



Civic Centre,  
Arnot Hill Park,  
Arnold,  
Nottinghamshire,  
NG5 6LU

# Agenda

## Planning Committee

Date: **Wednesday 7 August 2019**

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Time: **6.00 pm**

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Place: **Council Chamber, Civic Centre.**

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For any further information please contact:

**Cayte Goodall**

Democratic Services Officer

0115 901 3961

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# Planning Committee

## Membership

**Chair** Councillor John Truscott

**Vice-Chair** Councillor Paul Wilkinson

Councillor Michael Adams  
Councillor Peter Barnes  
Councillor Chris Barnfather  
Councillor David Ellis  
Councillor Andrew Ellwood  
Councillor Mike Hope  
Councillor Rosa Keneally  
Councillor Meredith Lawrence  
Councillor Barbara Miller  
Councillor Marje Paling  
Councillor John Parr  
Councillor Alex Scroggie  
Councillor Henry Wheeler  
Councillor Rachael Ellis

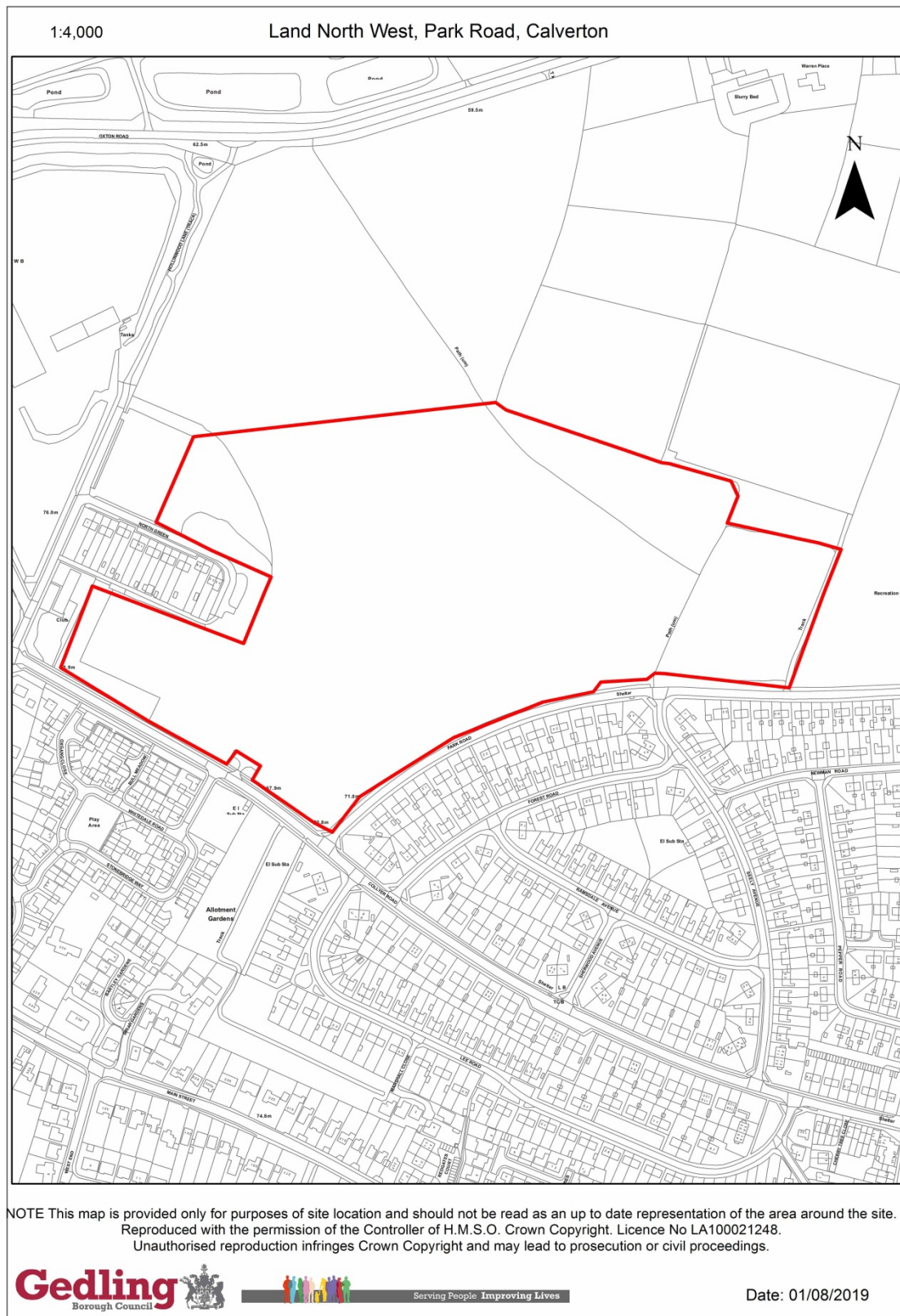
## **AGENDA**

**Page**

- |           |                                                                                         |               |
|-----------|-----------------------------------------------------------------------------------------|---------------|
| <b>4.</b> | <b>Planning Application 2018/0607 - Land North West, Park Road, Calverton.</b>          | <b>5</b>      |
| <b>6.</b> | <b>Planning Application 2018/0823 - Land West Of Westhouse Farm Moor Road Bestwood.</b> | <b>7 - 16</b> |

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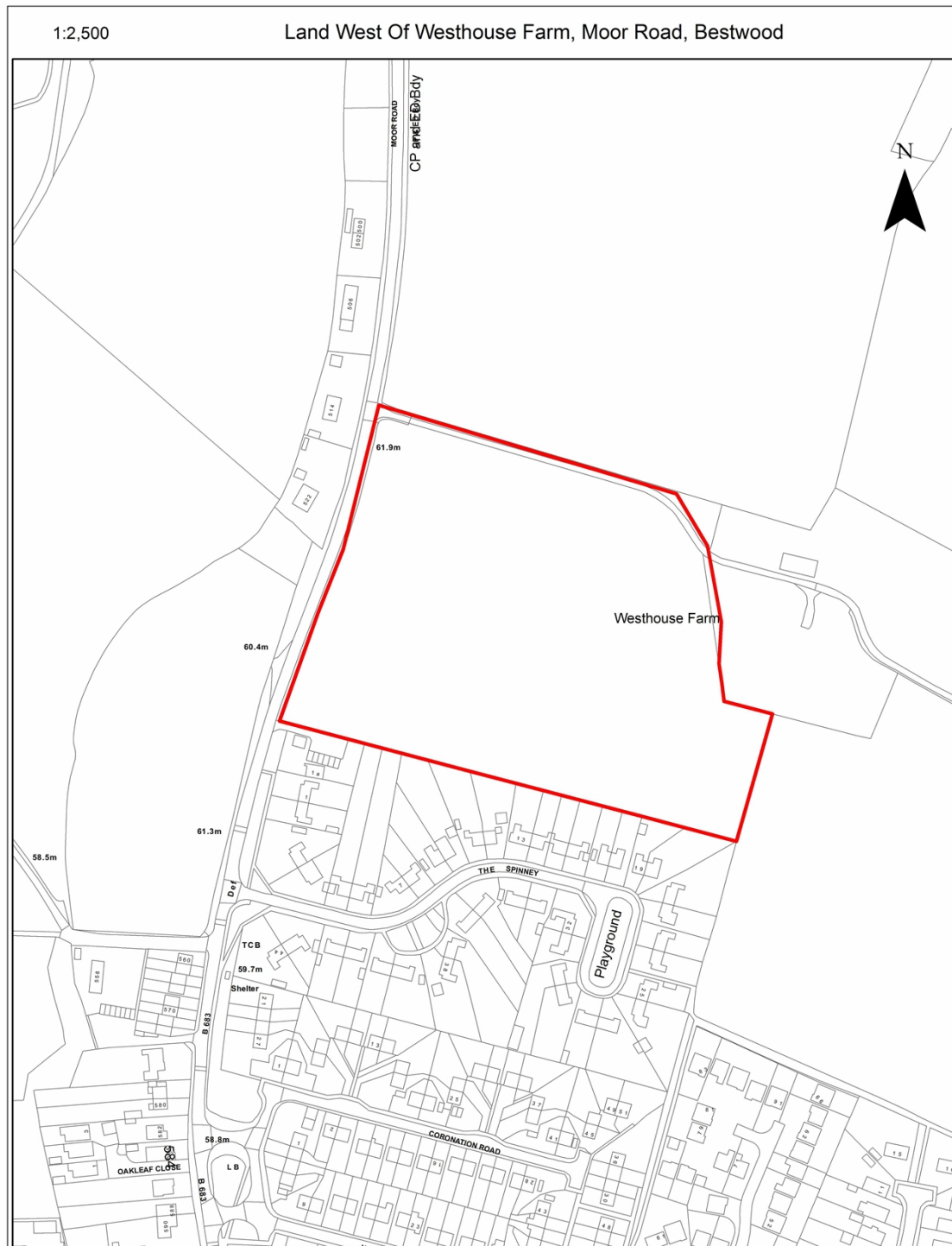
## Agenda Item 4.



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## Planning Report for 2018/0823



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.  
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Serving People Improving Lives

Date: 17/07/2019

**Report to Planning Committee**

**Application Number:** 2018/0823

**Location:** Land West Of Westhouse Farm Moor Road Bestwood.

**Proposal:** Reserved Matters application for the construction of 101 dwellings pursuant to Outline Planning Permission 2014/0238.

**Applicant:** Langridge Homes Ltd

**Agent:**

**Case Officer:** Kevin Cartwright

**This application has been referred to Planning Committee to accord with the Constitution as more than nine dwellings are proposed.**

**1.0 Site Description**

- 1.1 The application site relates to an area of land located directly to the north of the residential properties on The Spinney on the northern edge of Bestwood Village and to the east of Moor Road.
- 1.2 Construction works are underway on site in relation to the construction of a new access road that will link the new Hawthorne Primary School to Moor Road. It will also form the new local distributor road within the proposed development.
- 1.2 The site climbs steadily from Moor Road to the eastern boundary of the site. There is a difference in levels of approximately 8-9 metres across the site.
- 1.3 The properties located on The Spinney are immediately to the south of the application site. There is no significant difference in land levels between the application site and the adjacent properties on The Spinney.

**2.0 Relevant Planning History**

- 2.1 2014/0823 - Outline Planning Permission for residential development of 101 dwellings was granted outline planning permission on 21<sup>st</sup> March 2019.
- 2.2 2018/0578 – New access road linking the new Hawthornes Primary School to Moor Road. Granted planning permission on 12<sup>th</sup> July 2018.



### **3.0 Proposed Development**

3.1 The application seeks the approval of the reserved matters of appearance, scale, layout and landscaping for the erection of 101 detached dwellings.

3.2 The accommodation schedule proposed is as follows:

- 17no. five bed properties
- 39no. four bed properties
- 14no. three bed properties.
- 11no. two bed properties
- 20no. one bed studio apartment

### **4.0 Consultations**

4.1 Bestwood Village Parish Council –

- The proposed houses to the south of the site are too close to the boundary with The Spinney and therefore overlook the existing properties.
- There should be a barrier planned between the Spinney with suitable contributions from the developers to maintain the barrier in the future.
- The 'open space' marked on the development borders the busy Moor Road, it is not appropriate for recreational space (pollution, noise, and safety).
- We recommend this green space be moved to within the development.
- We assume the roads will be adopted.
- There should be a zebra crossing on Moor Road.
- All houses must have suitable parking allocated and clearly marked in the plans.
- There must be pedestrian access from the development to the village that doesn't involve walking along Moor Road. This should be a path from the South-east of the development and connect to a path running beside Spinney which itself connects to Robin Hood Way.
- The development will become the school drop-off/pick-up area. The roads on the development should have parking restrictions.
- The location of the replacement hedges is unclear.
- Request that local school children name the new roads.

4.2 Nottinghamshire County Council Highways – The application is for the approval of reserved matters relating to outline planning permission 2014/0238.

The road layout has been technically approved as part of a section 38 agreement, meaning that the Highway Authority is satisfied with the proposed road layout.

The plan entitled 'Site Layout Plan – Phase 1' which has been submitted as part of the planning application appears to show the same layout as that which has been technically approved as part of the section 38 agreement. In view of this the Highway Authority has no objections to the reserved matters application.

- 4.3 Nottinghamshire County Council – Lead Local Flood Authority – no objections.
- 4.4 Environment Agency – No formal comments to make. Conditions requested at the outline stage should be carried forward.
- 4.5 A press notice was published, a site notice displayed and neighbour notifications letters posted. 2no. objections were received and these are summarised below:
- There is no footpath access from the development into the heart of the village, the only access being on to Moor Road and then by the new footpath to The Spinney.
  - In order to assist integration of the new residents, a footpath running immediately adjacent to the school's western boundary linking with the existing path leading to the top of Hill Road would be most helpful.
  - Another 100 houses with no indication of any improvements to existing village services.
  - The village has one small shop, no frontline health service and a poor bus service.
  - Buildings do not respect local context or street pattern or the scale and proportions of the surrounding buildings.
  - Green Belt land should only be built on in exceptional circumstances.
  - There are no local GP's or dentists.
  - The properties along The Spinney are characterised by large plots with spacing between. The proposed dwellings would be extremely close to the existing properties.
  - The proposed dwellings are now semi-detached when previously they were indicated as detached dwellings with garages giving a much more open space appearance with an experience of low density. The original scheme had six properties adjacent to the Spinney now there are twelve and a block of apartments.
  - Would harm amenities enjoyed by local residents – right to enjoy a quiet and safe environment.
  - Little space for landscaping and would result in the loss of valuable green space
  - Trees and hedgerows have been ripped out
  - Loss of privacy and overlooking
  - Would impact on right to respect their private and family life
  - Noise levels from the proposed dwellings in relation to existing properties
  - Noise levels from school and traffic in relation to the proposed occupiers.
  - Increased pollution from increased traffic
  - Inadequate parking and lack of public transport
  - No plans for any cycle lanes to reduce the number of cars on the road.
  - Bestwood village has one road into and out of the village – Moor Road. The development will result in long term highway safety issues.
  - The village is at a high risk of flash flooding. Heavy rain often overwhelms the sewer system.

Following the submission of amended plans in July 2019, illustrating the relationship of the proposed development with the properties on The Spinney,

a neighbour/parish re-consultation was undertaken. No further representations have been received from members of the public.

The Parish Council has reiterated its desire for a footpath link to the new school.

## **5.0 Assessment of Planning Considerations**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

## **6.0 Development Plan Policies**

- 6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Section 12 (Achieving well-designed places) is particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy A – Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 10 –Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

6.4 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 25 dwellings per hectare (within or adjacent Bestwood Village) unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

LPD 65: Housing Allocations – Bestwood Village– sets out that this planning application site is a housing commitment.

## 6.5 Other Guidance

Parking Provision for Residential Developments – Supplementary Planning Document (2012) – sets out the car parking requirements for new residential development.

## 7.0 **Planning Considerations**

- 7.1 The principle of the development of the site for residential use has already been established through the granting of outline planning permission reference 2014/0238 granted on 21<sup>st</sup> March 2019. Accordingly, the matters for consideration as part of the current reserved matters application relate to appearance, layout, scale and landscaping only.
- 7.2 The access road is already under construction pursuant to planning permission 2018/0578 and the works are to the satisfaction of the local highway authority.

### Appearance

- 7.5 There would be a mix of different house types throughout the site that would meet the needs of the different groups in the community. The appearance and design of the proposed dwellings is considered to be acceptable within the context of the surrounding area. As such the proposal is considered to accord with objectives of the National Planning Policy Framework and Aligned Core Strategy (ACS) Policy 10.
- 7.6 Materials for the development are specified as red facing brick with a contrasting buff brick with a mix of approximately half of the units having a dark red concrete interlocking tile and half anthracite interlocking slate. Brickwork detailing would be incorporated at eaves level and also around windows

### Layout

- 7.7 The proposed dwellings would be accessed via a number of cul-de-sacs and private drives off the main spine road which will also provide the permanent vehicular and pedestrian access to the new Hawthorne Primary School to the east of the site.

- 7.8 The drainage solution to the site is in the form of a large attenuation pond located in the southwestern corner of the site. Extending northwards along the frontage of the site is a green space which serves as a buffer from any significant road noise along Moor Road whilst also proving the necessary drainage easement. The SUDS and any other incidental open space not adopted by the Highway Authority would be maintained by a Management Company. This is a requirement of the S106 agreement.
- 7.9 The public open space requirements for site are also prescribed by the S106 agreement that accompanies the outline planning permission. This being a contribution of £50,755.20 towards the provision of/or improvement of Off-site Open Space within a radius of 2km from the site and a Maintenance Contribution of £15,504.00 and a Play Areas/informal Sports facilities capital contribution of £152,279.20 and a maintenance contribution of £68,952.00. Hence the absence of on-site provision within the layout.
- 7.10 Concerns have been raised by the occupiers of existing properties on The Spinney in relation to the depths of the proposed rear gardens. Whilst it is accepted that the rear gardens of the properties adjacent to the southern boundary of the site, (plots 13-28) have somewhat limited rear garden lengths of between 7.5m and 8.5 metres, the overall separation distance between the rear elevation of the proposed dwellings and the existing properties on The Spinney is of between 27 and 29 metres, which is acceptable. Notwithstanding the elevated position of the properties along The Spinney, it is considered that this is separation is satisfactory to ensure no significant overlooking or loss of privacy would occur.
- 7.11 The proposal therefore complies with the objectives of the National Planning Policy Framework and Aligned Core Strategy (ACS) Policy 10 and Policy LPD 32.

#### Scale

- 7.12 At two storeys in height, the scale of the proposed development is considered to be appropriate within the context of the surrounding area.
- 7.13 The existing properties along The Spinney would not experience any significant overshadowing or create an overbearing environment for the future occupiers of the proposed units due to the aforementioned separation distances.
- 7.14 Whilst the proposed units adjacent to The Spinney would have limited rear gardens of 7.5-8.5 metres it is considered sufficient to ensure no significant overshadowing or creation of an overbearing environment.
- 7.15 The proposal therefore meets with the objectives of ACS Policy 10 and LPD Policy 32.

### Landscaping

- 7.16 The frontage boundary of the site would comprise a hedgerow to the north of the spine road and 1.8m high railings to the pond area south of the spine road.
- 7.17 The frontages to the plots comprise of lawn areas and hardstanding for cars. Any boundary treatments forward of the front elevations would be 1m close boarded to ensure pedestrian visibility is achieved. To the rear each plot comprises lawn areas and 1.8m close boarded fences to provide privacy between plots.
- 7.18 There would be tree planting in key locations throughout the site but predominantly along the spine road and the private drives. These would be a mix of silver birch, whitebeam, mountain ash, flowering cherry, honey locust and ornamental pear.
- 7.19 It is also proposed to infill the hedgerows around the boundary of the site. This would be undertaken with quickthorn.
- 7.20 The above would ensure that the site is to some extent softened and screened and also providing integrity to the existing wildlife corridors that run around the site. As such it is considered that the proposal accords with ACS Policy 10 and LPD Policy 32.

### Proposed Density

- 7.21 The density of the proposed development would be approximately 30 dwellings per hectare which is above the minimum 25 dwellings per hectare stated in Policy LPD 33. This density is considered to reflect the local characteristics and would be in keeping with the character of the area. This is a reserved matters application pursuant to an outline planning permission which specified the 101no. units on the site. The proposed density accords with the outline permission.

### Highway Matters

- 7.22 The site would be served by the new access off Moor Road which was approved by both the outline planning permission 2014/0823 and full planning permission 2018/0578. The Highway Authority raises no objection to the development.
- 7.23 Pedestrian connectivity to the village would be along the frontage of the site. As part of the outline planning permission there is a requirement for a contribution of £70,000 towards an Integrated Transport Contribution. This would be spent by the County Council on works within the vicinity of the site to improve/extend nearby footpaths. The package could include:

- Providing pedestrian links and a suitable crossing point to nearby bus stops;
- Potential upgrades to the public footpath link to the NET tram stop at Butlers Hill as well as cycle links to the Leen Valley Country Park;
- New 'Gateway' treatment and extended traffic calming zone for Moor Road;

-Provision of Travel Information Welcome Packs for all residents.

- 7.24 From a car parking perspective, with the exception of the one bed apartments which have a single space each, all plots include 2no. parking spaces. In addition the majority of the dwellings have integral garages giving a total of 3no. parking spaces per plot. This coupled with the ability to park on the highway in front of each plot would provide adequate parking provision, in accordance with the Council's Parking Provision for Residential Developments – Supplementary Planning Document.
- 7.25 In light of the above matters it is considered that the proposal would not be harmful to highway safety or the surrounding road network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework and Local Planning Document LPD 61.

#### Other matters

##### Protected Trees

- 7.26 There are a number of protected trees adjacent to the northern boundary of the site covered by a group Tree Preservation Order made in July 2018. These trees would not be affected by the proposed development.

##### Village infrastructure

- 7.27 Whilst the comments in relation to existing infrastructure are noted, this is a reserved matters application pursuant to an outline planning permission. There is a S106 agreement that accompanies the outline planning permission that secures relevant developer contributions to mitigate the impact of the development on primary healthcare and education. No further developer contribution may be sought at reserved matters stage.

##### Flood Risk

- 7.28 It is noted that this reserved matters application includes a sustainable urban drainage system to manage surface water run-off. The drainage rates would be managed via the attenuation pond in the south-eastern corner of the site. This would ensure that the surface water run-off rate for the site would be the equivalent to greenfield run-off. Condition 9 of the outline planning permission deals specifically with this matter.
- 7.29 The comments of the Environment Agency are noted requesting the outline conditions be carried forward to this reserved matters application. This is not necessary as an outline and reserved matters are read together and form the approval of the development. Duplication of the conditions is not required.

##### Pedestrian Access to the School

- 7.30 There is currently pedestrian access to the school via the existing footpath network from The Spinney, Keepers Close, Yeoman Avenue and Coronation Road. The planned pedestrian and vehicular access from the application site

would be off the main distributor road providing a link directly to the school. This would ensure good connectivity. As such there is no requirement for any additional pedestrian links to the school.

#### Street Naming and Numbering

- 7.31 This is a separate process to planning permission, however any road names put forward by children at the local school will be considered in consultation with the developer.

## **8 Conclusion**

- 8.1 The proposed development would be of a scale, layout and appearance that would be appropriate in the context of the surrounding area and would not have an adverse impact upon visual amenity, residential amenity or highway safety. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies, A, 10 Local Planning Document Policies 32, 33, 35, 57, 61 and 65.

#### **Recommendation: Grant approval of reserved matters subject to the following conditions:**

1. This permission shall be read in accordance with the following plans:

MRBDR07-SBP-P1 Rev B  
MRBDR06-SLP-P1 (landscaping)  
13152/100-01 Rev f (levels only)  
Materials Schedule 19.07.2019 Rev A

Housetypes:

A1/2018, A2/2018, B6/2017, BGA4/2018, C8/2018, C9/2018, DA3/2018, E20/2018, F5/2018, G7/2018, HA/2018, JD/2018, KA2/2018, KB1/2018, T20/2018, VA/2018, XAA/2018, YAB/2018, Y2/2018, Z4/2018, and X3.

The development shall thereafter be undertaken in accordance with these plans.

Reason: To define the permission, for the avoidance of doubt

2. Notwithstanding the submitted details, prior to the occupation of plots 13-28, precise details of the rear boundary treatment of these plots along the common boundary with The Spinney shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved plans.

Reason: To ensure a satisfactory form of development and in the interests of residential amenity.