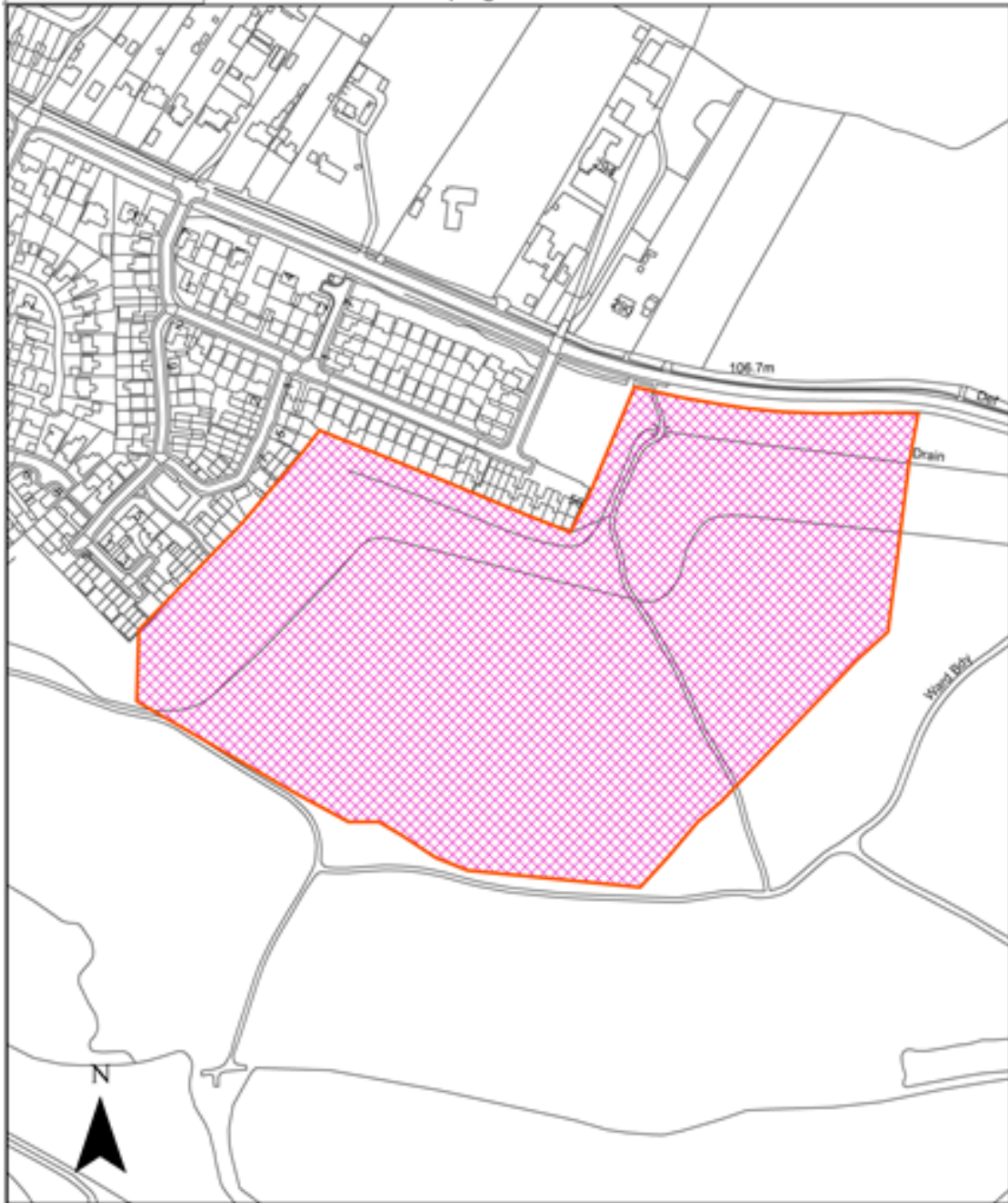




Application Number: 2016/0179

Location: Land Adjacent Bradstone Drive, Spring Lane, Gedling,
Nottinghamshire.



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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Report to Planning Committee

Application Number:	2016/0179
Location:	Land Adjacent Bradstone Drive, Spring Lane, Gedling, Nottinghamshire.
Proposal:	Application for the Approval of Reserved Matters in relation to Soft landscaping design for plots and public open space, not EIA development, of outline planning permission no: 2014/0740 for the erection of 150 houses.
Applicant:	Bloor Homes Ltd Midlands Divison
Agent:	Mr Maxwell Whitehead
Case Officer:	Nick Morley

Site Description

This application relates to approximately 9.5 hectares of former colliery land located in an elevated position on the eastern edge of Mapperley Plains. The site is immediately adjoined to the west by the rear gardens of the new residential properties on Bradstone Drive. The Gedling Country Park is located to the south, west and east of the site.

The land is elevated and forms a plateau which significantly drops away to the Country Park to the south and west. The boundaries with adjacent residential properties consist predominantly of existing woodland, whilst there is an existing hedge along part of the southern boundary to the Country Park.

The site falls within the Gedling Colliery Park/Protected Open Space as identified on the Proposals Map of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Relevant Planning History

In May 2015, under hybrid planning application no: 2014/0740, full planning permission was granted for the construction of a temporary access onto Spring Lane and enabling earthworks within the site to create a development platform and outline planning permission was granted for a residential development of up to 150 dwellings with associated access, landscaping and open space.

This permission was subject to a Section 106 planning obligation with the Borough Council as local planning authority and with the County Council as local highway and

education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational and Library Facilities.

The works approved under the full element of planning permission no: 2014/0740 have now been completed.

In December 2015, Approval of Reserved Matters was granted to Bloor Homes under application no: 2015 /1024 for the Appearance, Layout and Scale for 150 dwellings, pursuant to the outline planning permission granted under hybrid planning application no: 2014/0740. Landscaping was reserved for subsequent determination and is the subject of the current application.

In July, a non-material amendment was granted under application no: 2017 0718NMA for the removal of dormer roof windows to the front elevations of plots 86 and 93, and their replacement with velux rooflights to the rear elevations.

Applications for the discharge of the pre-commencement conditions attached to planning permission no: 2014/0740 in relation to the residential development have also been submitted.

Proposed Development

This application now seeks approval of the matters reserved in relation to the Landscaping for this residential development, the scope of which was specified in detail in condition 28 of outline planning permission no: 2014/0740. In addition to details of the trees and shrubs to be planted, condition 28 also requires details of the boundary treatments, typical cross-sections, means of surfacing and a programme of implementation for the landscaping to be provided as part of the Reserved Matters application for Landscaping.

During the processing of the application, a number of revised plans have been submitted to address issues raised by consultees; particularly the removal of parts of the existing hedgerow along the boundary to Gedling Country Park, which is now shown to be retained, and detailed matters identified by the County Council's landscape team and the Nottinghamshire Wildlife Trust.

In addition, precise details of the boundary of the development site with the Country Park have been provided.

It should also be noted that the plans show a new hedge to be planted along the eastern site boundary, but within the Country Park. As this does not fall within the application site, it will form part of a separate agreement with Parks and Street Care.

Consultations

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press. I have received 1 email in response to the original plans, which raises the following objections:

- ☐ The hedges are within the boundary of Gedling Country Park and should be retained. They are not owned by Bloor Homes. A fence divides the housing site

and the hedges are⁴ clearly on the Country Park side.

No further comments have been received from local residents following re-consultation on the revised plans.

Friends of Gedling Country Park (FGCP) - is broadly in favour of the applicant's proposed soft landscaping design as per application 2016/0179 and appreciate the level of detail and consideration provided to this design. However, FGCP requests that the following conditions are placed upon the applicant when granting their application:

- ☐ That all trees and shrubs are, where reasonably possible, sourced from local suppliers and have a known provenance.
- ☐ That no damage shall occur to any existing trees, shrubs or hedgerows residing on the land of Gedling Country Park or straddling the boundary of the development. Where such damage does occur, equivalent items shall be re-planted as soon as is reasonably possible at the applicant's cost.
- ☐ With respect of the applicant's proposal for the existing woodland to the west of the development to be retained and thinned, we would ask that dialogue is undertaken with the FGCP in advance of any such thinning to determine what trees can be translocated into the Country Park rather than destroyed.

However, the FGCP has subsequently made the following additional representations in relation to the soft landscaping proposed on the border between the new Bloor Homes housing development off Spring Lane and Gedling Country Park:

- ☐ Bloor Homes has made a request to remove two parts of the existing mature hedgerow which sits inside Gedling Country Park to allow them to locate two end sections of roadway onto the Park's land.
- ☐ The boundary between the Bloor Homes development and the Country Park is clearly defined – especially along the southern length, where there is the aforementioned long mature hedgerow, a wooden fence just inside of this and a metal safety barrier further inside – all of which were installed by Harworth Estates (the original landowner) prior to the sale of the land to Bloor Homes [a photograph has been provided to show this].
- ☐ FGCP believes that Bloor Homes has moved its boundary onto land that is actually part of the Country Park – as shown by the installation of wooden blue posts [a photograph has been provided to show this]. This land encroachment is some 2 metres along the entire southern boundary and now encompasses the mature hedgerow.
- ☐ This encroachment was either not spotted by the Borough Council or was noticed and allowed to proceed without consultation. Either way, FGCP object to the movement of the site boundary and proposed destruction of the hedgerow. FGCP ascertain that the boundary is in fact on the inside of the mature hedgerow, which was always intended to be a clear demarcation between the

housing and the Country Park. This hedgerow was planted by Harworth Estates years ago for exactly this purpose.

- ☐ FGCP request that Bloor Homes changes its soft landscaping proposals to not remove any existing hedgerow. This could be achieved for example, by not having a paved side area on the southern edges of the two road sections that appear to cross the Country Park boundary.
- ☐ FGCP also request that Bloor Homes amend their plans to move their site boundary to align with the existing wooden fencing on the inside of the hedgerow.
- ☐ The fact that the Borough Council has apparently allowed a housing developer to encroach without authorisation onto the land of a Country Park in order to destroy sections of mature hedgerow is not something that FGCP think would result in good publicity for any of the parties concerned and would therefore request that this issue be addressed quickly.

No further comments have been received from the FGCP following re-consultation on the revised plans.

Lambley Parish Council – no objections made in respect of the original plans, but following re-consultation the Parish Council has raised unspecific concerns about surface water drainage.

Parks & Street Care (P&SC) – has no objections to the revised plans showing the retention of the hedgerow along the boundary with the Country Park.

P&SC has also confirmed that it is a happy for Estates to prepare a licence for the proposed hedge planting within Gedling Country Park, adjacent to the eastern boundary of the site.

Estates – no objections to the revised plans.

Nottinghamshire County Council (Landscape Unit) – made detailed comments and recommendations in response to the original plans and documents, in relation to the following matters:

- ☐ Native Hedge Mix
- ☐ Tree Pits
- ☐ Maintenance
- ☐ Long Term Management
- ☐ Specific comments on the submitted drawings.

Following re-consultation on the revised plans, the County Council is generally satisfied, but has made comments about some relatively minor issues which have not yet been fully addressed, concerning the balancing ponds, culvert and Management Plan.

These have been forwarded to the applicant and further revisions are anticipated to resolve these issues before the Committee meeting, which will be reported verbally.

Nottinghamshire County Council (Nature Conservation Unit) – makes the following comments:

- Welcomes the use of native trees and shrubs along the boundaries, and the use of an appropriate wildflower seed mix in the extensive areas of wildflower meadow.
- Supports the proposals, so long as the landscape plan is adhered to.

However, the County Council subsequently made the following additional comments: after re-consultation on the most recent revised plans:

- No objections to the proposals to use surplus amounts of subsoil to create landscaped mounds within the open space on site, as these do not appear to result in any significant changes to the proposed planting/seeding.
- Sections of well-established hedgerow along the southern boundary are proposed to be removed (albeit to subsequently be replanted) in order to accommodate access roads and bin storage areas, but most of this loss appears to be readily avoidable, so the County Council would welcome efforts to do so.
- Some of the replacement hedgerow is proposed on land outside the red line boundary.

Following re-consultation on the revised plans, the County Council is pleased to see that the above comments regarding the removal of sections of hedgerow on the southern boundary of the site have been taken on board, and these sections are now shown as being retained.

Nottinghamshire Wildlife Trust (NWT) – has reviewed the landscaping plans and whilst they appear to generally accord with previously agreed species, it is noted that there is no marginal/emergent vegetation proposed around the balancing ponds. The Outline Ecological Management Plan (FPRC, 2015) suggests that these areas should be planted and the NWT would welcome amendments to the plans accordingly.

Although no further comments on the revised plans and documents have been received from the NWT, these satisfactorily address the above issues.

Planning Considerations

The principle of developing this site for residential purposes has been established through the grant of outline planning permission under hybrid application no: 2014/0740.

Approval of Reserved Matters for the Appearance, Layout and Scale of the residential development was subsequently granted under application no: 2015 /1024.

The main planning considerations in relation to this application, therefore, are whether the matters submitted for approval in relation to Landscaping are acceptable, having regard to relevant national and local planning policy.

In the context of this application, it is also important to consider how the proposed landscaping will contribute to biodiversity.

These planning considerations are assessed below, as are other issues raised.

Relevant Policies & Background Information

National Planning Policies

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development (paragraphs 11-16). With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this application for Approval of Reserved Matters in relation to Landscaping:

- ☐ NPPF Section 11: Conserving & enhancing the natural environment (paragraphs 109-125)

In March 2014, National Planning Practice Guidance (NPPG) was published. This provides guidance on how to apply policy contained within the NPPF.

Local Planning Policies

Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014), which is now part of the development plan for the area.

It is considered that the following policies of the ACS are most relevant to this planning application:

- ☐ ACS Policy 16: Green Infrastructure, Parks & Open Space
- ☐ ACS Policy 17: Biodiversity

There are no relevant policies in the emerging Gedling Borough Local Planning Document, the Publication and Consultation stage of which has now ended.

Landscape & Biodiversity Considerations

The relevant planning policies which need to be considered in relation to landscape and biodiversity are set out in Section 11 of the NPPF and Policies 16 and 17 of the ACS.

Section 11 of the NPPF states at paragraph 109, amongst other things, that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

In addition, paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments.

Policy 16 of the ACS states that a strategic approach will be taken to the delivery, protection and enhancement of Green Infrastructure and identifies that the application site is located within part of the Sub-Regional Green Infrastructure Corridor, which should be protected and enhanced.

Policy 17 of the ACS seeks, amongst other things, to ensure that biodiversity will be increased over the Core Strategies period by:

- a) Protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including areas and networks of habitats and species listed in the UK and Nottinghamshire Biodiversity Action Plans;
- b) Ensuring that fragmentation of the Green Infrastructure network is avoided wherever appropriate and improvements to the network benefit biodiversity through the incorporation of existing habitats and the creation of new habitats.
- c) Seeking to ensure that new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate;
- d) Supporting the need for the appropriate management and maintenance of existing and created habitats through the use of planning conditions, planning obligations and management agreements; and
- e) Ensuring that where harm to biodiversity is unavoidable, and it has been demonstrated that no alternative sites or scheme designs are suitable, development should as a minimum mitigate or compensate at a level equivalent to the biodiversity value of the habitat lost.

Following negotiations with the applicant, revised plans have been submitted which show the retention of the existing hedgerow along the southern boundary to Gedling Country Park and to address the detailed matters raised by the County Council's Landscape Team and the Nottinghamshire Wildlife Trust in relation to the use of appropriate native species and the maintenance and management of the landscape scheme.

The only sections of existing hedgerow now to be removed as those which are required to provide pedestrian access to the Country Park path network. The access via Axmouth Drive is retained within the scheme, as shown on the original masterplan which accompanied application no: 2014/0740, and new links are being provided from Spring Lane to the Country Park, and through the development itself.

As a consequence of these revisions, the biodiversity of the proposed landscape scheme has been enhanced and this will help to mitigate the habitat which was lost during site clearance and preparation work.

A new hedge of native species is proposed along the site boundary to Spring Lane, which will replace the hedge which was removed to provide the new access and enabling earthworks.

I also note that a new hedge is to be planted along the eastern site boundary, within the Country Park, as part of a separate agreement with Parks and Street Care. This will create a natural boundary between the development and the Country Park.

In my opinion, the retention of the existing hedgerow, and the new tree and hedge planting proposed around the boundaries of the development site would soften views of the development from the Country Park and Spring Lane.

The accompanying details submitted in accordance with condition 28 of outline planning permission no: 2014/0740, showing the proposed boundary treatments, typical cross-sections, means of surfacing and a programme of implementation are also acceptable.

In conclusion, I consider that the proposed landscaping would contribute to and enhance the natural and local environment and has taken on board opportunities to incorporate biodiversity in and around the development.

I am satisfied, therefore, that with regard to landscape and biodiversity considerations, the proposed development would accord with the aims of Section 11 of the NPPF and Policies 16 and 17 of the ACS.

Other Issues

The concerns raised by Lambley Parish Council about surface water drainage are unspecific, but are not relevant to this Reserved Matters application for Landscaping, as surface water drainage will be dealt with under the Building Regulations and the Section 38 highway adoption agreement with the County Council.

Recommendation:

To GRANT APPROVAL of RESERVED MATTERS, in relation to the Landscaping of the proposed development, and subject to the following conditions:

Conditions

1. The development hereby permitted shall be constructed in accordance with the following approved drawings and documents: Materials Layout (MI108-MAT-001M), received on 25th August 2016; Site Landscaping (MI108-LS-001e, MI108-LS-002e, MI108-LS-003e, MI108-LS-004e, MI108-LS-005f, MI108-LS-006f, MI108-LS-007e, MI108-LS-008e), and Sections (MI108-LS-012a and MI108-LS-013), received on 30th September 2016; and the Landscape Management Plan, Revision B, dated October 2016, received on 5th October 2016. Finished Floor Levels (MI108-EN-100) and House Type Planning Pack (Rev A), received on 12th November 2015; Site Sections (MI108-EN-001), received on 19th November 2015; Site Plan (MI108-SL-001M), received on 9th December 2015; and Swept Path Analysis and Horizontal Road Alignment (MI108-EN-101B) and Materials Layout, excluding surfacing details (MI108-MAT-001E), received on 10th December 2015.
2. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details, including cross-sections, of the two balancing ponds, to illustrate a range of water depths and varied slope

profiles. The balancing ponds shall be constructed in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

3. The landscaping hereby approved shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, plant or seeded area, that tree, hedge, plant or seeded area, or any tree, hedge, plant or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, hedge, plant or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. For the avoidance of doubt and to allow a proportionate approach to minor material amendments.
2. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
3. For the avoidance of doubt.