Any subsequently approved works shall be fully implemented to the satisfaction of the Local Planning Authority in discussion with the Highways Authority.

Reason: To provide adequate & safe access to the site.

Notes to Applicant:

The applicant should note that, notwithstanding any planning permission, 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.

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. Please contact david.albans@nottscc.gov.uk for details.

The proposed waiting restrictions and priority traffic referred to in the conditions require a Traffic Regulation Order. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact mike.barnett@viaem.co.uk. Please note that the Order process may take 9-12 months.'

*Additional comments received 19<sup>th</sup> August 2020:*

With regard to drawing 001/D attached, the confusion has arisen because of the colouring of 'areas of grass verge and vegetation' that seemed to suggest that this was either public highway or land controlled by the applicant; neither being the case in some areas – and not always true of the third party land anyway. Hence the reason for my comments about encroachment on to third party land. This drawing should be revised for clarity. (I note and accept the point about there being some land that the developer will offer for adoption).

Regarding the widening on the bend, my comments refer to a carriageway widening to cater for vehicle swept paths. As you point out the c/way width remains consistent around the bend, when in fact it should be widened in accordance with the table in my attached comments.

I note that there are two stretches of c/way; one just west of New Road, and; the other to the west of the westernmost 'priority build out' where the c/way is again narrowed to 5.19m and 5.06m respectively when the rest of the road is 5.5m. Revision should be sought even if this entails widening on both sides of the c/way.

It has been noted that there is a vehicular access off New Lane, at the rear/side of 1 Hilton Park. The way the proposed kerblines interact with this access means that negligible visibility would be available for any driver leaving that access. More seriously, the same stretch of proposed kerblines heavily restricts the junction visibility for drivers leaving Hilton Park. Can you suggest a solution to this highway safety matter?

Please note that should this application be approved (subject to highway improvements) it would be necessary for the developer to include new street lighting to this Authority's satisfaction and specification on New Lane.

I await your responses prior to making further recommendations to the Planning Authority

*Additional comments received dated 10<sup>th</sup> August 2020:*

Further to comments dated 21 April 2020, I now refer to the revised proposals that reduces the number of plots to 81. Not all the issues previously raised have been addressed, as follows:

The off-site highway proposals should match those of the previous application 17/02326/FUL. Specifically (but not exclusively) the carriageway should be widened to 5.5 where possible (not 5.4m). Also, the highway improvement drawing 190024/P/001A shows the edge of highway encroaching on third party land.

Widening on the bend outside plot 50 has not been carried out in accordance with the following guidance:

Table DG6: Residential roads – widening on bends  
Centre-line radius (m) 20 30 40 50 60 80  
Minimum widening (m) 0.60 0.40 0.35 0.25 0.20 0.15

The carriageway on New Lane should be widened to at least 4.8m between the access to plots 16-20 and the main site access.

I await amendments and further submissions to address these points. In the meantime, perhaps, you would consider this as a 'holding objection'.

*Original comments received:*

In a previous application 17/02326/FUL, 99 dwellings were proposed for this site and although it was refused, this Authority raised no objection subject to a number of conditions. This application is for less dwellings; 85, and therefore slightly less impact will result on the highway network. So, the principle of the development and its impact on highway capacity is acceptable to this Authority. Whilst junction capacities are slightly reduced, these reductions are minor.

However, a number of issues still need to be addressed prior to this Authority offering no objections.

The red edge site boundary should include New Lane where significant off-site highway works are proposed and will be required - see drawing 190024/P/001/A within the Transport Assessment.

The aforementioned off-site highway proposals should match those of the previous application. Specifically;

- the carriageway should be widened to 5.5 where possible (not 5.4m).
- the footway should continue around both radii of the mouth of Hilton Park.

The road layout within the site is likely to require small amendments to comply with the NCC highway design guidance. The applicant should widen bends where necessary to comply with the following table:

Table DG6: Residential roads – widening on bends  
Centre-line radius (m) 20 30 40 50 60 80  
Minimum widening (m) 0.60 0.40 0.35 0.25 0.20 0.15



In addition, suitable speed-related forward visibility splays should be shown around the bends and, where necessary, the footway widened to ensure that visibility does not fall outside of the prospective highway boundary.

Footway connection is required to plots 18-22. Also, the carriageway on New Lane should be widened to at least 4.8m between the access to these plots and the main site access.

The turning area/aisle for plots 66-70 is not wide enough to turn a car without encroaching onto a neighbour's driveway (which may also be occupied by a car). Similarly, plots 5-8 & 21-22 will have difficulty turning within a 4.25m width access. 6m turning areas should be sought.

Access to plots 84-85 should be widened to 4.25m.

All the 4-bedroom properties have the 3 required car spaces but the vast majority of these have them in a tandem layout which leads to on-street parking to avoid the shuffle movements when a car furthest away from the road needs to be used. Long driveways intended to provide parking for multiple cars may only be counted as 2 spaces if vehicles would be blocked from exiting by other vehicles.

I await amendments and further submissions to address these points. In the meantime, perhaps, you would consider this as a 'holding objection'

**NCC Rights of Way Officer** - *Additional comments received:*

Further to our phone conversation regarding the amendments to the scheme. We understand that the line has been altered and it now follows the original route of the footpath negating the need for a diversion. However our previous comments about the footpath being relocated on to the footway through the scheme still stand as it is not what we would advocate.

We also have concern for the surface at the top end of Blidworth Footpath 1 where it meets the proposed development through to Meadow Road. This stretch is currently laid to a stone surface but this which we believe could be adversely affected by the increased footfall on this route due to the development.

It would need to be upgraded to tarmac. The stretch in question is approx. 84m long and would cost in the region of £4000 to tarmac.

*Original comments received:*

Thank you for the opportunity to comment on the above application, our comments are detailed below:

I have checked the definitive map for the area and can confirm that Blidworth Footpath 1 crosses the development site. Please find attached map showing the legal line of the route.

We would require further details from the applicant as to how the existing footpath is to be accommodated within the scheme. The proposed site layout plan provided does not appear to show the footpath on its current legal line. The footpath appears to have been incorporated onto the footway and therefore we seek clarification and advise the applicant of the following:

- If the design of any proposed development requires the legally recorded route of the RoW to be diverted because it cannot be accommodated on the legal line within the scheme, then this should be addressed under the relevant provisions within the Town and Country Planning Act 1990 for the diverting/stopping up of public rights of way affected by development. An application way under this act should be made to the Planning authority and is a separate application to the planning permission.
- This is a very well used footpath, particularly by the elderly and children therefore safety is paramount - we would not advocate the footpath being put onto the footway and require further details as to safety parameters etc.
- Where the right of way runs across the site and is currently open on either side, the open aspect should be retained as far as is practicable with good practice design principles applied.
- Regarding ongoing maintenance of the footpath - is it the intention that the proposed route all becomes adopted highway?
- If a Public Path Order is required, the development cannot be started until such time as a confirmed diversion order is in place and the new route is constructed, open and available on the ground.
- The footpath should remain open and unobstructed. Vehicles should not be parked on the RoW or materials unloaded or stored so as to obstruct the path.
- There should be no disturbance to the surface of the footpath without prior authorisation of 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 should be provided if possible.

**Ramblers Association** – I wish to lodge an OBJECTION to this development.

It will lead to the obliteration of a public right of way (Blidworth Footpath 1) and involves an unacceptable loss of green space.

**NCC Flood** - Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the application which was received on the 31 Mar 2020. Based on the submitted information we have no objection **in principle** to the proposals and can recommend approval of planning subject to the following comments and condition:

*It must be noted that current restrictions imposed by STW in their correspondence dated 6 December 2019 and included as part of the submitted Flood Risk Assessment must be lifted to enable the development to progress. As it stands these restrictions prevent any discharge of surface water from the site and as such the development should not progress until the restrictions are lifted by Severn Trent Water Ltd.*

#### 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 Flood Risk Assessment (FRA) and Drainage Strategy 19/030.01 JOC Consultants, 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:

- Evidence that the capacity improvements have been carried out to the Severn Trent combined sewer as referenced in their correspondence dated 6 December 2019 and that Severn Trent Water Ltd. have approved the discharge of surface water to their asset.
- Evidence that the development takes into consideration the existing surface water flow path across the site in a manner that neither increases the risk of flooding to the surrounding area nor puts properties and curtilages of the proposed development at risk of flooding.
- 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.

**Environment Agency** – No comments received.

**Severn Trent Water** - No comments received.

**Trent Valley Internal Drainage Board** - The site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment.

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

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

The suitability of soakaways, as a means of surface water disposal, should be ascertained prior to planning permission being granted. Soakaways should be designed to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted.

Where surface water is to be directed into a Mains Sewer system the relevant bodies must be contacted to ensure the system has sufficient capacity to accept the additional surface water. The Board also requests that the applicant identify the receiving watercourse that the sewer discharges into and provide details on the potential effect that the proposed discharge may have on the receiving watercourse.

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

**Nottinghamshire Wildlife Trust** – Thank you for re-consulting Nottinghamshire Wildlife Trust on the above application.

We have reviewed Ecological Impact Assessment (EcIA) including Extended Phase I Habitat Survey and Appraisal of Likely Impact upon the Possible Sherwood Forest pSPA (SLR Dec 2019) and have the following comments.

We can confirm the ecology survey and report has been undertaken according to good practice guidelines and sufficient survey effort has been undertaken to determine the presence of protected species.

We are satisfied that the LNR and LWSs within easy reach of the site contain a robust infrastructure designed to withstand recreational use and that no impact upon these designated sites is predicted. The IBA & ICAs within easy reach of the site also contain a robust infrastructure designed to withstand recreational use and we are satisfied that no impact upon the possible ppSPA is therefore predicted from this proposal. We agree that taken in isolation this planning application is unlikely to have a detrimental impact upon the ppSPA but we would take this opportunity to remind the LPA about the advice provided by Natural England in relation the ppSPA. An extract can be seen below.

*Advice Note to Local Planning Authorities regarding the consideration of likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest region (March 2014)*

*Natural England would encourage those LPAs in the Sherwood Forest area to work together, in compliance with the duty to cooperate, to consider the combined effect of their plans and proposals in order to gain a strategic overview and develop a collaborative approach. We are of the view that taking the approach outlined above represents good planning practice which will assist your Authority should the site be classified as SPA in limiting the number of plans and*

*projects which would need to be re-considered as part of the review of consents process required by the 2010 Regulations.*

The submitted assessment does not take into consideration other planning applications that in combination with this one could have a significant effect.

### Habitat Enhancements

The EclA states that the existing native hedgerow and tree lines will be retained, with the exception of a small section which will need to be removed from the northern boundary to facilitate access into the Site. The length of hedgerow to be removed is not stated and so this requires clarification. It is also stated that planting of a 140m long new native hedgerow will take place on the north-eastern boundary, but until it is known how much hedgerow is to be lost to access we do not know how much of a biodiversity net gain will be achieved with the additional hedgerow planting.

Nine bird boxes and nine bat boxes are proposed to be introduced, some on trees and some on buildings.

Hedgehogs are recognised as being of 'principle importance' for conservation of biodiversity under Section 41 of the NERC Act 2006. Therefore, planning authorities need to ensure that these species are protected from any adverse effects of development. We therefore welcome the inclusion of 15 x 15 cm gaps at the base of some fences, particularly houses situated along the site boundaries, and signage erected, to allow hedgehogs to move across the site, and to inform new residents about the reasoning for the gaps.

We advise that all ecological recommendations are secured through use of planning conditions, should the application be approved.

### Landscaping Plan

We were unable to find a landscaping plan for the site. We therefore recommend a plan is produced that contains the following information:

- position, location, type and number of nest and bat roost boxes (note some types are proposed to be incorporated into buildings, which is in line with standard practice)
- Position and number of hedgehog access points.
- location of retained and new native trees and hedgerow and other wildlife habitats including details on planting for the Public Open Space (POS) and Sustainable Drainage Scheme (SuDS), details /specification and location of interpretation, fencing, non-lit areas to protect bats.

### Further Surveys

The applicant's ecologist advises that a pre-commencement survey for badger setts shall be undertaken as a precaution to ensure badgers are not present within the Site. This should be secured through the planning system.

**Archeology Advisor – Additional comments received:**

The archaeological contractor has finished the evaluation on this site and although they did find a few features and some residual medieval and post-medieval pottery (in the subsoil) it looks like nothing of particular significance was encountered. The geophysics anomalies are likely due to a change in the natural geology where patches of iron rich sand were present.

The contractor is still preparing the final report, but given the results I would recommend that no further archaeological work is necessary for this site.

*Additional comments received:*

Thank you for forwarding the geophysics report which recorded a number of anomalies of undetermined origin, some of which may relate to burning activity of an unknown date. It also recorded agricultural activity as modern ploughing trends and drainage features.

The results of the geophysical survey should now be tested by trial trench evaluation, in accordance with the current guidance on archaeological evaluation. This will determine the accuracy of the survey results which can sometimes be masked by other deposits and will aim to determine the presence, absence, significance, depth and character of any archaeology which could be impacted by the proposed development.

If consent is granted, this can be secured by a condition as detailed in my earlier advice.

*Original comments received:*

Thank you for consulting me on this application.

The site lies immediately north of the historic medieval core of Blidworth as defined by the Conservation Area and the Nottinghamshire Historic Environment Record notes 35 archaeological sites or find spots within 1km of the site.

Archaeological advice has been provided for an earlier application for this site (17/02326/FULM) which recommended archaeological evaluation of the site prior to construction. This was to initially comprise a non-intrusive geophysical survey of the site which would have been followed by targeted trial trenching to test the results of the survey. However the work did not go ahead as the application was refused.

The accompanying desk-based assessment (DBA) for the current application concludes that the site has a low potential for archaeology for all periods, however the earlier application contained a DBA which recorded a moderate potential for the presence of medieval archaeology.

The proposed development comprises the construction of 85 dwellings and ancillary works over a large area and any surviving archaeology on the site would be significantly impacted.

**Recommendation:**

Given the above and the previous recommendations, if permission is granted I recommend there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will initially include, but may not be limited to, a non-intrusive geophysical survey to evaluate the archaeological potential of the site. This will likely be followed by a targeted trial

trench evaluation to determine the presence, absence, significance, depth and character of any archaeology which could be impacted by the proposed development. Further archaeological mitigation work may be required if archaeological remains are identified in the evaluation.

The specifications for the work should be approved by this department prior to commencement and this office will require ten days' notice before commencement of any archaeological works.

This should be secured by appropriate condition to enable any remaining archaeology which currently survives on this site to be properly assessed and characterised and to allow for an informed archaeological mitigation strategy to be implemented. The following condition wording is based on current guidance from the Association of Local Government Archaeological Officers and the Lincolnshire Handbook (2019):

### Part 1

*No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Local Planning Authority. This scheme should include the following:*

- 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).*
- 2. A methodology and timetable of site investigation and recording*
- 3. Provision for site analysis*
- 4. Provision for publication and dissemination of analysis and records*
- 5. Provision for archive deposition*
- 6. Nomination of a competent person/organisation to undertake the work*

*The scheme of archaeological investigation must only be undertaken in accordance with the approved details.*

*Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.*

### Part 2

*The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.*

*Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.*

### Part 3

*A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of*

*the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site. This Condition is imposed in accordance with the National Planning Policy Framework.*

NPPF states that local planning authorities should '*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*' (para 199).

If planning permission is granted with an archaeological condition, please ask the developer to contact this office and we will prepare a brief for the works.

**The Coal Authority** – The application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority’s Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

**Newark CCG –**

<i>Impact of new development on GP practice</i>	The development is proposing 85 (A) dwellings which based on the average household size (in the Newark & Sherwood Council area) of 2.5 per dwelling, primary care health provision would result in an increased patient population of approx 195.5 (B) (2.3 x A).
<i>GP practice most likely to be affected by growth and therefore directly related to the housing development</i>	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: <ul style="list-style-type: none"> <li>• Abbey Medical Group</li> <li>• Rainworth Health Centre</li> <li>• Hill View Surgery</li> </ul>
<i>Necessary to make the development acceptable in planning terms</i>	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
<i>Plans to address capacity issues</i>	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.
<i>Fairly and reasonably related in scale and kind to the development.</i>	As a consequence and since the number of dwellings exceed 65, we would ask for £982 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.
<i>Financial contribution requested</i>	£83,470 (85 x £982 per dwelling)

*Confirmation received that the requested contribution would be £79,542 on the basis of the revised plans for 81 dwellings.*

**92 letters of objection were received from neighbouring / interested parties in relation to the original scheme which are summarized as follows:**

#### Application Procedure

- The Council should not have accepted the application at the time of the Coronavirus crisis;
- The application is causing stress to people social isolating and causing Post Office staff more work;
- The application should be refused without the need for public consultation;
- It is ethically wrong that the developer has submitted the application at this time;
- Many people have contacted Mark Spencer to raise concerns about the validation of the application at this time;
- The development should not have been validated after lockdown;
- There is no chance of holding a public meeting to discuss the application at this time;
- The decision should be postponed;
- There is a population around the site who do not use modern technology and cannot get to a post box to object;
- It is underhand of the developer to submit the application at this time;
- Residents neighbouring the site were not formally consulted;

#### Principle of Development

- Although for 85 instead of 99 houses it is essentially no different to the previous application;
- The land is not suitable for development and is essential for wellbeing and quality of life of the village;
- The need for the development is questionable given the development at Lyndhurst outside of NSDC;
- There are several large developments close by for people to purchase new homes;
- Alternative sites outside of the center of the village could be made available;
- The site should be re-instated to Green Belt land;
- The site is too small for the amount of homes and will represent overdevelopment;
- The Green Belt status of the land which existed in 2012 is not being honored;
- The land should be a park and football field;
- The land will no longer be available to grow crops;

- The village should be kept as a village;
- The Planning Officer should acknowledge that a mistake was made in allocating the site for housing and a time of widespread corruption;
- The SHLAA rejected the site as being unsuitable on highways grounds;
- Planning Inspector has already determined the site is unsuitable on highways grounds;
- An application has been submitted to Mansfield for an even larger housing development;

### Housing Mix

- The bungalows have been removed from the proposal;
- The number of 2 bed affordable homes has been reduced from 29 to 16;
- The number of 3 bed properties has increased from 48 to 57;
- The number of people would be virtually the same as the refused application;
- The type of affordable housing does not fit the definition applied by planners;

### Impact on Amenity

- Loss of privacy and overshadowing to surrounding dwellings;
- The houses next to the development are sheltered accommodation for the elderly and disabled which will be totally overshadowed;
- Because of the gradient change, all vehicles approaching the access will directly face towards the rear of the properties at Hilton Park causing headlights shining into properties;
- Street lights will light up rear gardens;
- The development will block light to the properties on Marklew Close;
- The Council has responsibilities under the Human Rights Act to ensure residents have the right to the peaceful enjoyment of their home;
- A 1.8m fence would be overbearing particularly given the land level changes;
- There would be noise pollution from 85 properties in a natural valley;
- Natural daylight is an essential contributor to emotional health and wellbeing;
- The proposed buildings and public open space will run alongside the boundary which is 10feet away from the bungalows at Marklew Close;
- A number of the properties have stepped gardens and would be completely overshadowed;
- The bungalows are 6 feet below the level of the field so the fence would stand 12feet high within 10 feet of the house;
- There is a right to light easement (Prescription Act 1832) as the Marklew Close properties have enjoyed 'uninterrupted light from across the field for more than 20 years without consent, openly and without threat, and without interruption for more than a year'
- The plans seem to indicate the only boundary between the open space and properties would be a post and wire fence;
- The bedroom windows would overlook the bungalows on Marklew Close;
- The use of the open space would cause overlooking;
- The proposal is directly adjacent to the lawn and seating area used by residents of Marklew Close;
- Concern over who will manage the open space and if it will become an area of anti-social behavior;
- People enjoy walking on the land on a daily basis;

### Impact on Character

- Residents choose to live in Blidworth for its rural charm;
- Building 85 houses on this site will greatly impact on the accessibility and enjoyment of the Conservation Area;
- The view from parts of Blidworth, e.g. Beck Crescent, will be totally transformed from overlooking a country meadow to an intense housing estate;
- The development would take away natural beauty;
- The proposed development won't respect the shape of the land;
- The design will look like any old place;
- The tightly packed estate will seriously impact visually on the character of the Conservation Area;
- We should be conserving the countryside, the land has been well managed over the years;

### Impact on Highways

- Extra traffic will cause roads to be congested;
- New Lane is very narrow with inadequate pedestrian walkways;
- The traffic surveys were based further up the road past New Close where it is quieter;
- The road becomes very congested with people shopping or when the library have an event on;
- New Lane is a county lane that currently is only used to access a couple of farms and as a bridal path / dog walking route;
- There would be serious congestion at the T junction;
- To allow an extra 200-250 cars is beyond comprehension;
- The route will become a rat run;
- Double yellows will only create more issues with parking;
- There are blind spots for traffic trying to join New Lane safely;
- There have been numerous near misses on a daily basis and the additional vehicles would be totally unmanageable;
- The last committee minibus had to mount the pavement in order to get through and then nearly collided with a car;
- The new proposal describes two new access points but there is only one for vehicles;
- New Lane is the main Route 6 of the National Cycle route and therefore frequented by many cyclists;
- The influx of families would need footpaths to be wide enough for a parent to push a pushchair with a child beside them which could not be achieved;
- The footpath along Warsop Road leading to Rainworth is not wide enough for additional children to walk along;
- The development will lead to an increase in the use of the pedestrian crossing on Mansfield Road which will affect the traffic flow;
- The reduction in number of houses does not solve the access issue;
- Even the smallest house types will have two car parking spaces which does not align with limiting vehicular transport as per the Travel Plan;
- There are errors in the Transport Assessment which refers to the wrong site;
- The proposed 'no waiting' area is not practical or reasonable;
- The traffic survey was taken during school holidays;
- Lives will be put at risk from the additional traffic;
- There has been an increase in the volume of traffic since the 2017 surveys;

- The primary school takes classes of young children to the library each week and it is already dangerous for children to cross the road;
- Elderly residents with mobility scooters struggle with the pavement widths;
- Local residents have campaigned for reduced speeds and speed cameras due to the number of accidents;
- The bus provision is inadequate;
- Cars already park on both sides of the road at the junction;
- There are concerns that there will be plans to access the site from Marriott Lane which is a private drive;
- The road surface needs to be improved;
- The access should ensure sufficient room for large vehicles;
- Bin lorries struggle to get up the road;
- The width of the road would not comply with Fire Safety rules for emergency vehicles;
- Insufficient parking provision will not lead to less car ownership but to more congested street parking;
- This will be compounded by the loss of spaces at the junction;
- Mansfield Road is already effectively single file whilst large vehicles pass;
- Concern for access for emergency vehicles;
- The majority of residents would commute to Nottingham or Mansfield;
- There is no detail for break-in of second roadway on new lane for 5 dwellings plus access to the substation on what is a narrower part of the road and access via an incline from the development;
- The que lengths referred to in the Transport Assessment are inaccurate, there are large ques at the junction during peak hours;
- True representation of the impact of the development cannot be given at the current time;
- The decision whether to grant the application may rest on a TPO being in place and therefore the application should be determined prior to any formal approval of a TPO;
- There are many reasons why the imposition of the proposed TRO at the junction of New Lane & Mansfield Road would fail to meet the criteria set out in the Act;
- Widening New lane would create more traffic chaos;
- There is not enough parking for the likely number of cars;
- The land in front of the library should be given to the residents not the developers;

#### Impact on Footpath

- The re-route of the footpath does not comply with current guidelines;
- This area is well used as a safe passage between the 'old' village and 'new' village;
- The proposed route still circumvents around the houses which will create a completely different character;
- The route would be between tall houses and alongside a busy road;
- The application to move the footpath would be fiercely contested;
- The footpath is in constant use;

#### Impact on the Environment

- There will be extra pollution in the area;
- The access would destroy the hedgerow;
- There are well established hedges; oak trees; wild flowers and raspberries – all of which would be lost;

- Wild birds, animals and flora will be adversely affected;
- Residents chose to live near the site for its ecological value;
- There will be a detrimental impact on matures trees;
- This development would not contribute towards becoming carbon free;
- There is an old tip which leeches hazardous materials;
- Wildlife is frequently observed at the site;
- There are bats on the site which are protected by law;
- Many species have been observed on the land;
- It is puzzling that the land is low risk from underground land movement by the Coal Mining Authority when neighbouring properties are deemed high risk;
- The stability of the land needs further investigating;

### Impact on Infrastructure

- Increase population will cause overcrowding to the doctors, dentist and school;
- The payments by the developers will not be enough to provide the extra services;
- There is already a 2-3 week for a doctors appointment;
- The impact on parking would adversely affect the shops;
- People are already choosing Tesco over the local shops due to the congestion for parking;
- Blidworth has an elderly population with people rating their health as 'very bad' being above national average;
- There would be undue pressure on the sewage and water provision;
- Schools are already over prescribed;
- The development will put pressure on Marriotts Lane playground;

### Impact on Flooding and Drainage

- There would be a serious risk of flooding as there is a flood plain running through the site;
- Recent rainfall events caused flooding along the foot path;
- The attenuation basin would be a hazard;
- It is incorrect to state that there is no history of flooding;
- There are natural springs in the field which will add to the problem of flooding;
- On a number of occasions the bottom on the site has been completely submerged in water which water running down the back of the bungalows;
- Developers should offer a legally secure financial bond to cover flood defenses or flood damage;
- The reduction in the natural soakaway will increase surface water run off;
- Aggregate will be changed to tarmac over time;
- The site is within a zone 3 ground water protection zone;
- Severn Trent Water seems to have no agreed to any further usage of the drainage system;

### Construction Impacts

- Residents will be faced with months of disruption, noise and dust;
- Controlled hours of operation should be conditioned if the application is approved;
- Any new employment generated will only be temporary;

## Other Matters

- The development will decrease house value;
- There will be an increase in antisocial behavior;
- The potential for encountering evidence of archeological remains of medieval date within the site has been assessed as Low to Moderate;
- Trust Pilot reviews on Gleeson reveal 80% bad; 3% poor and 18% excellent – the comments indicate poor workmanship and lack of after sales service;
- The developers will take the profits and leave the residents to suffer the consequences;
- The mental health benefits of the vacant site would be lost;
- The land is used frequently for exercise;
- The road widening will create subsidence issues;
- The land has strong emotional attachments;
- The Council is failing in its ambition to get people to take up walking; cycling and visiting Sherwood if it allows this application;
- There would be a negative impact on the stables and equestrian businesses at the end of New Lane;
- Will the developers even be able to finance the project given the current circumstances;
- The houses aren't suitable for disabled despite the supporting documents;
- The proposed plans would encroach on an area in front of a neighbouring property which has been historically used for parking and access to the rear garden;

**In respect to the revised plans received during the life of the application, a further round of consultation was undertaken from which an additional 60 letters of objection were received:**

## Application Procedure

- No notification of public event was received by adjacent properties;
- The whole process seems underhand given the timing of the application;
- Some of the paperwork still states 85 units;

## Principle of Development

- Green belt status of the land is not being honoured;
- The revisions to 81 units does not change earlier objections;
- A reduction of 4 units is minimal;
- The site has proved to be of enormous value as visible green space during Covid;
- If the application is approved it would be to meet the Councils arbitrary targets;
- The development has already been denied by a proper planning enquiry;
- Development is meant to have a positive impact and enhance the local area;
- None of the previous issues for refusal have been addressed;
- There are too many dwellings for the narrowness of New Lane;
- The changes are cosmetic in nature to pacify local residents without dealing with the main issues;
- The decision to take the site from Green Belt was taken at a time of corruption;

## Housing Mix

- The definition of affordable housing does not fit that generally applied by planners;

### Impact on Amenity

- The bungalows will be overlooked;
- There is likely to be an increased in noise with the houses built in a valley;
- Extra traffic will cause pollution and breathing problems;
- To create a public open space along the boundary with sheltered housing is completely unreasonable;
- There is already an issue with anti-social behavior nearby;
- Anyone standing in the POS will be able to look straight into the neighbouring bungalows;
- Position of moving plot 4 is good;
- The original hedge was removed from the rear of some of the Marklew Close properties as the occupants found it impossible to maintain them – who will maintain them if the development goes ahead;
- The hedge would block light;
- Mental health should be a priority which the noise and environmental pollution will affect;
- Removal of tree will compromise privacy of garden;

### Impact on Character

- The view from other parts of Blidworth for example Beck Crescent will be totally transformed;
- The proposed development is located to the north of the medieval settlement of Blidworth;
- Revisions to landscaping does little to reduce the visual impact of what is really quite a large estate;
- Tree removal may lead to land collapse;
- Object to the removal of the hedge running alongside New Lane and the removal of a tree;

### Impact on Highways

- Increased traffic will affect the cycle route;
- Monitoring of traffic has not been undertaken at appropriate times;
- Changes to housing mix will not help to reduce traffic problems;
- The Highways Officers should do a visit first hand to see the problems;
- 4 less houses will lessen traffic by an average of 8 cars which will have little to no effect on residents concerns;
- There is no possible way traffic can be increased on any of the junctions or roads that would lead to the site;
- Dog walkers, horse riders or local resident car users will put at a level of risk which is unacceptable;
- Nowhere in the revision does it tackle the main issue of access and road safety concerns;
- The previous application was refused on grounds that access to the site did not conform to the required regulations;
- Blidworth is already uses as a cut through for traffic between the A614 and Mansfield;
- The proposed traffic calming methods would make the situation even worse;
- Parking restrictions would be disastrous for local businesses;
- It is dangerous to stop at the entrance of Marriott Lane;

- The junction of Meadow Road and Main Road is a blind bend and will cause more accidents to occur;
- Traffic queuing will cause air pollution;
- New Lane is used frequently by agricultural vehicles and it is not clear how these and emergency service vehicles would be able to get through;
- Double yellows will just cause congestion in the village;
- The TRO required could be successfully opposed by the Parish Council; local residents and business owners so there is nothing to guarantee it would be granted even if planning permission was;
- It should not be possible to consider the planning application until the TRO is in place;
- There are no examples of where planning permission on this scale has been allowed with such a restrained access;
- The additional traffic at Tree Thorn Hollow will add to the volume of local traffic and will become a dangerous and unsafe place to live;
- New Lane is a single track county lane which was never meant for the traffic that a new development would create;
- Making Marriott Lane a drop of point is unsuitable and will impact on the houses on that road;
- The pictures of New Lane are inaccurate and captured on a rare quiet occasion;
- Double yellow lines would not be effective on New Lane;
- As existing, most days it is a struggle to turn onto the B6020;
- There will be fatalities at the junction;
- There is insufficient parking within the village as it stands;
- How will the double yellows be policed;
- There are sparse drawings for the New Lane access with hardly any detail;
- The government is recommending people use more bikes;
- The lane is not wide enough for two cars to pass without mounting the kerb;
- The application for the development at White Lion was rightly rejected and this proposed application is even more problematic in terms of access;
- The highways design fails to take account of 4x4 vehicles using New Lane in a westerly direction;
- The Highways Authority appears not to have carried out any consultation to date with persons likely to be affected by the TRO, although it is required to do this in accordance with its duties under Section 122 of the Act & Regulations; and it would be unreasonable for them not so to do;
- Blidworths thoroughfares would become permanently congested;
- The loss of spaces to businesses would not be acceptable;
- Children use the pavements to walk in groups to the library, they should be widened not reduced;
- The revision increased the traffic issues rather than creating a solution;
- Visibility from the buildout outside the library is severely restricted;
- Traffic coming up from Mansfield Road who will have priority will not be able to see traffic coming down on the wrong side of the road;
- Highways England stipulate a two lane road must be at least 6m;

### Impact on Footpath

- The footpath still goes through the proposed developed which is a completely different character;



- Little consideration seems to be given to the steps from Marriott Lane;
- The footpath still does not allow for landscaping along much of its length;
- Walkers will have to negotiate roads with traffic movements;

### Impact on the Environment

- There are bats; birds and other wildlife species currently located on the site throughout the year;
- In the news recently it has been warned that a quarter of Britain's native mammals are at risk of extinction;
- There is a family of hedgehogs living along the boundary with Marklew Close;

### Impact on Infrastructure

- The reduced number of houses will still put strain on local amenities that are already struggling to cope with demand;
- The infrastructure cannot cope with the additional number of houses;
- What do requested contributions pay for and are ongoing costs of the increased population to be funded by Council Tax;

### Impact on Flooding and Drainage

- The area has natural springs which will create potential flooding issues;
- The drainage basin will not be sufficient to deal with the flooding on the site and will be a danger to children;

### Construction Impacts

- The construction traffic trying to negotiate a single track road will be horrendous;

### Other Matters

- The potential for encountering archeological evidence remains as low to moderate;
- The drainage pond is on the route to the play area;
- There is talk of a new development on Blidworth Lane which will further worsen the position and make the junction even busier;
- There is also development being proposed at Lyndhurst;
- The revised plans are a clear indication of collusion between the Planning Officer and the Developer to secure a financially beneficial outcome;
- The matter should be resolved by the Planning Inspector at a public hearing;
- There should be a meeting with the developer, planning committee and residents;
- The council does not respond to the comments which does not seem like democracy;
- There is a growing evidence for the relationship between the built and natural environment and health;
- A yellow digger has been parked on the field;
- The company is disreputable and put plans in when the country was in lockdown;
- NSDC say they care about local villages and residents but money means more;

**A final round of consultation was undertaken on the basis of the latest revised plans received 8<sup>th</sup> September 2020. An additional 27 letters of representation have been received which can be summarized as follows:**

### Application Procedure

### Principle of Development

- The site should not be considered for development;
- There are nearby areas for potential development that would clearly be more suitable;
- The site should be de-allocated;

### Housing Mix

- The addition of bungalows will do nothing to solve the previous issues raised;
- The developer can promise affordable housing but in reality they do not have to account for it;

### Impact on Amenity

- The green area backs onto the bungalows which will lead to anti-social behavior;
- The changes do not alter the overbearing / overshadowing nature of the proposed housing development adjacent to the sheltered housing;
- The proposed hedge along the boundary with the sheltered housing is a nonsense and will need to be maintained both sides;
- Overshadowing will be detrimental to mental health and wellbeing of residents at the time they need care and support;

### Impact on Highways

- New Lane is currently very narrow with inadequate pedestrian walkways and gets very busy when people visit the library and local shops;
- The traffic surveys were based on a quieter part of the road;
- The works to New Lane will make it even more dangerous and congested especially with the additional cars;
- The revised plans do not address the highways issues;
- The road should be marked out as per the amendments;
- The amendments do not take into account how close the vehicles are to the footpath;
- School children regularly walk side by side;
- If two lorries pass then any pedestrians would be at risk;
- Other roads would become a rat run;
- The road is not suitable for the amount of the development;
- A visit should be taken at 3pm when the schools are closing;
- There have been recent accidents near the Post Office;
- It is already a dangerous junction;
- The Council has a duty to ensure road safety risks are minimized if not eliminated;
- Previous applications have been refused because of the access issues;

- The two vehicles parked for archeology works have led to damage for the grass verges so construction vehicles will lead to chaos and congestion;
- The lane is used by horse riders and cyclists;
- Parking is already limited;
- The proposed 200 houses at Rainworth will put even more pressure on the roads;

#### Impact on Footpath

- At present the footpath is a safe and uninterrupted pathway – the proposal would mean it crossing driveways and a road;

#### Impact on the Environment

- The extra cars will create extra pollution to the area and children walking to school will be affected;
- There are trees; poppies and wildflowers on site;
- Residents moved for the peaceful location;

#### Impact on Infrastructure

- The school and doctors are already oversubscribed;
- The businesses on Mansfield Road have already suffered as a result of Covid and are just beginning to recover;

#### Impact on Flooding and Drainage

- The field floods and in summer the basin will be a stagnant breeding ground;

#### Other Matters

- The amendments are an insult to the community who wholeheartedly object to the proposals;
- In bad weather the hill becomes impacted by snow and is dangerous to cars and pedestrians;
- The only groups not objecting have no involvement with the village and will not suffer with any of the problems;
- The developers are proposing unimportant changes to try to pacify the number of objections;
- The residents are not being listened to;
- The changes made are smoke and mirrors;
- The developer has a reputation for not adhering to plans;

#### Comments of the Business Manager

#### Principle of Development

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* (emphasis added) material considerations indicate otherwise. The Adopted Development Plan for the District is the Amended Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013).

The Allocations and Development Management document was adopted in July 2013. The application site has been allocated within this document by Policy Bl/Ho/3 for residential development of a maximum of 100 dwellings. Reference has been made through the consultation process in terms of the site's previous inclusion within the Nottingham Derby Green Belt. However, for the avoidance of doubt, the village envelope inserts for the previous Local Plan confirm that the site was never incorporated within the Green Belt designation. Indeed it was a preference to avoid releasing Green Belt land which contributed to the site's allocation. It is noted that the Strategic Housing Land Availability Assessment (SHLAA) 2010 document concluded that the site was not suitable for development owing to highways safety concerns but these were subsequently resolved prior to the adoption of the Allocation and Development Management document. The principle of residential development on the site is therefore acceptable and numerically the proposal would be policy compliant subject to a consideration of other material planning considerations.

The Council is confident in its ability to demonstrate a five year housing land supply albeit it is not considered necessary to rehearse the full position in the context of the current application. Nevertheless, in line with the published Housing White Paper which promotes a requirement to boost housing supply, the positive determination of housing schemes on allocated sites remains fundamental to sustaining a healthy housing land supply position.

#### Housing Mix, Type and Density

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 District Council commissioned David Couttie Associates Ltd to undertake a district wide housing needs, market and affordability study in 2014. Blidworth is part of the Mansfield Fringe Sub area where the greatest demand of Property Type for existing households was for bungalows. In terms of property size the results of the assessment showed that in the market sector a third of existing households required two bedrooms (with three bedrooms being the second preference) and almost half of concealed households needed one bedroom. Blidworth is identified as being a popular location for occupation by concealed households.

The application site is 3.13 hectares in extent albeit the developable area would be around 2.64 hectares when the areas of open space and drainage basin are discounted. For 81 dwellings this would therefore deliver approximately 31 units per hectare which aligns with the aspirations of Core Policy 3.

As is identified above, the greatest demand based on the 2014 surveys in the Mansfield sub area is for bungalows (40.5%) followed by semi-detached houses (37.1%) and then detached houses (19%).

The latest revisions for the proposal include five bungalows. Whilst this would represent around 6% of the scheme rather than the 40% referred to above, Officers are mindful that early indications from the updated housing needs report (still in draft form) show that the need for bungalows may have dropped since 2014. The five which have been included in the revised proposals represent a meaningful contribution and are welcomed as a benefit of the scheme.

In terms of the property sizes against the given needs, the following tables show the percentage property sizes required by the survey versus the proposed development:

Table 1: Market housing size assessment

Property Size	Proposed Development (No.)	Results of HNS (%)	Proposed Development (%)
1 bedroom	0	17.2	0
2 bedrooms	8	32.3	15.8
3 bedrooms	35	24.8	59.6
4 bedrooms	14	14.1	24.6
5+ bedrooms	0	11.6	0

Table 2: Affordable housing size assessment

Property Size	Proposed Development (No.)	Results of HNS (%)	Proposed Development (%)
1 bedroom	0	24.9	0
2 bedrooms	16	75.1	70.8
3 bedrooms	8	0	29.2
4 bedrooms	0	0	0
5+ bedrooms	0	0	0

The housing mix has been subject to revisions during the life of the application with the original submission notably including no 2 bed market dwellings which clearly was raised as an issue given that they formed the property size in greatest demand in the market sector in the 2014 survey. Notwithstanding the revisions, the mix still does not exactly align with the 2014 survey and there is a distinct lack of 1 bed properties in both the market and affordable sectors.

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. Perhaps of more relevance to the current assessment is the type of product that would be delivered. Gleeson are a national house builder 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 larger units as identified above is not considered fatal to the scheme to a degree that it would justify refusal.

The 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 onto 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 (m<sup>2</sup>)**

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 <sup>2</sup> )	Space standard requirement (m <sup>2</sup> )	Compliance against (m)
201	2	60.48	70	(-9.52)
202	2	62.37	70	(-7.63)
212	2	62.37	70	(-7.63)
254	2	60.90	61	(-0.10)
301	3	70.56	84	(-13.44)
304	3	75.00	93	(-18)
307	3	75.00	93	(-18)
309	3	73.24	93	(-19.76)
313	3	75.31	84	(-8.69)
314	3	75.31	84	(-8.69)
315	3	75.81	84	(-8.19)
401	4	99.00	106	(-7.00)
403	4	97.36	106	(-8.64)

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 20m<sup>2</sup>.

However, the houses are specific product types of a national house builder 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 house builder product sales, it would be extremely difficult to resist the application 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 weighed in the overall planning balance.

### Impact on Land Use and Landscape Character

Core Policy 13 of the Core Strategy addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.

Paragraph 117 of the NPPF states that: *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'*. The paragraph then goes on to encourage the use of brownfield previously developed land. Whilst the NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed; the NPPF does not promote a sequential approach to land use and there is no presumption that Greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land.

Paragraph 170 of the NPPF indicates that local planning authorities should take into account economic and other benefits of the best and most versatile agricultural land. The loss of the land from agricultural land has already been accepted in principle through the site allocation process. It would therefore be inappropriate to resist the current application solely on this basis.

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 the Blidworth Wooded Estate lands Policy Zone 46 where the landscape condition is defined as very good. In terms of built features, the landscape actions are to conserve the sparsely settled character of the area by concentrating any new development within the core of Blidworth village. The application site is within the village envelope for Blidworth as defined through the Allocations Map and thus the proposal would meet the aspirations of the LCA.

There is no doubt that a scheme for residential development as proposed would alter the existing character of the site, a matter which was indisputable in its allocation for residential development. The development would necessitate not only the built form of the dwellings, but also internal infrastructure such as the road network and boundary treatments between the dwellings and on the boundaries of the site itself. In this respect it is notable that, as existing, the western boundary of the settlement at this point is relatively sparse and dominated by single storey developments

which owing to the topographical landscape form are relatively discrete features of the landscape. The development proposed on the other hand would introduce the rear elevations of two storey dwellings and their associated garages to the settlement edge. However, having considered the specifics of the site surroundings I do not consider that this change would be necessarily fatal in landscape character terms. Specifically, the site is immediately adjacent to residential curtilages to the north and south which offer similar relationships with the boundary of the Green Belt. In addition to this, the applicant has confirmed that the existing hedge on the western boundary of the site would be retained. This is considered beneficial in terms of ensuring that the existing field pattern is not lost.

Overall, and indeed in line with the site allocation, Officers have not identified the proposal to be detrimental to landscape character in itself. The proposal is therefore compliant with Core Policy 13. The impacts of the design and layout of the proposal in terms of the internal intricate arrangements are discussed in further detail below.

### Impact of Design and Layout

Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. The government has also produced a National design guide which is material to the current assessment and notably has been published since the previous application on the site was considered.

The planning history above details that a previous scheme for 99 dwellings (submitted by a different applicant) was refused for a single reason albeit relating to a number of issues which together compounded towards an overall harm. Areas of concern in the previous scheme included detrimental impacts on neighbouring amenity, elements of dominance of on-street parking and a lack of appropriate hard and soft landscaping mitigation.

The current application is clearly materially different to the previous scheme namely that it relates to 18 fewer units. The most obvious benefit in the reduction in units is the allowance for a meaningful area of public open space along the eastern boundary of the site (which is the most sensitive in amenity terms as is discussed below) and also a small area for provision of play equipment.

Matters of design were raised as a cause for concern in respect to the original scheme for 85 units which the applicant has attempted to address through the revised plans. Specific improvements on the revised plans including the re-alignment of plots such that the desire line for the main access into the site is no longer a row of parking spaces. Plots adjacent to the area of open space have also be re-considered to allow for better natural surveillance. Boundary details have been improved from the original scheme (which included post and rail fences between plots) and now include timber fences with brickwork where the plots adjoin the road network and the open space. The alignment of the right of way which runs through the site is also no longer proposed to be diverted and part of it would be immediately adjacent to the proposed local area of play.

It is noted that the site itself is outside of the designated Conservation Area (CA) however the southern boundary of the site is shared with the CA. 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. Policy DM9 reminds us that proposals should be compatible with the fabric of historic buildings. Notwithstanding that the proposed dwellings would be outside of the designated CA, in being directly adjacent to it, the development could still have an impact on the character and appearance of the CA, and so the decision maker should still be mindful of Section 72 (1) which states that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area*'.

The footpath running from Meadow Road down to the southwest corner of the site is an historic track and offers important first glimpses of the CA. Indeed, the rising land towards the former windmill (Grade II listed) is an important characteristic of the CA, noting that the CA boundary encompasses a significant area of countryside setting around the historic core of the village.

The scheme has been assessed by the Conservation Officer with their original comments making suggested design revisions for the south western corner of the site. The revised plans show that these comments have been considered albeit mostly through the re-orientation of the plots in this part of the site rather than the inclusion of chimneys as suggested. The comments also made suggestions to the use of more traditional materials for these plots albeit the applicant has confirmed an intention to agree materials through condition if permission is forthcoming.

Other improvements made specifically on the latest revised plans include the re-design of parking arrangements to remove the inclusion of three tandem parking spaces on the larger units. The latest revision now shows that this arrangement would only affect one plot (Plot 6) which is a significant improvement in comparison to the original scheme. There are however a couple of corner plots where the parking provision for that plot would be a short walk to the front of the dwelling.

The overall design approach is modern in nature as to be expected from a national house builder on a scheme of this size. Street scenes have been submitted (albeit in relation to the original scheme) which do show there would be variety through the use of the differing house types. Overall, and notwithstanding the heritage context discussed above, the LPA do not intend to be overly perspective on matters of design. The revisions submitted during the life of the application have taken on board the comments of Officers and Consultees and made meaningful improvements to the overall design approach of the proposal. Whilst there are still small areas of compromise, these are considered acceptable in the context of a major development of this size and would not in their own right justify refusal of the application.

### Impact on Highways

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

Paragraph 108 of the NPPF specifies that in assessing sites that may be allocated for development, it should be ensured that; appropriate opportunities to promote sustainable transport modes can be taken; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network can be mitigated to an acceptable degree.

New Lane is a two-way single carriageway road that provides access to Mansfield Road to the east and access to farm properties and a handful of dwellings to the west. The characteristics of New

Lane change in a westwards direction representing a track before eventually meeting Cross Lane. New Lane is on the National Cycle Network Route 6. The nature of New Lane is that the width of the carriageway varies considerably along the road being approximately 4m adjacent to the site and widening to 7m at the approach on Mansfield Road. The footway along New Lane as existing is also not consistent.

The application has been accompanied by a Transport Assessment which has been amended early on in the life of the application due a drafting error in the description of the surrounding area in the original document.

The report is based on scoping discussions which took place as part of the previous application albeit they have been updated to reflect the passage of time and also the reduction in units proposed. Paragraph 5.5 confirms that the development proposals, based on the provision of the original 85 dwellings, are forecast to generate some 56 and 63 two-way vehicle trips during the AM and PM peak hours, respectively, which equates to an increase in vehicular flows onto New Lane of circa one per minute during the AM and PM peak hours.

The Transport Assessment acknowledges the negotiations which took place in the previous application leading to the proposed off-site highways mitigation which ultimately led NCC Highways to lift their objection to the previous scheme.

The application for the current scheme is also proposing off-site mitigation comprising the following (as detailed at paragraph 3.6 and shown in Appendix 4 of the submitted TA):

- widening on New Lane between the site frontage and Mansfield Road;
- extension of the existing footway on the south side of New Lane into the site;
- provision of give way build outs and associated road markings and signage;
- tactile paving and dropped kerbs between Hilton Park and New Road; and
- provision of no waiting at any time restrictions between New Road and Mansfield Road.

As is detailed by the consultation section above, there have been discussions during the life of the application to the specifics of the works (for example earlier iterations of plans showed widening to less than the 5.5m required by NCC Highways). However, the applicant has since submitted plans which have satisfy NCC Highways and ultimately allowed them to remove their holding objection.

Clearly, it is material to the current determination that the number of dwellings proposed is now 18 less than the previously refused application. However, even with a lack of objection from NCC Highways, it is still material to the current application that the decision of Members made specific reference to the operation of the highways network in their reason for refusal. The impact on the highways network also forms a significant cause of concern from neighbouring residents in their submissions summarised above.

Local knowledge provides that accessibility around the site is already compromised by narrow and inconsistent pavement widths. The junction of Mansfield Road and New Lane (the latter forming the only vehicular access to the site) features a number of local businesses which take opportunity from existing street parking both at a formal and informal level. The consultation process has raised a significant level of concern in respect of difficulties which already exist in terms of parking and maneuverability at the junction mouth particularly. There is also concern that the surveys were undertaken as part of the previous application in 2017 (albeit Officers have confirmed with

NCC Highways that the use of the 2017 surveys is appropriate). Reference has also been made to a pending application for residential development to the rear of the Mccolls building at Mansfield Road.

Whilst it is fully appreciated that it would not fall for the current development proposals to fix existing highways issues, it is nevertheless material that the indicative highways works required through the development (exact details to be agreed by a separate Traffic Regulation Order) would potentially cause further detriment to the operation of the highways network in close proximity to the site. The necessary works, including double yellow lines near the junction mouth and footway narrowing as indicated, would have a negative impact on the operation and efficiency of the highways network including knock on effects to the longevity of the existing businesses which serve the community (which currently rely partially on the ability of on street parking in the area). Whilst this scheme would generate less vehicular movements than the previous application, the actual perceived difference is likely to be marginal and therefore Officers remain to be convinced that the concerns in respect to the operation of the highways network have been overcome. Having said that, as with the previous application it remains the case that NCC Highways as the Highways Authority do not object to the development and therefore it would be extremely difficult to defend a highways reason for refusal in an appeal scenario, particularly noting that the site has been allocated for residential development. The impacts on the highways network will of course need to be weighed in the overall balance undertaken below.

#### Impact on Public Right of Way (PRoW)

Blidworth Public Footpath No. 1 is recorded as running directly across the application site from the eastern boundary to the southern corner of the site. Spatial Policy 7 requires development proposals to provide safe, convenient and attractive accesses for all and to provide links to the existing network of footways, bridleways and cycleways, so as to maximize opportunities for their use.

National advice for PRoW is contained within the Rights of Way Circular (1/09) Guidance for Local Authorities (2009). This confirms that the effect of development on a PRoW is a material consideration in the determination of applications for planning permission. Further advice is that in considering potential revisions to an existing right of way, *'any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic.'*

As is detailed by the comments of NCC Rights of Way team above, the original intention to re-align the footpath along the footway was not considered acceptable. The revised plans show the retention of the right of way along its legal line but do show that the footpath would be crossed by a total of 12 driveways on its south side. Essentially through the site, it would cease to be a footpath and would instead become part of the adopted highway. As per the revised comments of NCC Rights of Way Team, this is still not an approach that they would advocate.

It is notable that the site is allocated under the Development Plan and was done so on the knowledge of the existence of the public footpath through the site. It is highly likely that (in the context of a proposal with only one vehicular access) the public footpath would be in some way impacted by the development and at some point necessitate crossing the internal highways network. As is confirmed by the aforementioned Circular, this need not be fatal in principle as there may be instances where avoiding estate roads are not possible.

Members will note that the latest comments from NCC Right of Way Team have made reference to the potential impact on the remainder of the footpath as it stretches beyond the site through to Meadow Road. At present, this part of the path is a stone surface which NCC are concerned could be adversely affected by the increased footfall. Officers have discussed with NCC the requirements / costs to the upgrade of this section of the path and the applicant has agreed to the principle of a financial contribution within the associated legal agreement should permission be forthcoming. This would go some way to mitigate against the harm of having the footpath intercepted by roadways. Nevertheless, the change in relationship which would be experienced by the users of the footpath would still weigh negatively in the overall balance.

### Impact on Amenity

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

The level of neighbouring objection received to the scheme from the local community is significant. Officers have taken the opportunity to visit the site from numerous vantage points to understand fully the impacts of the scheme.

The application site is constrained by topographical differences which amount to a significant gradient change within the site with a depression broadly centrally within the site. The topographical differences are perhaps most pronounced along the eastern boundary of the site where the rear gardens of the properties on Marklew Close are enclosed by steep embankments. These properties form a development of bungalows operated by Nottingham Community Housing Association and are occupied by elderly residents. Their rear gardens are extremely modest in length (around 5m) with the dwellings being served by an additional shared amenity space.

The relationship between the proposed development and these properties formed a significant concern in the determination of the previous application (and again featured as one of the elements of harm in the reason for refusal). The current application submission appears to have taken this on board through the positioning of the public open space along this shared boundary. The revised plans show that there would be no built form directly behind the shared boundary which is welcomed. The closest plot (Plot 04) would be a single storey bungalow. The slight disadvantage with this arrangement is that the occupiers of Marklew Close may experience some increase in noise and disturbance from users of the public open space. However, this is considered favourable to potential constant overlooking and overbearing impacts and is therefore deemed an acceptable compromise (noting of course that the site is allocated for residential development which in some respects has already accepted some form of impact in principle). The applicant has confirmed that the boundary between the open space and residents to the east would be formed of the existing boundary hedgerow (which would be planted up where gaps are).

The site is bounded on three of the four boundaries by neighbouring residential curtilages. To the north of the site, notwithstanding the presence of New Lane, the proposal has the potential to impact upon the neighbouring properties at Hilton Park. At present the rear elevations of these properties look towards the existing open site which is notably more prominent due to the topographical changes across the site. However, these topographical changes mean that the site is

set at a lower level than the dwellings on Hilton Park and therefore the opportunity for impacts of overbearing and overlooking would be significantly reduced.

The plot most likely to affect neighbouring amenity is Plot 1 in the NE corner of the site. The site masterplan demonstrates that some existing tree cover would be removed at this point of the site albeit some would equally be retained and Plot 1 would be orientated with its gable end facing the highway. Given the intervention of New Lane Officers do not consider this to be an unusual amenity relationship which would amount to detrimental impacts through overlooking and loss of privacy. It is appreciated that the outlook of the site will fundamentally change for the occupiers of the Hilton Park properties but the amenity relationships at this point of the site are not considered to warrant a resistance of the proposal.

The southern boundary of the site is shared with the residential curtilages of properties along Marriott Lane. Perhaps the most likely affected property at this part of the site would be no. 4 where the proposed development would see a total of three residential curtilages wrapped around the northern and eastern boundaries. Plot 41 is of particular note given that it would be to the rear of no.4 Marriott Close and therefore would have the opportunity to overlook their rear garden. However, in reality, due to the generous plot size at No. 4, the principle elevation of Plot 41 would be around 37m from the rear elevation of the neighbour and any outlook would be at a significantly oblique line of site.

To the eastern boundary and not already discussed above, there is also a detached property indicated on the block plan and known as Hillcrest. The closest proposed plot to this dwelling would be Plot 81. Hillcrest is a single storey property and the boundary with the site features some tree cover. It appears from aerial photography that the neighbouring dwelling has an area of outdoor amenity space to the west of their side elevation (and therefore close to the site boundary). However, Plot 81 has been revised to a single storey bungalow and would be broadly in line with the built form of Hillcrest with a side to side relationship.

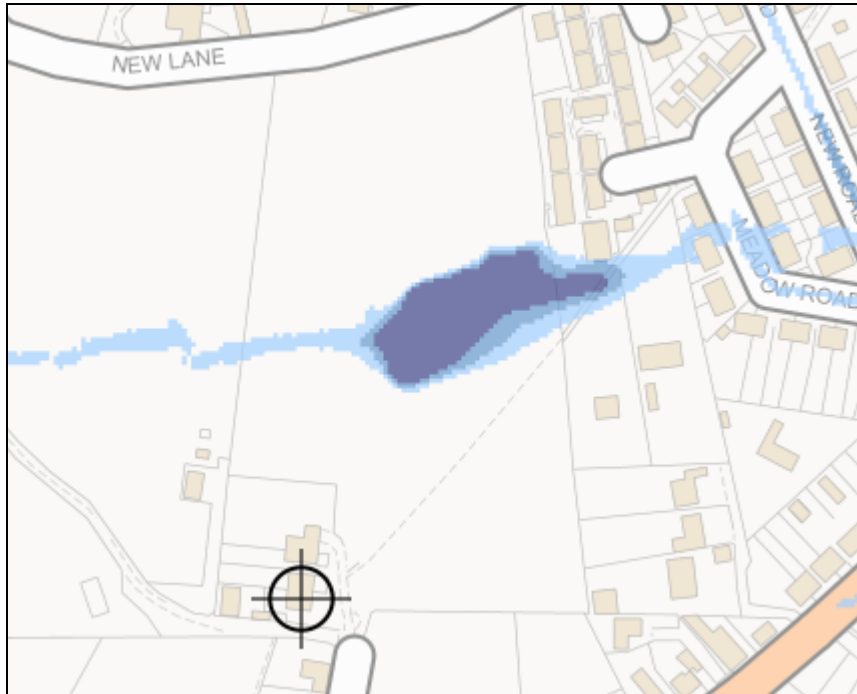
Moving to assess the amenity provision for the prospective occupiers, the provision of rear amenity space for each individual dwelling is welcomed albeit expected for a major residential scheme of this nature. The size of individual garden plots differs throughout the site albeit this too is expected to cater for the differing bed sizes (i.e. a narrow linear garden to a two bed dwelling would be considered commensurate whereas the four bed dwellings would warrant a larger garden). In terms of amenity relationships through built form within the site, Officers did identify a number of relatively tight relationships on the original scheme (such as a distance of approximately 9m between the rear elevation and the side gable of a neighbouring plot) but these have been rectified through the revised submission. The revised plans with the bungalows do show that Plot 80 would be orientated towards the side gable of Plot 79 at a distance of between 6 and 10m but both would be single storey and it due to the orientation it would not affect the whole of the rear of the plot.

Overall the amenity impacts are considered acceptable against the provisions of Policy DM5.

#### Impact on Flood Risk and Drainage

Core Policy 9 requires new development proposals to pro-actively manage surface water. The land is classified as being within Flood Zone 1. As such it is not at risk from flooding from any main watercourses. The size and nature of the development nevertheless warrants the submission of a Flood Risk Assessment (FRA).

The FRA confirms that the existing natural land drainage is towards the central valley of the site. This corresponds with the Environment Agency mapping of likely surface water flooding which shows that the majority of the site would be at very low risk with the exception of an east – west basin at the depression of the site.



The report acknowledges that following periods of prolonged heavy rain, there could be ponding of water in the central valley which corresponds with the comments received during consultation.

An impermeable area of 1.72 hectares has been assumed for the purposes of the assessment with run off rates and volumes considered in the existing and post development conditions. It is stated that the development will improve drainage on the site and will therefore reduce the risk of groundwater flooding. Preliminary estimations of the required attenuation storage have been presented albeit it is confirmed that this is subject to the details drainage design.

There is a 150mm combined water sewer crossing the development site. Appendix H of the FRA shows a copy of a letter from Severn Trent Water in which it is confirmed that the proposed foul flow from the development could be accommodated in normal dry weather conditions but equally acknowledges that sewer modelling which was undertaken in 2013 showed there were issues with capacity under storm conditions. Under the Water Industry Act (1991), developers have a right to connect foul and surface water flows from new developments to public sewers. The Act places a general duty on sewerage undertakers, including Severn Trent Water, to provide the additional capacity that may be required to accommodate additional flows and loads arising from new domestic development. Therefore Severn Trent will need to upgrade the sewer to accommodate the additional foul demand on the sewerage system. The letter acknowledges that the issue is known to STW Asset team and therefore it would not be reasonable to resist the current application on the basis of existing issues with the sewerage network. No specific comments have been received from Severn Trent Water on this application.

The proposal has been assessed by NCC as the Lead Local Flood Authority with their comments listed in full above. They raise no objection subject to the imposition of a condition. There is

therefore no justifiable reason to resist the application on flood or drainage grounds.

### Impact on Trees and Ecology

Core Policy 12 states that the Council will seek to conserve and enhance the biodiversity of the District and that proposals will be expected to take into account the need for the continued protection of the District's ecological and biological assets. Policy DM7 supports the requirements of Core Policy 12 and states that development proposals affecting sites of ecological importance should be supported by an up to date ecological assessment.

The NPPF incorporates measures to conserve and enhance the natural and local environment, including through Chapter 15. Paragraph 175 of the NPPF requires that in determining planning applications LPA's should apply principles relating to, amongst other matters, appropriate mitigation and opportunities to conserve or enhance biodiversity.

The site is located within the 5km buffer zone identified in Natural England's Indicative Core Area (ICA) and proposed Important Bird Area (IBA) boundary for those parts of Sherwood Forest which meet the primary criterion for designation as an SPA, by virtue of the population of nightjar and woodlark exceeding 1% of the national total and that the Council must pay due attention to potential adverse effects on birds protected under Annex 1 of the Birds' Directive and undertake a "risk-based" assessment of any development, as advised by NE in their guidance note dated March 2014.

There is a 5km buffer zone around the combined ICA and proposed IBA, as agreed by Natural England, within which possible adverse effects of any development should be properly considered.

It remains for the Council, as Competent Authority, to satisfy ourselves that the planning application contains sufficient objective information to ensure that all potential impacts on the breeding Nightjar and Woodlark populations have been adequately avoided or minimised as far as is possible using appropriate measures and safeguards.

The application has been accompanied by an Ecological Impact Assessment which includes an extended Phase I Habitat Survey and an appraisal of the likely impacts on the aforementioned pSPA.

In terms of the wider possible pSPA area it is stated that the site is well served by local footpaths and other areas of accessible natural green spaces which would support existing recreational activity lying closer to the site than the majority of the Important Bird Areas (IBA) and Indicative Core Areas (ICA). The report goes on to state in Section 5.1 that:

*Notwithstanding this one IBA & ICA (known locally as Blidworth Wood & Haywood Oaks) is located approximately 920 metres to the south and 1.5 kilometres to the east of the Site. However, as stated in Section 4.4, it is unlikely that a large number of the residents would access Haywood Oaks on foot due to poor sign posting, and it is anticipated that most visitors would drive to Blidworth Wood. Both areas are designed to accommodate visitors with car parks, information boards and walking trails to keep visitors to the paths.*

*It is therefore concluded that there is no appreciable scope to impact upon the integrity of any future pSPA through recreational activities further afield, due to the availability of publicly accessible natural greenspace in close proximity to the Site and the fact that several of the IBA and*

*ICA areas contain well-established infrastructure capable of accommodating the negligible number of additional visitors, with no resulting impact.*

There is no evidence to dispute the above and in any case it must be acknowledged that the site has been allocated for residential development for up to 100 dwellings. As part of the plan making process, the LPA were required to undertake appropriate habitat assessments (including consideration of cumulative impacts) which would have included consideration of this site. There is therefore no requirement to proceed to take an appropriate assessment (under the HRA regulations) for this specific application.

In terms of the ecological surveys undertaken on the site, it is concluded that there is negligible potential for roosting bats and that in any case the proposals would incorporate bat boxes and further landscaping (which has been submitted during the life of the application). Other mitigation measures promoted include a pre-commencement survey for badgers and gaps in fences to allow the movement of hedgehogs.

The application site is an arable field surrounded mostly by native hedgerows with some supporting trees, tall ruderal vegetation and scattered scrub. A Tree Survey has been submitted which identifies that the most visually prominent trees as existing are long the northern boundary with New Lane together with a group of mature Silver Birch trees in the south west corner and on the southern boundary. The majority of the trees are Category C albeit there are a few Category B trees identified. There is also a category U elder tree which is intended for removal. The agent has been asked to clarify exactly which trees are intended for removal to facilitate the development and indeed detailed landscaping plans have been received during the life of the application.

Hedgerows are intended to be retained save for the removal required to facilitate the site access. T6 would also need to be removed at the point of the access and the landscaping plans demonstrate that the trees along New Lane will require canopy lifts to 3m. There would also need to be some tree and hedge removal to facilitate the offsite highways works but in the balance of achieving highways safety this is considered acceptable.

Tree and ecology protection methods could be secured by suitably worded condition which would ensure the development is appropriately mitigated and compliant with Core Policy 12 and Policy DM7.

### Land Contamination

NPPF paragraph 178 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.

The Council's Environmental Health Officer has assessed the submitted Environmental Screening report which includes an assessment of potential contaminant sources. The comments (as listed above) concur with the findings albeit make reference to a nearby landfill site which was used as a refuse tip until around 1931. Given the potential for landfill gas to affect the development site, it has been requested that a further assessment of this nearby feature is undertaken. This has been passed to the applicant during the life of the application to give the opportunity to submit the details upfront rather than at a later date by condition. An updated report which provides discussion on the land topography, materials likely to have been tipped by the landfill and their



potential to biodegrade and produce gas given the timescale and the distance from site has been provided. The EHO has assessed the revised report and confirmed that the need for further details by condition no longer exists.

### Impact on Archaeology

Core Policy 14 relates to the historic environment and states that the District has a rich and distinctive historic environment and that the Council seeks, *'the continued preservation and enhancement of the character, appearance and setting of the Districts heritage assets and historic environment....including archaeological sites... (and) Conservation Areas...'* Paragraph 5.71 states that the Council will ensure that any proposals concerning these heritage assets will secure their continued protection and enhancement, contributing to the wider vitality, viability, regeneration of an area, reinforcing a strong sense of place.

Policy BI/Ho/3 requires the investigation of potential archaeology on the site and any necessary post determination mitigation measures. The original application was accompanied by an Archaeological Desk based assessment. Research for the desk-based assessment indicated that the potential for archaeological remains to be present within the site is low. Any remains that do survive within the site were said likely to be low-level features relating to agriculture, land division or drainage. However, the document was assessed by the Council's Archeological Advisor who pointed out that the previous investigations on the site (for the 2017 application) indicated a moderate potential for medieval archeology to be present. On the basis a further geophysics report was submitted during the life of the application. This report recorded a number of anomalies of undetermined origin, some of which may relate to burning activity of an unknown date. It also recorded agricultural activity such as modern ploughing trends and drainage features. However, further evaluation works confirm that nothing of particular significance was encountered and that the geophysics anomalies are likely due to a change in the natural geology.

As is detailed in the consultation section above, the Councils Archeological Advisor has confirmed that that no further archeological work is necessary on the site.

### Developer Contributions

Spatial Policy 6 'Infrastructure for Growth' and Policy DM3 'Developer Contributions and Planning Obligations' set out the approach for delivering the infrastructure necessary to support growth. The Developer Contributions and Planning Obligations Supplementary Planning Document provides additional detail on the Council's policy for securing planning obligations from new developments and how this operates alongside the Community Infrastructure Levy (CIL). The SPD is a useful starting point for the applicant in setting out the approach to resolving negotiable elements not dealt with by the CIL and of the site specific impacts to make a future development proposal acceptable in planning terms.

### **Affordable Housing**

The policy stance of Core Policy 1 is that 30% on-site affordable housing should be provided which should reflect local housing need and viability on individual sites, overall reflecting a mix of 60% social rent and 40% intermediate.

The original submission sought to provide 24 '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.*

However, Officers have negotiated with the applicant and the revised scheme for clarity is for a policy compliant 60:40 split as outlined by the updated affordable housing statement.

### **Community Facilities**

For developments of 10 or more dwellings a contribution towards community facilities can be sought which is based upon £1,384.07 per dwelling (indexed as of 2016), equating to £112,109.67. The draft heads of terms submitted with the application offers £100,385 to be paid towards improvements in community facilities in the vicinity of the site. The applicant has confirmed that the draft heads of terms was based on best estimates and that the requirements will be based on responses from consultees. As is detailed by the consultation section above, the full SPD contribution is requested for community facilities.

### **Education**

The Council's SPD on 'Developer Contributions and Planning Obligations' provides that contributions towards primary school education can be sought from planning applications for 10 or more dwellings. Based on a calculation of £2,406 per dwelling, the contribution calculated for 81 dwellings would be £194,886 which is offered by the applicant in the draft heads of terms. However, as is confirmed by the comments of NCC Policy, the existing schools can accommodate the proposed development and no contribution has been requested.

### **Health**

For developments over 65 dwellings (or where a development places an extra demand upon local health care) a contribution of £982.62 per dwelling (figure includes indexation to 2016) towards health can also be sought through the planning application as set out in our SPD.

The CCG have commented on the application requesting a contribution of £79,542 towards three local GP practices. This has been passed to the agent during the life of the application noting that the original heads of terms document did not include a health contribution figure and as above the applicant has accepted contributions will be based on consultee requests.

### **Libraries**

The Council's SPD allows for contributions towards library stock at a cost of £47.54 (based on 2016 indexation) per dwelling. The County Council have made a specific request of £2,849 towards library stock at Blidworth Library.

## **Open Space**

A development of 81 dwellings is required to make a contribution towards open space in the form of provision for Children and Young People; Amenity Green Space and Natural and Semi-Natural Green Space.

The SPD recognizes the difficulty in provided for natural and semi-natural green spaces in urban environments and recommends that all residents should live within 300m of an area between 0.2ha and 1ha in size. This is easily achieved by the sites positioning at the edge of village envelope.

The proposal includes an area of amenity green space on site of approximately 0.17 hectares in extent along the eastern boundary as well smaller pockets throughout the site which would exceed the requirements for on-site amenity green space as outlined by the SPD (14.4m<sup>2</sup> per dwelling therefore around 0.11 hectares). The revised plans also demonstrate an area of local play on site approximately 260m<sup>2</sup> in extent. Although this would fall short of the on-site space requirement for children and young people (18m<sup>2</sup> per dwelling so around 1,450m<sup>2</sup>), when taken in the context of the surplus in amenity green space, the overall on-site provision is only marginally short of the SPD requirements. Moreover, the drainage basin, although not accounted for in the open space figures, would be an additional break to the built form of the site. This is a marked improvement to the previous refusal on the site where areas of open space were distinctively lacking.

Officers have discussed the on-site provision with the parks and amenities team. Understandably, it was queried why the LAP was such a modest size and why a larger area had not been incorporated into the area of open space to the north of the drainage basin. This has been discussed with the applicant and it has been confirmed that this area was avoided partly due to the change in land levels (which would require a retaining structure) but also due to the proximity with the bungalows to the east. Officers have sympathy with this approach and clearly would want to avoid the provision of equipment too close to the boundary as it could lead to increased noise and disturbance in a concentrated area (albeit as acknowledged above, even an area of grass has some potential to lead to noise and disturbance).

On balance the on-site provision is considered acceptable to Officers. The exact details of the equipment to be provided in the LAP would be agreed through the S106 process. On the basis of the above, there is no specific requirement for an open space contribution to be made but the S106 would still need to cover matters of maintenance.

## **Transport**

NCC have made a site specific request for a contribution of £36,600 towards bus infrastructure in the vicinity of the site which is considered reasonable and should be included within the S106.

## **Public Footpath**

As discussed above, a site specific request of £4,000 has been made for the upgrade of the public footpath between the site and Meadow Road. This is considered reasonable for inclusion within the S106.

## **Overall Balance and Conclusions**

The proposal relates to an allocated site in the settlement of Blidworth which is considered sustainable in principle. There is no doubt from the level of neighbour representations received that the site is highly contentious in the local community and all comments received have been carefully considered.

The current application is materially different from the previously refused scheme (submitted by a different applicant) on numerous factors. Primarily, it relates to 18 fewer units and unlike the last scheme no viability case has been presented. The applicant has provided a willingness to provide the contributions requested in *all* aspect which could be secured by an associated legal agreement.

The applicant has taken on board comments of Officers and consultees during the life of the application through the submitted revised plans. Specifically the revised plans represent a much improved amenity relationship in that there would now be no built form immediately behind the neighbouring bungalows on Marklew Close (again a marked improvement from the previously refused scheme). Other improvements include revised boundary treatments which would be beneficial both in neighbouring and visual amenity terms. The revised proposals have also improved the parking arrangements within the site and introduced a total of 5 two bed bungalows.

It is acknowledged that the highway proposals (specifically the interventions to New Lane) remain similar to the previously refused scheme in which impact on the highways network formed part of the compounded reason for refusal. However, as with the previous application, NCC as the highways authority have not objected to the proposals. In the context of the improvements mentioned, Officers envisage it would be extremely difficult to sustain a reason for refusal solely on this basis.

The revisions made during the life of the application are a vast improvement in comparison to the original scheme presented for 85 units and an even more significant improvement in comparison to the previously refused scheme. Taking all material considerations into account, Officers have attached meaningful positive weight to the housing delivery of an allocated site in a sustainable settlement. The scheme as revised can be appropriately mitigated by conditions and therefore, despite the significant level of objections which have been received, the recommendation is one of approval as outlined below.

## **RECOMMENDATION**

**Approve full planning permission subject to;**

- 1) the conditions outlined below and**
- 2) the sealing of a signed Section 106 agreement securing the details contained in Appendix 1.**

## Conditions

01

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

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

02

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

- Proposed Site Layout – 3247 – 1 – 001 U;
- 201 dwelling type – 201/1G;
- 202 dwelling type – 202/1F;
- 212 dwelling type – 212/1-;
- 254 dwelling type – 254/1;
- 301 dwelling type – 301/1H;
- 304 dwelling type – 304/1E;
- 307 dwelling type – 307/1B;
- 309 dwelling type – 309/1E;
- 313 dwelling type – 313/1-;
- 314 dwelling type – 314/1-;
- 315 dwelling type – 315/1A;
- 401 dwelling type – 401/1G;
- 403 dwelling type – 403/1J;
- 1800mm High Close Boarded Timber Fence – 0282 SD-100;
- 1800mm High Fence & Brickwork Wall – 0282 NSD111 Rev. C;
- 1200mm High Timber Fence – 0282 NSD105 Rev. C;
- Detached Single Garage Details – 0282 SD700 Rev C;
- Detached Double Garage Details – 0282 SD701 Rev. D;
- Sales Garage Details – 0282 SD704;

Reason: So as to define this permission.

03

Prior to any development above slab level a schedule of materials for all plots detailing all facing materials including bricks and roofing tiles shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.

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 Flood Risk Assessment (FRA) and Drainage Strategy 19/030.01 JOC Consultants, 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 include:

- Evidence that the capacity improvements have been carried out to the Severn Trent combined sewer as referenced in their correspondence dated 6 December 2019 and that Severn Trent Water Ltd. have approved the discharge of surface water to their asset.
- Evidence that the development takes into consideration the existing surface water flow path across the site in a manner that neither increases the risk of flooding to the surrounding area nor puts properties and curtilages of the proposed development at risk of flooding.
- 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 Landscape Proposals hereby approved (shown on plan reference Detailed Landscape Proposals (1 of 2) 3632/2 Rev. E and Detailed Landscape Proposals (2 of 2) 3632/3 Rev. E), shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority. The landscaping hereby approved shall otherwise be maintained in accordance with Section 2.2 (Habitat Enhancements and Management) of the document Biodiversity Management Plan (BMP) and Construction

Environmental Management Plan (CEMP: Biodiversity) by SLP ref: 424.03044.00150 Version No. 3 dated August 2020.

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

06

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

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

07

No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior consent in writing of the local planning authority. Any trees, shrubs or hedges which die, are removed, or become seriously damaged or diseased within five years of being planted, shall be replaced with trees, shrubs or hedge plants in the next planting season with others of similar size and species.

Reason: To ensure the existing trees, shrubs and or hedges are retained and thereafter properly maintained, in the interests of visual amenity and biodiversity.

08

Prior to any occupation of the dwellings hereby approved, the boundary treatments shown on the approved plan 'Proposed Site Layout – 3247 – 1 – 001 U dated 08.09.20' and Detailed Landscape Proposals (1 of 2) 3632/2 Rev. E and Detailed Landscape Proposals (2 of 2) 3632/3 Rev. E shall be implemented on site. The boundary treatments within plots shall be retained for a minimum period of five years. The additional native hedgerow planted as shown on the landscaping plans shall be maintained as per the requirements of paragraph 2.2.1 of the document Biodiversity Management Plan (BMP) and Construction Environmental Management Plan (CEMP: Biodiversity) by SLP ref: 424.03044.00150 Version No. 3 dated August 2020.

Reason: In the interests of residential and visual amenity.

09

Notwithstanding the above condition, prior to any occupation of the dwellings hereby approved, elevation details to a scale of not less than 1:100 shall be submitted for approval in writing to the Local Planning Authority for the 450mm high knee rail fence; 1.2m high post and rail fence and 1m high mild steel bow top railing. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

10

Notwithstanding the details shown on Engineering Layout – STE/Blidworth/Appraisal dated 5-3-20, prior to the commencement of any development above slab level, updated details of the existing and proposed ground and finished floor levels of the site and approved buildings shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include ground levels within the public open space area at the eastern boundary of the site. The development shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of residential amenity and ensuring that there is no additional surface water run-off to existing properties.

11

The development hereby approved shall be carried out in accordance with the ecological enhancements detailed within the document Biodiversity Management Plan (BMP) and Construction Environmental Management Plan (CEMP: Biodiversity) by SLP ref: 424.03044.00150 Version No. 3 dated August 2020, specifically:

- a total of nine bird boxes shall be installed, four on existing trees (on the northern and southern boundaries) and five integrated into the new properties (as illustrated on Drawing 2);
- A total of nine bat boxes shall be incorporated into buildings as they are constructed, and all shall comprise Istock Enclosed Bat Box 'B' designs. The boxes shall be installed at a height of at least 4 metres and shall mostly face south (as illustrated on Drawing 2);
- Gaps shall be left at the basis of fences at strategic locations (as illustrated on Drawing 2);

Reason: To preserve the ecological value of the site.

12

Prior to the commencement of any development above slab level, an ecological walkover survey shall be undertaken by a qualified ecologist and an updated report outlining species present with mitigation measures where necessary shall be submitted to and approved in writing by the Local Planning Authority. The survey should specifically ascertain whether there is any additional evidence of badger usage on the site. The development shall thereafter be carried out in accordance with the approved details and mitigation measures set out.

Reason: To protect any ecological potential within the site.

13

No development shall take place until a Construction Methodology and Management Plan (CMMP) has been submitted to and approved in writing by, the Local Planning Authority. The approved CMMP shall be adhered to throughout the construction period. The CMMP shall comprise the following:

- The details of temporary fencing to be erected and retained during the construction period;



- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- any measures to control the emission of noise, dust and dirt during construction;
- hours/days of proposed construction.

Reason: To protect the amenity of the surrounding area.

14

No dwelling forming part of the development hereby permitted shall be occupied until its associated driveway and any parking or turning areas is surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the Highway boundary. The surfaced driveway and any parking or turning areas 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.).

15

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

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

16

No dwelling forming part of the development hereby permitted shall be occupied until its associated driveway / parking / turning area is constructed with provision to prevent the unregulated discharge of surface water from the driveway /parking/turning area to the public highway in accordance with details first submitted to and approved in writing by the LPA. 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.

17

Prior to the commencement of development, the Highway works as shown for indicative purposes only on drawing 190024/P/001/G shall be completed. For the avoidance of doubt, these works require a Traffic Regulation Order to enable the priority workings, which will need to be agreed and fully implemented to the satisfaction of the Local Planning Authority in discussion with the Highways Authority.

Reason: To provide adequate & safe access to the site.

18

Prior to commencement of the development, an application shall be made to provide the Traffic Regulation Order (double yellow lines) shown for indicative purposes only on drawing 190024/P/001/G on New Lane in the vicinity of Mansfield Road. Any subsequently approved works shall be fully implemented to the satisfaction of the Local Planning Authority in discussion with the Highways Authority.

Reason: To provide adequate & safe access to the site.

#### 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/](http://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

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

03

The applicant should note that, notwithstanding any planning permission, 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.

04

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. Please contact [david.albans@nottscc.gov.uk](mailto:david.albans@nottscc.gov.uk) for details.

05

The proposed waiting restrictions and priority traffic referred to in the conditions require a Traffic Regulation Order. The developer should note that the Order can be made on behalf of the

developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact [mike.barnett@viaem.co.uk](mailto:mike.barnett@viaem.co.uk). Please note that the Order process may take 9-12 months

06

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

### 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](http://www.newark-sherwooddc.gov.uk).

**Lisa Hughes**  
**Business Manager – Planning Development**

Committee Plan - 20/00475/FULM

