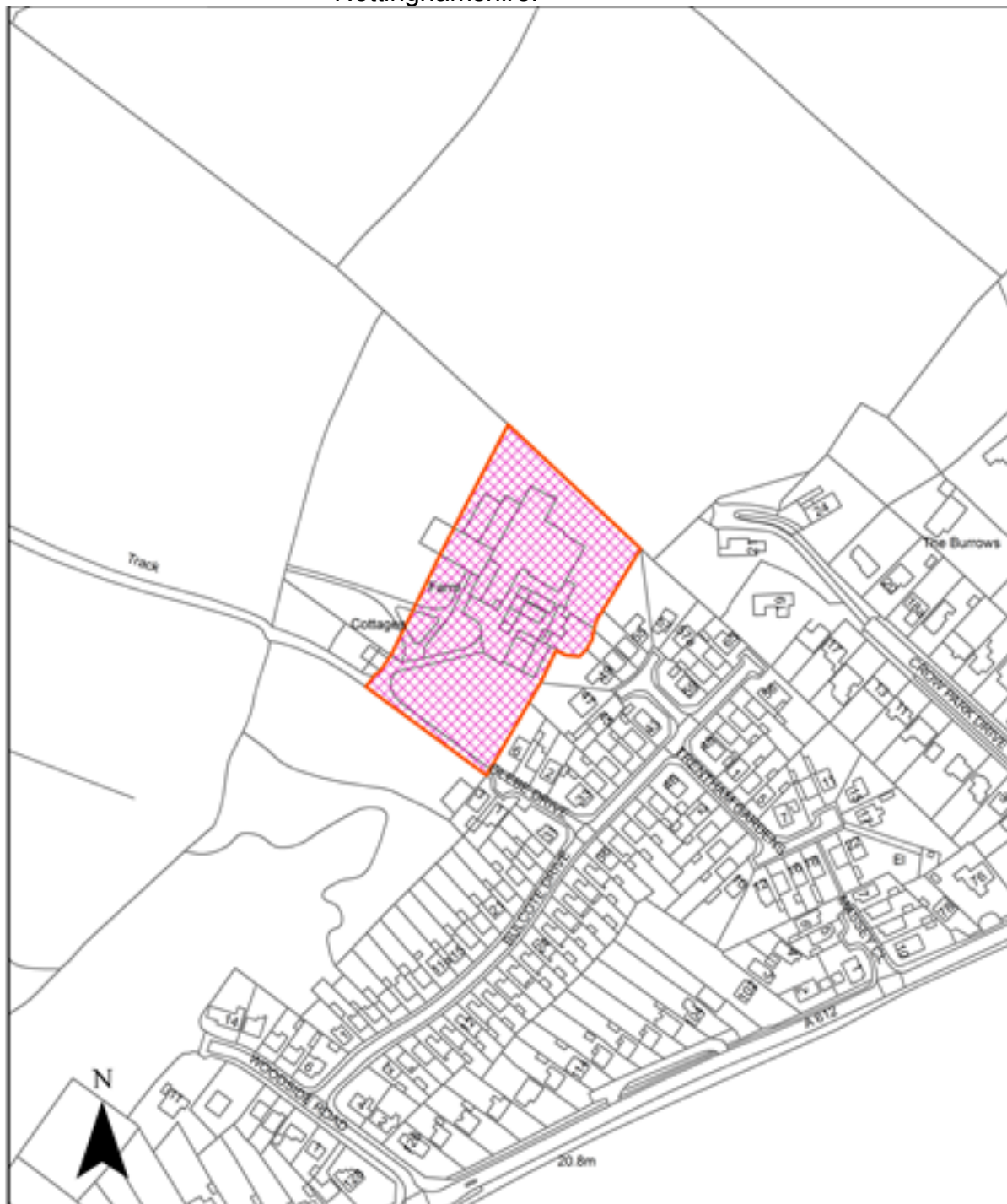




Application Number: 2016/0306

Location: Land At Glebe Farm, Glebe Drive, Burton Joyce,
Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number: 2016/0306

Location: Land At Glebe Farm, Glebe Drive, Burton Joyce, Nottinghamshire.

Proposal: Revised Plans, Revised Red Line Plan and Revised Description: Outline Application with All Matters Reserved (except access) for up to 14 New Residential Dwellings with the demolition of existing structures and retention of the existing farm house and outbuildings; provision of access to the site, associated infrastructure works.

Applicant: Troyal Farms Ltd

Agent: Mr John Holmes

Case Officer: David Gray

The application is a major development, therefore, in line with the Council's Constitution this application has been referred to Planning Committee.

1.0 Site Description

- 1.1 The application site, Glebe Farm, measures approximately 1.2 hectares and relates to a disused agricultural farm holding comprising various agricultural steel framed barns; brick built barns with pan tile roofs and a disused farmhouse. The remainder of the site is overgrown with areas of hardstanding.
- 1.2 Access to the application site is from northwest spur of the cul-de-sac of Glebe Drive which is currently gated and in operation as access for farm vehicles. Glebe Drive is characterised on either side by residential bungalows which are set at a higher level than the adjoining highway. The application site rises steeply in level from the access in the south corner of the site up to the north corner of the application site. There are areas of hardstanding and deposited broken stone aggregate adjacent to the access of the site.
- 1.3 The application site backs onto split level properties situated at the turning head of the cul-de-sac of Bulcote Drive. There is a significant rise in level from the rear boundaries of these properties to the application site. Adjacent to the shared boundaries along the southeast boundary of the application site there is significant mature vegetation and trees.

- 1.4 To the north and east of the application site is agricultural land within the established Green Belt of Nottinghamshire and a Mature Landscape Area as defined by the Proposals Map of the Gedling Borough Council Replacement Local Plan.
- 1.5 The southwest boundary of the site adjoins existing woodland covered by the Group Tree Preservation Order G0200 known as New Plantation, Nottingham Road. There is existing farm access from Woodside Road.
- 1.6 Adjacent to the Northwest corner of the application site there are a pair of empty semi-detached cottages and associated curtilage.
- 1.7 Beyond Glebe Farm, farmland rises northwards to a localised east-to-west ridgeline, there are various hedges and vegetation demarking field boundaries.
- 1.8 The most recent landscape character area assessments have been undertaken as part of Nottinghamshire Landscape Character Assessment 2009 which includes the site within the Mid Nottinghamshire Farmland landscape character area (Policy Zone MN0 45 – Dumbles Rolling Farmland).
- 1.9 The application site is all located within the Green Belt of Nottinghamshire as defined by the Proposals Map of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

2.0 Relevant Planning History

- 2.1 In May 2016 the applicant sought the Prior Notification of the Borough Council for the Erection of a Grain Store and General Purpose Store. Further details were required for Prior Approval (ref: 2016/0614PN).
- 2.2 In July 2016 the Prior Notification of the Borough Council was sought for the change of use of an existing building no longer suitable for modern agriculture to industrial storage and offices. No further details were required and the development is permitted under The General Permitted Development Order 2015.
- 2.3 In September 2016 the Prior Notification of the Borough Council was sought for a steel portal framed building up to 465 square meters with a height of 12 metres. No further details were required and the development is permitted under The General Permitted Development Order 2015.

3.0 Proposed Development

- 3.1 In March 2016 a Planning Application was received for an Outline Planning Application for up to 45 new residential dwellings with all matters reserved. Following extensive negotiations with planning officers significant amendments have been made to the proposal.
- 3.2 In November 2016 an updated scheme was received by the Borough Council.

Outline Planning Permission is now sought for up to 14 new residential dwellings and the retention and renovation of the existing farmhouse.

All matters are reserved at this point except the proposed access.

3.3 The sole access to the site would be via the existing agricultural access located at the northwest spur of Glebe Drive.

3.4 Supporting information has been submitted by the agent including:

- ☐ A Design and Access Statement;
- ☐ Site Analysis;
- ☐ Illustrative Masterplan;
- ☐ Planning Statement;
- ☐ Landscape and Visual Appraisal;
- ☐ Highways Report;
- ☐ Ecological Surveys: (1) Phase 1 Survey; (2) Farmhouse and Building Bat Survey; (3) Glebe Farm Cottages Bat Survey.
- ☐ Flood Risk Assessment;
- ☐ Archaeological Assessment; and
- ☐ Contaminated Land: Phase 1 Desk Study.

3.5 The agent has forwarded the following 'very special circumstances' in which they wish the Borough Council to consider in favour of the development given its location within the Green Belt.

1. Existing Use and Condition of the Site:

- ☐ The site does not perform an important Green Belt function. It does not lie in the Green Gap between Burton Joyce and the Urban Area; and given the extensive built form on the site it do not contribute to openness, safeguard the countryside from encroachment or check unrestricted sprawl of large built up areas. Its redevelopment would therefore not damage any of the five purposes of the Green Belt stated in paragraph 80 of the NPPF.
- ☐ Redevelopment of a 'previously developed site' which is in poor condition;
- ☐ The unviability of the site to support intensive livestock farming due to the surrounding residential area and the condition of the site;
- ☐ The benefits in preserving the residential amenity of the area by re-developing the site for residential use instead of the potential re-use of the site for logistics as per existing permitted development.

2. Openness and Visual Amenity

- ☐ A significant reduction in built footprint and built volumes;
- ☐ The benefits that would result from the removal of the existing dilapidated buildings on the site together with the removal of the adverse impact that the existing buildings have on the landscape character of the area and openness of the Green Belt;
- ☐ The benefits that would result from the removal of the dilapidated

buildings on site which adversely impact on the openness of the Green Belt;

- ☐ The proposed residential development would be in keeping with the character of the area and would form a natural extension to the existing settlement boundary;
- ☐ The proposal would strengthen the Green Belt boundary through strategic landscaping, also preventing further encroachment in to the countryside.

3. Sustainable Development:

- ☐ The site is in a sustainable location being served by public transport links and local services and amenities available within Burton Joyce;
- ☐ The proposal would provide environmental benefits in terms of ecology, through the landscaping scheme increasing opportunities for wildlife and habitats on the site, and also drainage through implementing a scheme which manages surface water run-off. In addition to the benefits described above in relation to landscape character, visual and residential amenity, the proposal would evidently result in a sustainable development;
- ☐ The proposal would support sustainable economic development through the construction of the site and further investment in the Burton Joyce area.

4. Housing Supply

- ☐ The lack of a 5 year land supply in Gedling Borough;
- ☐ The specific lack of proposed housing in the Draft Local Plan to address the housing needs of Burton Joyce, as identified in the Housing Needs Paper (2016).

5. Access

- ☐ The applicant has confirmed that the agricultural land, outside of the application site, has a full and unrestricted right of access/way from Lambley Lane, Burton Joyce.
- ☐ Following completion of the requisite consents the new farm access from Woodside Road would be utilised for HGV's and Tractors serving the agricultural holding.
- ☐ Access to the Farm from Glebe Drive for HGV's and Tractors would be terminated.

4.0 Consultations

4.1 Burton Joyce Parish Council –

The Parish Council object to the proposal on the following grounds (These comments were received in relation to the first submission for up to 45 dwellings 26th July 2016):

4.1.1 Green Belt

The application is within the Green Belt. The proposed site is within a narrow and sensitive gap between Burton Joyce and the Urban Area and it should be protected to prevent coalescence and encroachment contrary to the purpose of Policy 3.3.2 of the ACS

4.1.2 Landscape

The proposal would have an adverse impact on the Mature Landscape Area contrary to Policy 3.3 of the ACS. There is a localised high point towards the northern edge of the site which is more sensitive than the rest and should be protected from development.

Mitigation via the means of planting woodland would take many years before it would sufficiently visually mitigate the development.

4.1.3 Highways

Concerns are raised over the access to the site from Woodside Road. In the opinion of the Parish Council neither Woodside Road nor any of the other roads are suitable for the additional traffic that would be generated. Residents already report issues relating to the widths of roads in the area causing problems.

The gradient of the landscape would not support the road system of the proposed new housing development.

The Parish highlight a discrepancy in the planning statement relating to the number of existing vehicle movements from the farm being 60; this is contested by neighbouring residents whom state it is much less.

4.1.4 Drainage Systems and Flood Risk

Object on drainage systems and associated flood risks. The proposed site is on a relatively steep slope. Homes on Glebe Drive, Bulcote Drive and Woodside already suffer significant localised flooding and it is felt that this development would exacerbate this problem with surface water run-off. Photographic evidence has been provided showing evidence of flooding in the area. Significant more hardstanding proposed would further increase flooding in the area.

4.1.5 Housing Needs

The Parish Council is clear that the proposed development and housing type does not meet the needs of an ageing population, any new development in Burton Joyce should focus on smaller units to allow older residents to downsize. There is also a need for starter homes to allow younger people to remain in or move into the village.

The requirement for new housing would be met without the need to redevelop the Green Belt and Glebe Farm.

The local schools are already at full capacity.

Reference is made to Building for Life 12 assessment which is inaccurate in

this instance.

- 4.1.6 Following receipt of the revised plans the following representations were made by the Parish Council: -

The Parish Council does not accept that the revised application addresses the issues raised regarding the proposed development being on Green Belt Land, Landscape Implications, Highways Impacts, Drainage, and Housing Needs. The previous comments are still relevant.

4.2 Nottinghamshire County Council:

4.2.1 Arboricultural –

The site does have a number of trees which may be affected such as:

1. Trees which are to be retained within the site boundary;
2. Trees on private land / adjoining boundaries;
3. Adjacent TPO woodland on the south western side of the proposed access.

Recommends that a Tree Survey in accordance to BS 5837:2012 should contain the following;

1. Tree constraints plan
2. Tree protection plan
3. Arboricultural Impact assessment
4. Arboricultural Method Statement
5. Details of any special engineering works and surfacing required in the vicinity of trees.

4.2.2 Archaeology –

No comments received.

4.2.3 Ecology –

No comments received.

4.2.4 Education –

A proposed development of 14 dwellings would yield an additional 3 primary places and 2 secondary places. The County Council would therefore wish to seek an education contribution of £34,365 (3 x £11,455) to provide primary provision at Burton Joyce Primary school (or another primary school in the area) and £34,520 (2 x £17,260) to accommodate the additional secondary pupils projected to arise from the proposed development.

4.2.5 Highway Authority –

General Observations

The planning application covers an area of agricultural land to the North of

Glebe Drive, Burton Joyce on which a derelict farmhouse and outbuildings are located. There is an existing agricultural access onto the land from Glebe Drive which historically has been used and continues to be used as part of the existing farming operation.

Glebe Drive itself is a small cul-de-sac with 5 bungalows and also provides an access to a garage for a property located on the adjacent Bulcote Drive. The access to the proposed development is at the end of Glebe Drive.

Whether at the time of construction, Glebe Drive was ever envisaged as being an access point to further development is difficult to establish. However given the existing width of the carriageway (4.3m) and footways (western side 1.4m wide and eastern side 1.35m wide) together with the inclusion of a turning head at the end of the road there is a suggestion that such future development accessed from this part of the highway network was not planned.

Proposed Access

Previously the applicant has proposed access to the development via a new highway from Woodside Road. At that time the Highway Authority were of the view that this proposal was acceptable from a technical view as it allowed a highway to be constructed to current standards and specifications. Since that time the Highway Authority have been advised by the Local Planning Authority that such a proposal is not possible due to Green Belt considerations. The applicant has therefore proposed a smaller development but with access from Glebe Drive. Although advised that the existing width of the highway at Glebe Drive was insufficient to meet with current specifications contained within the Highway Authority's highway technical guidance document, the applicant has made a number of suggestions with respect to the reconfiguration of Glebe Drive and has proposed as part of their application that the option that it puts forward as being the most suitable and viable is shown on Drawing ADC1354/001B. This is for a 0.5m wide margin on the western side of a 4.8m wide carriageway, leaving a 1.7m wide footway on the eastern side.

Highway Authority Considerations

The Highway Authority in considering this proposal has to be mindful of the fact that as a statutory consultee it comments on the technical aspects related to the highway elements of the application and that in comparing proposals with its technical guidance document it has to be reasonable in the interpretation of the guidance in line with the requirements contained within national planning legislation.

Having reviewed the applicants current proposal it is evident that whilst it does not meet with the preferred specifications for a highway accessing the type of development being proposed, it is a solution that Highway Authority road safety specialists cannot establish reasonable grounds for refusal i.e. there are other similar arrangements within the County and no doubt the rest of the

Country which operate safely.

In addition it is understood that the applicant has offered, although not included within the current application, to provide five parking spaces at a point off the new road just beyond the existing Glebe Drive extent that would serve as additional parking to the five existing properties on Glebe Drive. Given that car ownership levels have increased since the original properties were constructed on Glebe Drive this is seen as a potential benefit for residents and would assist in ensuring the free passage of vehicles along the road.

Based upon the above, whilst the Highway Authority would have preferred to see an access via Woodside Road, it is of the view that the applicant's proposal as shown on Drawing ADC1354/001B provides a reasonable solution which the Authority can offer no technical objection to.

Bus Service Support

Nottingham City Transport Service 100 is operated commercially offering a 30 minute service between Nottingham and Southwell. In addition Nottinghamshire County Council support an off-peak shopping service from Burton Joyce to Netherfield Retail Park.

The Council has conducted an initial assessment of this site in the context of the local public transport network.

Due to the scale of this development it is not envisaged at this time that contributions towards local bus service provision will be sought.

Infrastructure

Current Infrastructure

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

GE0235 Woodside Road – Polycarbonate Bus Shelter

GE0236 Woodside Road – Polycarbonate Bus Shelter, Raised Kerb and Layby

The above bus stops are situated on the busy A612 which allows residents to access bus services to both Nottingham and Southwell.

Possible Infrastructure Improvements

GE0235 Woodside Road – Raised Kerb, Enforceable Bus Stop Clearway and Real Time Pole & Displays including Associated Electrical Connections.

GE0236 Woodside Road – Enforceable Bus Stop Clearway and Real Time Pole & Displays including Associated Electrical Connections.

Taking into account the above, the Highway Authority offers no objection to conditions relating to turning facilities, access widths gradients, surfacing streetlights, works to the existing carriageway on Glebe Drive, and a Construction Management Plan.

4.2.6 Landscape –

No comments received.

4.2.7 Lead Local Flood Authority –

FRA and drainage strategy is generally acceptable, subject to conditions in respect of details of the Sustainable Urban Drainage Systems. The development should not result in any additional flood risk or surface water drainage issues.

4.3 Environment Agency

No comments, the Lead Local Flood Authority should be consulted.

4.4 Severn Trent Water

No comments received.

4.5 Nottinghamshire Wildlife Trust

- We welcome the provision of the ecological survey reports. One of the issues the LPA should consider when determining this planning application is the status/ value of part of the Local Wildlife Site which the access road has been constructed on. In this context I wish to draw attention to NPPF paragraph 113:

“Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks”.

- Paragraph 5.2 of the access road ecological survey report recommends “A management plan should be developed and framed within a planning condition to ensure the long-term provision for reptiles to utilise this area of the Local Wildlife Site”. NPPF paragraph 109 states the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity. Therefore, securing the management plan for the woodland area is important and as such we normally recommend that, in order to secure this, such information is agreed prior to determination.

4.6 NHS England

The revised calculation for the s106 contribution equates to £13,591.00 to reflect the reduction in units proposed. It is requested that the funding is received on commencement of building so that works can be done in advance of the increase in demand for primary care services.

4.7 Police Architectural Liaison

No comments received.

4.8 Economic Development

The agricultural site has not been occupied for a number of years so would not result in the loss of any jobs.

The size of the site and the number of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. This should form part of the s106.

4.9 Housing Strategy

The development should be in accordance with the up to date SPD.

4.10 Public Protection (Scientific Officer)

There is potential for contamination at the site, however there are no outstanding land contamination concerns, subject to site characterisation and the submission of a remediation scheme. These details can be secured by condition.

4.11 Parks and Street Care

10% Open Space provision should be provided on site.

40% of the open space should be provided for play provision and informal sports facility.

4.12 Planning Policy

The harm to the Green Belt in terms of the purposes of Green Belt should be identified and whether the identified 'very special circumstances' outweigh this harm and any other harm should be considered. Consideration will need to be given to any very special circumstances identified and to the comments of County Highways regarding access.

4.13 Neighbouring Properties were notified and a Site and Press Notice were posted:

1. The original plans on 13th April 2016: Up to 45 dwellings.
2. The Revised Plans on 27th July 2016: Up to 45 dwellings.
3. The Revised Plans and Red Line Plan 14th November 2016: Up to 14 dwellings and the retention of the Farmhouse.

A total of 109 Letters of representation were received as a result. The comments can be outlined as follows: -

4.13.1 Green Belt

- ☐ The site is located within the Green Belt and is inappropriate development;
- ☐ The site has no defensible boundaries to the North, East and West;
- ☐ If the application is granted fears are raised that this would result in further development of the Green Belt in this area;
- ☐ The Gelding Borough Council Draft Plan excludes Glebe Farm from allocation;

4.13.2 Access, Highways, and Transport

- ☐ Access to the farm from Woodside Road is covered under a rights of access over an adjoining residential property;
- ☐ The junction at Woodside Road is insufficient for an extra 90 cars;
- ☐ Turning from Woodside Road by car is particularly difficult;
- ☐ There would be a significant increase in traffic on the A612;
- ☐ Nottinghamshire Highway Authority has stated that Glebe Drive, Bulcote Drive, and Woodside Road cannot withstand additional traffic;
- ☐ Glebe Drive is not big enough and is too steep to accommodate highway construction;
- ☐ Extra cars serving the development would make it difficult for pedestrians to cross the A612 to get the bus;
- ☐ Glebe Farm is only meant to be used by farm vehicles;
- ☐ The road is too narrow to provide for construction vehicles;
- ☐ The development could result in the relocation of two existing bus stops and constructing traffic lights with the purchase of different land and a great deal of unnecessary expenditure;

4.13.3 Residential Amenity

- ☐ The proposed development would have a substantial impact on the amenity of adjoining neighbours, due to the height, and overlooking over the rear boundaries;
- ☐ By reason of the size and density of the buildings the proposal would have an unacceptable relationship with adjoining properties;
- ☐ There would be significant noise and disturbance during construction;
- ☐ Due to the development being significantly higher than the adjoining properties it could result in an unacceptable loss of privacy;

4.13.4 Local Landscape

- ☐ Skyline developments have a negative visual impact;
- ☐ The scale mass and bulk of the proposal would have a negative impact on the local landscape, given its elevated position.

4.13.5 Flooding and Drainage

- ☐ Concerns are raised over the potential for localised flooding due to surface water runoff;
- ☐ Bulcote Drive already experiences flood problems;
- ☐ The Drainage system currently present would be unable to cope with the additional development;
- ☐ The elevated site would worsen the current flooding problems;

4.13.6 Ecology

- ☐ The adjacent woodland contains a mixture of wildlife including badgers, bats, native birds, and protected trees;
- ☐ Barn Owls currently nest at the site;
- ☐ Badgers are present on the site;
- ☐ It needs to be established whether there are TPO's on the trees on the site;

4.13.7 Policy

- ☐ According to the Gedling Plan Burton Joyce's 2028 target of 55 houses had 37 houses to find by March 2016. The 37 houses outstanding requirement has been surpassed by previous approvals at Millfield Close and Orchard Close;

4.13.8 Other Considerations

- ☐ Should any damage from flooding occur after the development then compensation would be sought from the Local Authority;
- ☐ The local schools are already running at capacity;
- ☐ A neighbouring resident only bought the property adjoining the site as the adjoining land was Green Belt and would not be built on;
- ☐ Schools and Doctors are oversubscribed;
- ☐ Digging foundations would affect the stability of surrounding land;
- ☐ Due to the development being significantly higher than the adjoining properties it could result in an unacceptable loss of privacy and reduce house values;
- ☐ Burton Joyce requires more affordable housing and not more 4 – 5 bedroom homes;

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 are contained within the National Planning Policy Framework (NPPF) (March 2012) and additional information provided in the National Planning Practice Guidance (NPPG).
- 5.3 The following national policies are relevant to this application:

- ☐ NPPF Section 6 (Delivering a wide choice of high quality homes);
- ☐ NPPF Section 7 (Requiring good design);
- ☐ NPPF Section 8 (Promoting Healthy Communities);
- ☐ NPPF Section 9 (Protecting Green Belt land);

5.4 Development Plan Policies

5.5 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan (adopted 2005) (GBRLP) referred to in Appendix E of the GBACS.

- ☐ ACS Policy 2 (The Spatial Strategy);
- ☐ ACS Policy 3 (The Green Belt);
- ☐ ACS Policy 10 (Design and Enhancing Local Identity);
- ☐ ACS Policy 18 (Infrastructure);
- ☐ ACS Policy 19 (Developer Contributions)
- ☐ RLP Policy ENV37 (Mature Landscape Areas);
- ☐ RLP Policy H8 (Residential Density);
- ☐ RLP Policy H16 (Design of Residential Development); and
- ☐ RLP Policy R3 (Provision of Open Space within New Residential Development).

5.6 Additionally, the following Supplementary Planning Documents are relevant:

- ☐ Affordable Housing SPD (2009); and
- ☐ Parking Provision SPD (2012).

5.7 The Local Planning Document

5.8 The Publication Draft Local Planning Document (LPD) for Gedling Borough was submitted for examination in October 2016. The Secretary of State has now appointed an Inspector to determine whether the Plan is sound and complies with all legal requirements. Paragraph 216 of the NPPF sets out that from the day of publication weight may be given to relevant policies in emerging plans according to:

- ☐ The stage of preparation (the more advanced the preparation, the greater the weight that may be given);
- ☐ The extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given); and
- ☐ The degree of consistency with the NPPF (the greater the consistency, the greater the weight that may be given).

5.9 Following publication and prior to all comments being known (i.e. before the end of the consultation period) it is recommended that only limited weight can be given to the LPD. Relevant policies in the LPD include:

- ☐ LPD 4 Surface Water Management; and

☐ LPD 32 Residential Density.

- 5.10 In accordance with paragraphs 14 and 215 of the NPPF, significant weight should be given to ENV37, H8, H16 and R3 as these are up to date and consistent with the NPPF.
- 5.11 The relevant National Planning Policies and Local Policies are listed above.
- 5.12 A key aspect of the NPPF is that it includes a presumption in favour of sustainable development. This means that, for decision-taking, local planning authorities should approve development proposals that accord with the development plan without delay or where a development plan is absent, silent or out of date, grant planning permission unless any adverse impacts of the proposal outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.
- 5.13 Paragraph 7 identifies the three dimensions to sustainable development: economic, social and environmental. This theme is continued into paragraph 9 which states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.
- 5.14 The NPPF also discusses the weight that can be given in planning determinations to policies emerging as the local authority's development plan is being brought forward. Paragraph 14 identifies the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. The weight given to these policies will be dependent on; their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
- 5.15 Paragraph 17 outlines the core principles of planning. In specific reference to this planning application these are noted as:
- ☐ Identification and then meeting the housing, business and other development needs of an area, and responding positively to wider opportunities for growth;
 - ☐ Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage, or food production);
 - ☐ Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
 - ☐ Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- 5.16 Paragraphs 18 to 22 of the NPPF outline the Government's commitment to securing economic growth in order to create jobs and prosperity, which benefits local communities and the national economy. Paragraph 21 of the NPPF puts further emphasis on securing a strong and competitive economy

by stipulating that 'planning policies should recognise and seek to address the potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing'.

- 5.17 There is encouragement throughout the NPPF for the delivery of a choice of high quality homes, widening the opportunities for ownership and creating sustainable, inclusive and mixed communities. In order to boost significantly the supply of housing, local planning authorities should identify a supply of specific and developable sites in locations for growth for both the short and medium term. Authorities are also implored to plan for mix of housing based on current and future demographic trends and in doing so, they should identify the size, type and ensure a range of housing required in a particular location, reflecting local demand (paragraphs 47 – 55).
- 5.18 The NPPF recognises the need for local authorities to boost significantly the supply of housing in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Local Authorities should plan for a mix of housing based on the needs of different groups in the community (paragraph 50).
- 5.19 The NPPF policies exhibit commitment to achieving high quality design of the built environment; good design is a key aspect of sustainable development and is indivisible from good planning (paragraph 56). Furthermore paragraph 57 stresses it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes.
- 5.20 The NPPF also seeks to promote healthy communities. Paragraphs 69 – 78 sets out ways in which the planning system can play an important role in facilitating social interaction and create healthy inclusive environments. Planning policies should in turn aim to achieve places which promote:
- ☐ Safe and accessible environments;
 - ☐ High quality public spaces
 - ☐ Recreational space / sports facilities
 - ☐ Community facilities
 - ☐ Public rights of way.
- 5.21 The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Accordingly, paragraph 72 of the NPPF states that '*local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education*', giving great weight to the need to create and expand or alter schools.
- 5.22 Crucial in the consideration of the principle of this planning application is section 9 of the NPPF with regard to 'Protecting Green Belt Land'.
- 5.23 Paragraph 79 of the NPPF states that, 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to

prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’.

- 5.24 Paragraph 80 identifies the five purposes that Green Belt serves as follows:
- ☐ to check the unrestricted sprawl of large built-up areas;
 - ☐ to prevent neighbouring towns merging into one another;
 - ☐ to assist in safeguarding the countryside from encroachment;
 - ☐ to preserve the setting and special character of historic towns; and
 - ☐ to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.25 Paragraph 87 states that, ‘As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’. In this context, paragraph 88 goes on to state that, ‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations’.
- 5.26 Paragraph 89 of the NPPF states that, ‘A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are, inter-alia, provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it’.
- 5.27 Paragraph 95 states that Local Planning Authorities should support the move to a low carbon future by planning for new development in locations and which reduce greenhouse gas emissions; actively supporting energy efficiency improvement to existing buildings; and, when setting and local requirement for a buildings sustainability, do so in a way that is consistent with the Government’s zero carbon buildings policy and adopt nationally described standards.
- 5.28 Paragraph 100 (and onwards) discusses the flood risk implications of development. The NPPF notes that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 5.29 The NPPF advises that the planning system should contribute to and enhance the natural and local environment, and aim to minimise pollution and other adverse effects on the local and natural environment. Paragraph 111 of the NPPF sets out how planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value.
- 5.30 The key issues for consideration in this application are:
- ☐ The principle of developing the site;

- ☐ Green Belt;
- ☐ Masterplan and Design;
- ☐ The impact on neighbouring amenity;
- ☐ Open space and recreation;
- ☐ Landscape and Visual effects;
- ☐ Transport and Connectivity;
- ☐ Water Resources, Flood Risk and Drainage;
- ☐ Land Contamination;
- ☐ Ecology;
- ☐ Waste;
- ☐ Socio-economic impacts;
- ☐ Viability / s106 Contributions;
- ☐ Other material considerations.

6.0 The principle of developing the site

- 6.1 The National Planning Policy Framework attaches great importance to sustainable development. It states: *“Development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision”* (NPPF - ministerial foreword). This is further confirmed in paragraph 14 which states that - *“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.”* One of the core principles of the NPPF is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met.
- 6.2 ACS Policy 2 focuses development in and adjoining the urban area and at Key Settlements. However, it does allocate up to 260 dwellings to meet local needs which are to be distributed across other villages including Burton Joyce. The emerging Local Planning Document sets a target of 55 dwellings for Burton Joyce and once existing planning permissions are taken into account this target reduces to 37. Sites proposed for allocation include north of Orchard Close (15 homes) and at Mill Field Close which has been granted consent subject to a s106 agreement being signed. The Glebe Farm site is not proposed for allocation in the emerging Local Planning Document and would, once the LPD is adopted, remain Green Belt.
- 6.3 The National Planning Practise Guidance identifies that the circumstances when planning applications may be refused due to prematurity will be limited. The guidance identifies that prematurity may be an issue when:
- ☐ The application is so substantial or its cumulative impact would be so significant that it would predetermine decisions about the scale, location or phasing of new development; and
 - ☐ The Local Plan is at an advanced stage but has not yet been adopted.
- 6.4 The NPPF makes clear that prematurity is unlikely to be an issue prior to a plan being submitted and as this criterion has not been satisfied it is considered that refusal on the grounds of prematurity is not possible for this

application. The Local Plan Part 2 has now been submitted for examination and the application does not form part of the allocation of new housing sites. Therefore the issue of prematurity is relevant to this application. The application should be considered on its own merits in line with Green Belt Policy.

- 6.5 The Five Year Housing Land Supply Assessment (2016) identifies that there is only a 3.14 year land supply of deliverable housing sites within the Borough. Paragraph 49 of the NPPF sets out that where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing should be considered out of date. Recent Appeals (notably the Binfield decision ref: 2179560) have identified that this would include policies which restrict or direct residential development.
- 6.6 Where policies are out of date, applications for residential development should be considered in the context of the presumption in favour of sustainable development contained within paragraph 14 of the NPPF. The presumption in favour of sustainable development requires that, where the development plan is out of date, permission is granted unless:
- ☐ Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
 - ☐ Specific policies in the NPPF indicate development should be restricted.
- 6.7 However, the Secretary of State (CLG) in a decision notice (APP/G1630/V/14/2229497) has clarified (paragraph 27) that for proposals in Green Belt, the presumption in favour of sustainable development at paragraph 14 of the NPPF does not apply of the provisions of footnote 9.
- 6.8 Given the site is located within the Green Belt the redevelopment of the site for Residential purposes would be considered inappropriate development and should not be approved unless there are 'very special circumstances' that indicate otherwise.

7.0 Green Belt / Very Special Circumstances

- 7.1 ACS Policy 3 states that Green Belt boundaries will be reviewed through Part 2 Local Plans to meet the non-strategic scale development requirements of the ACS. The allocation of non-strategic sites and need for Green Belt release is being dealt with through the Local Planning Document.
- 7.2 Paragraph 89 of the National Planning Policy Framework states that the construction of new buildings in the Green Belt is inappropriate development unless it is listed as one of the exceptions set out in paragraph 89. This includes the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. However, the NPPF

specifically excludes land that is or has been occupied by agricultural buildings from the definition of brownfield land and therefore the land occupied by the present agricultural buildings could not be treated as an exception under the NPPF paragraph 89.

- 7.3 At paragraph 90, the NPPF states that the reuse of buildings is not inappropriate development provided the buildings are of permanent and substantial construction and provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Although the proposal is to redevelop the site which would not be considered appropriate in terms of the NPPF, it is acknowledged that there are substantial existing buildings on site including a farm house, 2 cottages, and out buildings that might be appropriate for re-use or replacement.
- 7.4 The proposal would therefore constitute inappropriate development within the Green Belt and the harm to the Green Belt in terms of the five purposes of Green Belt should be identified. In line with paragraphs 87 – 89 of the NPPF the applicant would need to demonstrate that ‘very special circumstances’ exist that clearly outweigh the harm by reason of inappropriateness and any other harm to the Green Belt. The Thundersley decision (ref: 2177157) and the Ministerial Statement (1st July 2013) highlight that the demand for housing would on its own not be sufficient to outweigh harm to the Green Belt. The Government’s clear position is that Green Belt release should be through the Local Plan unless there are additional very special circumstances.
- 7.5 The applicant has identified what they consider are the ‘very special circumstances’ which are outlined above paragraph 3.5. These can be outlined as follows:
- ☐ The site / application land is currently damaged / contaminated and becoming derelict and its redevelopment would have a positive impact on the area;
 - ☐ The existing buildings are no longer viable for the purpose of livestock farming;
 - ☐ The development results in a significant reduction in built form / volumes, reducing the overall impact on the openness of the Green Belt in this area improving the visual amenity;
 - ☐ Transforming a derelict area of land with development that reflects the residential character of adjacent development forming a natural extension to the existing settlement boundary;
 - ☐ The redevelopment of the site offers opportunities to strengthen the settlement boundary / Green Belt boundary through strategic planting and landscaping. This would create a easily recognisable settlement boundary preventing encroachment into the open countryside;
 - ☐ The site is well served by public transport links and local services at Burton Joyce;
 - ☐ The landscaping scheme would bring various ecological enhancements through the landscape scheme and the remediation of contamination from the previous agricultural use;
 - ☐ The development represents economic development which is supported in the NPPF;

- The lack of 5 Year Supply of Land for Housing.

It is noted that a lack of 5 Year Supply of Land would be one of these but, in line with the Ministerial Statement and the Thundersley Appeal decision, it is considered that other special circumstances would need to be demonstrated in order to clearly outweigh the harm and any other harm to the Green Belt.

- 7.6 Paragraph 81 of the NPPF states inter-alia: 'local planning authorities should plan positively to enhance the beneficial use of Green Belt, such as looking for opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or improve damaged and derelict land.'
- 7.7 I note that the agent has submitted a comprehensive site analysis incorporating Topographical Surveys; Survey Drawings; Cross Sections; Elevations; and Existing Site Uses. The agent would like the local planning authority to consider the fall-back position and compare the existing built form on site to that of the redeveloped site for residential purposes. This is to establish whether there would be a net gain in terms of visual appearance and openness.
- 7.8 Whilst there is no specific definition of openness in the NPPF, this is a concept which relates to the absence of building; it is land that is not built upon. Openness is therefore epitomised by the lack of buildings, but not by buildings that are unobtrusive, camouflaged or screened in some way. Any construction harms openness quite irrespective of its impact in terms of obtrusiveness or its aesthetic attractions or qualities.
- 7.9 Measures taken to limit the intrusiveness of a development in terms of its visual impact must not affect the assessment of openness, but may be relevant to the very special circumstance balancing exercise. Openness and visual impact are different concepts. This analysis is supported by the Courts which have held that it is wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact (*Timmins & Anor v Gedling Borough Council*).
- 7.10 In applying the requirements of paragraph 87 of the NPPF, an applicant is required to prove 'very special circumstances'. In this context, paragraph 88 goes on to state that, 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'.
- 7.11 In seeking to work positively and proactively, the agent was given an opportunity to provide further information during consideration of the application with reference to 'very special circumstances'. Subsequently, site surveys were submitted. The results of the surveys illustrate the built footprints and built volumes of the buildings as proposed and as existing. For the purpose of this analysis, when considering the impact of the development

on the openness of the Green Belt and on encroachment, the calculation of the built form of the proposed development was required to include the area that would be used for residential curtilages along with the built footprint of the proposed dwellings. It is my opinion, given that the proposal is for inappropriate development and that the change of use to residential curtilage would also be inappropriate, garden areas serving the proposed dwellings should be considered in the weighing exercise to establish whether very special circumstances exist. The survey results are shown below:

7.12 Built Footprint

	Existing	Proposed
Cottages	94sqm	
Farm house	121sqm	121sqm
Brick Barns	368sqm	282sqm
Modern Barns	2931sqm	
New Garages		648sqm
New House A		880sqm
New House B		264sqm
New House C		357sqm
New House D		172.5sqm
Total:	3514sqm	2724.5sqm

Built Volume

	Existing	Proposed
Cottages	630 cubic metres	
Farm house	826 cubic metres	826 cubic metres
Brick Barns	1,250 cubic metres	1,175 cubic metres
Modern Barns	15,638 cubic metres	
New Garages		2,754 cubic metres
New House A		6,380 cubic metres
New House B		1,914 cubic metres

New House C		2,592 cubic metres
New House D		1,251 cubic metres
Total:	18,344 cubic metres	16,892 cubic metres

- 7.13 Following extensive site visits it is my opinion that the survey work undertaken is a realistic assessment of the built development currently present on site. The calculations above show that the redevelopment of the site would result in a net decrease of built footprint at the site of approximately 22.5%. The agent has indicated that the steel portal frame building that was granted prior approval would not be implemented (2016/0783PN) should planning permission be forthcoming. In this instance the net decrease in built footprint should the redevelopment be implemented would be approximately 31.5%.
- 7.14 The calculations above show that the redevelopment of the site would result in a net decrease in built volume, when incorporating the calculations for the residential gardens serving the proposal, of 8% to the existing situation.
- 7.15 The agent also recognises that there may be a number of public benefits resulting from the development in terms of the displacement of agricultural traffic from Glebe Drive onto Woodside Road, reduced noise and disturbance due to the site not being redeveloped for commercial purposes which will be considered in the chapters below.
- 7.16 The majority of the site is in poor state of repair and would require considerable works to be brought back into use for the purpose of modern agriculture. The Farm House and the outbuildings are of substantial construction but have deteriorated over time to the point where they require substantial works to be renovated. Given the evidence submitted by the agent it is my view that the net decrease in built form on site, should it be redeveloped for housing, can be considered a planning gain when balancing the respective visual impacts on the openness of the Green Belt. I would also note that Paragraph 81 of the NPPF requires local planning authorities to plan positively to enhance the beneficial use of Green Belt, which includes looking for opportunities to improve damaged and derelict land. It is my view that that the redevelopment of the site for residential purposes on the edge of the village settlement, the redevelopment of derelict land, and the net decrease in built footprint and volume as a result of the development should be given substantial weight in the planning balance when determining whether there are very special circumstances.
- 7.17 I also note that there are various approvals for additional Agricultural Buildings such as a Grain Store and a Business Use granted under Prior Approval. The agent has confirmed that these approvals would not be implemented should the residential development go ahead, as the farm holding would not need to pursue alternatives to diversify and renovate the site. I consider that potential

noise and disturbance from the alternative uses on the site, adjacent to residential village boundary, has the potential to impact on residential amenity to a larger extent than a potential residential development. This disturbance would be by virtue of the type of vehicles that would be accessing the site and the level of noise and activity that could be expected from the potential end users of the grain store and business use. I would therefore attach moderate weight in the planning balance to the benefits that would arise from redeveloping the site for residential purposes and the potential planning gain in terms of the reduced impact on residential amenity by displacing commercial traffic.

- 7.18 Whilst I consider that 'very special circumstances' exist these need to be balanced against the overall harm to the Green Belt by means of inappropriateness, impacts on openness and the other constraining factors. The planning impacts that need addressing and balanced against the 'very special circumstances' established relate to factors such as:

- ☐ Masterplan and Design;
- ☐ Transport and Connectivity;
- ☐ The impact on neighbouring amenity;
- ☐ Open space and recreation;
- ☐ Landscape and Visual effects;
- ☐ Water Resources, Flood Risk and Drainage;
- ☐ Land Contamination;
- ☐ Ecology;
- ☐ Waste;
- ☐ Socio-economic impacts;
- ☐ Viability / s106 Contributions
- ☐ Other material considerations

8.0 Masterplan and Design

- 8.1 The Government attaches great importance to the design of the built environment. Section 7 of the NPPF states that good design is a key aspect of sustainable development and it should contribute positively to making places better for people. Developments should function well and add to overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architectural practice and appropriate landscaping.
- 8.2 National guidance in the form of Planning Practise Guidance, published 2014 furthermore reinforces the NPPF's commitment to requiring good design by stating that 'Achieving good design is about creating places, buildings or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place' (paragraph 001)
- 8.3 Criterion a. and c. of Policy ENV1 of the Replacement Local Plan are also relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design

which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials.

- 8.4 Policy 10 of the GBACS looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and Replacement Local Plan policies.
- 8.5 Whilst all matters except access and landscaping are reserved at this point I consider that the indicative Masterplan and the Design and Access Statement provide an appropriate framework to assess the potential design and layout of a residential development on this site.
- 8.6 Whilst only indicative; the layout plan shows that access to the development would come from an existing farm access from Glebe Drive. It has been indicated by the agent that should planning permission be forthcoming farm traffic would cease to use this access and would be redirected to other available farm accesses.
- 8.7 The indicative layout shows that the use of front facing development along the main route of the scheme can be achieved, the rear gardens areas would back onto the existing rear boundaries of properties on Bulcote Drive, and the road layout also allows for strong frontages to the public realm and footpath links, thereby supporting a safe environment through natural surveillance.
- 8.8 Overall it is considered that an imaginative design can be achieved on the site that suitably connects to the existing residential boundary of Burton Joyce. The use of existing features and the installation of a comprehensive landscape management plan to incorporate a clear green buffer to the north of the site would create a clear defensible boundary. The illustrative masterplan also indicates an area of open space that would separate the proposal from the existing residential properties sited at the site access. I am content that an appropriate design can be achieved on site that would closely relate to existing features on the site and the architectural styles of the surrounding area. I am therefore satisfied that the application accords with the broad aims of the NPPF and Policy 10 of the ACS.

9.0 Transport and Connectivity

Existing Access, Highway Network, and Public Rights of Way

- 9.1 Access to the site is currently gained via Glebe Drive, a residential cul-de-sac that terminates at the farm entrance. Glebe Drive is accessed from Bulcote Drive which in turn is accessed via Nottingham Road (A612).
- 9.2 There are no registered rights of way across the application site.

Policy Context

- 9.3 Paragraph 32 of the NPPF requires that safe and accessible access to the site can be achieved and that any improvements to the transport network

effectively limit the significant impacts of the development. The NPPF requires all major planning applications to be supported by an appropriate Transport Assessment (TA). A Transport Assessment has been submitted with the planning application.

- 9.4 The National Planning Practice Guidance (NPPG) (March 2014) states that Transport Assessments, Statements and Travel Plans can positively contribute to:

- ☐ Encouraging sustainable travel
- ☐ Lessening traffic generation and its detrimental impacts
- ☐ Reducing carbon emissions and climate impacts
- ☐ Creating accessible, connected, inclusive communities
- ☐ Improving health outcomes and quality of life
- ☐ Improving road safety
- ☐ Reducing the need for new development to increase existing road capacity or provide new roads.

Transport and connectivity considerations

- 9.5 During the processing of the application various revised schemes to deal with access have been considered in light of the comments from the Highway Authority. The Borough Council has worked positively and proactively trying to find solutions to the issues that have been raised. An alternative means of access was considered by the Borough Council from Woodside Road through a newly created farm access track however, in light of Green Belt Policy considerations, this alternative access is considered unacceptable from a planning perspective and unsuitable for a residential access. Therefore the existing access from Glebe Drive is being considered in this instance.
- 9.6 Glebe Drive currently has a carriageway width of 4.3 metres and footways on the western side and eastern side measuring 1.4 metres and 1.35 metres respectively. There is also a turning head at the end of the road.
- 9.7 When referring to the 6C's Design Guide a carriageway width of 4.8 metres is required to serve a development of up to 25 dwellings. In addition, it should have footways on either side appropriate to the pedestrian demand. It is therefore the case that Glebe Drive does not currently comply with the technical guidance.
- 9.8 A number of proposals have been submitted with the Transport Report from ADC Infrastructure. Each of these proposals incorporates works to the public highway to provide improvements. During extensive negotiations with the Highway Authority the proposal (ADC1354/001 Rev B) has been considered in detail by the Local Planning Authority and the Highway Authority. This proposal relates to works within the existing highway for a 0.5 metre wide margin on the western side of a 4.8 metre wide carriageway, leaving a 1.7 metre wide footway on the eastern side. The Highway Authority have confirmed that whilst the proposal does not fully meet their technical guidance document they have to be reasonable in the interpretation of the guidance in line with the requirements contained within the Nation Planning Policy

Guidance. The Highway Authority road safety specialists have been consulted and cannot establish reasonable grounds for refusal i.e. there are other similar arrangements within the County and no doubt the rest of the Country which operate safely.

- 9.9 Therefore the development including the road improvements needs to be considered carefully alongside other material planning considerations relating to accessibility and connectivity.
- 9.10 In light of the proposal resulting in a footway being reduced on the western side of Glebe Drive and the works not meeting technical standards the applicant has forwarded other measures and considerations in favour of the development to be considered along with the proposed improvements.
- 9.11 The Transport Statement has indicated that a working farm the size of Glebe Farm can generate approximately 60 vehicle trips per day. It is also indicated that the type of vehicles would be larger commercial vehicles associated with the farming activity. Given that the farm is currently in a state of disrepair the owner of the site has explored alternative uses for the site under the General Permitted Development Order and has obtained permission for the conversion of an existing barn into a B8 (Storage and Distribution) use and an additional grain store. The Transport Statement and the Prior Approvals for B8 and Grain Store indicates that the current site could generate a significant level of larger vehicle traffic from potential commercial uses.
- 9.12 In considering the potential impact of the residential development of 14 additional residential units I am mindful that the agent and applicant is willing to redirect all farm traffic from Glebe Drive to alleviate the impact of larger vehicles from Glebe Drive. It is my opinion that the potential for an increase in larger vehicles coupled with the existing traffic from the farm can be viewed as having an adverse impact on the amenity of the residents on Glebe Drive. I also consider that the types of vehicles accessing the proposed residential properties are likely to have a lesser impact on the residential amenity of the area in terms of noise, vibration and accessibility due to size.
- 9.13 I therefore consider that terminating the access to larger vehicles from Glebe Drive can be seen as a planning gain when considering the overall impact of the proposal on the amenity of residents on Glebe Drive. In light of this, should planning permission be forthcoming a condition would be attached to any approval restricting commercial traffic accessing the farm from Glebe Drive to displace larger more disruptive traffic from this residential street. Details with regards to the proposed farm access and the residential access serving the proposed development would be managed through the reserved matters stage relating to layout. This would ensure there is no vehicle conflict between the proposed residential traffic and any potential commercial traffic accessing the application site and that commercial traffic is terminated from Glebe Drive.
- 9.14 I also note that the applicant has agreed to supply 5no. off street visitor car parking spaces within the application site, accessed from a newly created

private drive at the end of Glebe Drive. These spaces would be made available for visitors of the residents on Glebe Drive to enable off street car parking away from the carriageway. It is my view that the provision of off street car parking would negate the requirement for visitors to Glebe Drive to park on the pavement and restrict the carriageway, enabling the carriageway to remain clear of vehicles to the benefit of highway safety.

- 9.15 I note the detailed comments from the Highway Authority and the other considerations outlined above, and it is my opinion that the redevelopment of the farm to residential would not give rise to significant highway safety implications that would warrant a refusal of this application. I therefore consider the development to be acceptable from a Transport and Connectivity perspective and that it would accord with the aims of Paragraph 32 of the NPPF.
- 9.16 I note that Nottinghamshire County Council have requested that obligations be requested in the form of a condition attached to any approval. The contributions requested relate to bus stop improvements on the A612 (Nottingham Road), to include Raised Kerbs, Enforceable Bus Stop Clearway, and Real Time Pole Displays. When referring to the Planning Practise Guidance paragraph 1 'Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind'. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.
- 9.17 The development does not result in the requirement for new infrastructure installations in order for the development to be accessible to public transport linkages. I also consider that a development of 14 additional residential units is not of a scale that should give rise to significant negative impacts on the existing highway infrastructure and public transport linkages. It is therefore my opinion, the request for obligations relating to improvements to existing public transport infrastructure does not meet the tests as set out in the Community Infrastructure Levy Regulations 2010 - Part 11 – in that the improvements are not: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
- 9.18 Notwithstanding the omission of the condition relating to infrastructure improvements, should planning permission be forthcoming all remaining conditions suggested by the Highway Authority would be attached to any outline planning approval.

10.0 The Impact on Neighbouring Amenity

- 10.1 Residential amenity considerations relevant to this proposal include the impact from noise generated from the development, the level of activity, overlooking, overshadowing and overbearing impacts, as well as impacts from construction and lighting. Criterion b. of Policy ENV1 of the GBRLP states that

planning permission would be granted for development providing that it would not have a significant adverse impact upon the amenity of nearby properties or the locality in general. Criterion f) of Policy 10 of the GBACS relating to impact upon the amenity of nearby residents and occupiers is also relevant in considering this proposal.

- 10.2 The main impact from the development is likely to be from the construction phase of the development. The nearest buildings that could be affected are those properties of Woodside Road, Glebe Drive and Bulcote Drive. The impacts of the construction activities would be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic, management, control of pollution, waste management, noise, dust and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through planning condition. This would protect both the existing dwellings as well as new occupiers of the dwellings within the site.
- 10.3 The application site adjoins the rear boundaries of residential properties on Bulcote Drive, and the side boundaries of no. 6 Glebe Drive. It is noted that an indicative layout plan has been submitted to support the outline planning application. Whilst only indicative at present the Masterplan illustrates that a single access road using the existing farm access terminating at a turning head could be provided centrally on the site to ensure that the rear boundaries of the existing residential properties can be adjoined by the rear garden boundaries of the proposed new dwellings. Whilst I note that there is a significant drop in level to the adjoining properties on Bulcote Drive I am satisfied that the application site can accommodate garden depths sufficient to mitigate and undue overlooking, overshadowing or overbearing impacts on the occupiers of the residential dwellings adjoining the application site. I also note that the area of application adjacent to no.6 Glebe Drive has been indicated that it would be left as open space thereby providing a buffer between it and the proposed development.
- 10.4 It is considered that any amenity impacts from the development as a whole can be controlled to a large extent through the reserved matters application, such matters being required to be in accordance with the principles and parameters illustrated in the indicative masterplan and the attached conditions.
- 10.5 Given the above, I am satisfied that the proposed development would not result in any material impact on residential amenity. It is therefore considered that the indicative details deposited with the application accord with the NPPF, Policy ENV1 of the RLP and Policy 10 of the GBACS.

11.0 Open Space and Recreation

- 11.1 GBRLP Policy R3 requires that residential development on sites above 0.4 hectares should provide a minimum of 10% local open space to serve that development. As the site measure 1.2 hectares approximately 0.12 hectares of local open space is required.

- 11.2 The SPD for open space provision requires that 40% of the minimum 10% open space provision should be informal play area or NEAP. This results in a total requirement for provision for children and young people of 480 square metres (within the overall 0.12 hectare requirement).
- 11.3 The illustrative master plan indicates that the transition from Glebe Drive into the application site, adjacent to the access, would be provided as public open space. The approximate area allocated for open space shown on the illustrative masterplan equates to approximately 1500 square metres (0.15 hectares).
- 11.4 Overall approximately 12.5% of the site is shown to be provided as public open space. Whilst only indicative at present this illustrates that the application site is large enough to provide sufficient open space to serve future occupiers. There would be opportunities through the reserved matters approval process to further develop the detailed design of the open space to meet local requirements.

12.0 Landscape and Visual Impacts

- 12.1 The application site lies to the north of the existing village infill boundary of Burton Joyce and is also located in an elevated position. There could potentially be significant landscape and visual impacts due to the change of use of the application site to residential and the elevated position that the application lies in relation to the adjoining residential properties on Glebe Drive and Bulcote Drive.
- 12.2 GBACS Policies 10 and 16 requires a landscape character approach towards assessing the impacts of proposals on the landscape. Proposals should protect, conserve, or where appropriate, enhance landscape character. The Greater Nottinghamshire Landscape Character Assessment (GNLCA) includes the application site within South Nottinghamshire Farmlands.
- 12.3 In addition, Policy 16 of the GBACS identifies that the application site is located within the Sub-Regional Green Infrastructure Corridor, which should be protected and enhanced. Paragraph 109 of the NPPF states, amongst other things, that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 12.4 The site is located within a Mature Landscape Area as indicated on the proposals map of the RLP. Policy ENV37 is relevant in this instance and states: 'Development which would have an adverse effect on the visual, historic or nature conservation importance of a Mature Landscape Area as shown on the Proposals Map will be permitted only where it can be shown that there are reasons for the proposal that clearly outweigh the need to safeguard the area's intrinsic value. Where development is permitted proposals will be required to minimise the harm to the area. Planning conditions will be imposed or obligations negotiated in order to secure

appropriate mitigation measures.

- 12.4 The potential scale, massing and bulk of the proposed residential development in comparison to the built form present on the site has been assessed in detail at paragraphs 7.11 – 7.14. The conclusion of the assessment is that there would be a reduction in built form / volume as a result of the redevelopment of the site. The height and scale of the existing farm buildings are larger than the residential dwellings proposed and the massing calculations incorporate proposed residential gardens. Whilst I note that the site is in an elevated position the illustrative masterplan shows that the rear garden depths would site the dwellings away from the prominent ridge line and that the existing hedgerow and mature vegetation that occupies the site boundary would be reinforced and retained. I consider that appropriate landscaping can be incorporated into the development to retain the existing wildlife corridors / hedgerows and to introduce new landscaping to assimilate the development into its rural setting.
- 12.5 Given that existing features are to be retained where possible, there is potential to secure a comprehensive landscape management plan at reserved matters stage, and the overall reduction in built development on the site, I consider that the development would not have an adverse impact on the landscape character of the area. I therefore consider, by securing precise details of landscaping through conditions, the proposal would be in accordance with Policy ENV37.
- 12.6 I note that the proposal would incorporate a proposed hedgerow to emphasise the northern boundary of the site. This hedgerow would act as a natural defensible boundary to the built up area of Burton Joyce should planning permission be forthcoming and precise details of this boundary treatment would be sought as part of any reserved matters application.
- 12.7 It is concluded that any reserved matters application should be accompanied by a Landscape Strategy to support the requirements of Policies 10 and 16 of the GBACS. Noting the above considerations, and accepting the visual impacts that the redevelopment of this disused farm would have; I consider that a Landscape Strategy (secured by condition), managed and delivered over the site would make the development visually acceptable under the provisions of GBACS Policies 10 and 16.

13.0 Water Resources, Flood Risk and Drainage

- 13.1 I note that the application site is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding. The Environment Agency were consulted on the application and advised that the Lead Local Flood Authority should be consulted in relation to surface water drainage / sustainable urban drainage systems.
- 13.2 Given the site's location in Flood Zone 1, I accept that the proposal is in an area of low probability of flooding and accords with the sequential test for located development in low risk flood zones, as set out in Policy 1 of the

GBACS and Section 10 of the NPPF.

- 13.3 Paragraph 100 of the NPPF states that Local Plans should take into account climate change and use opportunities offered by new development to reduce the causes and impacts of flooding.
- 13.4 Paragraph 103 states: 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere'
- 13.5 The Environment Agency's flood map for surface water flooding indicates that the majority of the site is located in an area that has a 'very low' chance of flooding from surface water. However, Glebe Drive is indicated as having a medium to high risk. Given that the proposal is for a comprehensive redevelopment of the site careful consideration needs to be given to the impacts of the development of surface water flooding and existing water courses. The Environment Agency advise that the Lead Local Flood Authority (LLFA), being Nottinghamshire County Council, should be consulted on any proposals.
- 13.6 Paragraph 030 of the PPG states that the objectives of site specific Flood Risk Assessments (FRA's) are to establish:
- Whether a proposed development is likely to be affected by current or future flooding from any source;
 - Whether it will increase flood risk elsewhere;
 - Whether the measures proposed to deal with these effects and risks are appropriate;
 - The evidence for the local planning authority to apply (if necessary) the Sequential Test; and;
 - Whether the development will be safe and pass the Exception Test.
- 13.7 Paragraph 031 states: 'A flood risk assessment should also be appropriate to the scale, nature and location of development.'
- 13.8 GBACS Policy 1 reflects the NPPF and requires development to avoid areas of flood risk and not increase the risk of flooding elsewhere and where possible reduce flood risk. GBACS Policy 1 requires all new development to incorporate sustainable urban drainage systems (SuDS).
- 13.9 Following consultation the LLFA accept that the submitted FRA and drainage strategy is generally acceptable, subject to conditions in respect of details of the Sustainable Urban Drainage Systems. In terms of foul drainage, Severn Trent have not raised any objections, therefore there are assumed to be no issues with connecting to foul drainage systems.
- 13.10 I note the comments from the Parish Council with regards to the potential for increased flood risk. However; overall, the application site is at low risk of flooding, and an acceptable FRA has been undertaken. Subject to acceptable SuDS details being submitted, the development is acceptable in terms of water resources, flood risk and drainage.

14.0 Land Contamination

- 14.1 Policy ENV3 of the RLP states that development will not be permitted on contaminated land or land where there is a risk of contamination unless practicable and effective measures are taken to treat, contain or control any contamination so as not to expose the occupiers of the development and neighbouring land users to any unacceptable risk or threaten the structural integrity of any building built on or adjoining the site. The Policy goes on to state that the Borough Council will impose conditions relating to required remedial measures or monitoring processes where appropriate.
- 14.2 Section 11 of the NPPF states at paragraph 109 that the planning system should contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from unacceptable levels of soil, air, water or noise pollution.
- 14.3 Paragraph 121 of the NPPF states that planning decisions should ensure that the 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.
- 14.4 There is potential for contamination at the site, however there are no outstanding land contamination concerns, subject to site characterisation and the submission of a remediation scheme. These details can be secured by condition as recommended by the Scientific Officer.
- 14.5 It is considered, therefore, that the proposed development would accord with Policies ENV3 of the RLP and Section 11 of the NPPF.

15.0 Ecology

- 15.1 GBACS Policy 17 seeks to protect local sites of biological importance in line with the hierarchy of designations.
- 15.2 GBRLP Policy ENV 36 requires the decision maker to weigh the reasons for the proposal against local ecological and community value of the site. Where development is permitted a balance is to be struck between the need for the development and ecological interest of the site with damage to be kept to a minimum and mitigation and compensatory measures required where relevant.
- 15.3 Comments were received from members of the public, concerned about the impact of the scheme on wildlife, trees and hedgerows.
- 15.4 The majority of the application site is occupied by farm buildings, hardstanding and loose stone as a result of the previous dairy farming activities.
- 15.6 A phase 1 ecology survey and bat surveys of the empty buildings were

undertaken to support this application. The surveys cover an area of coarse grassland (the former pasture for the dairy herd operation) that has now been omitted from the scheme, also the managed hedgerows that surround the site. The site (with absence of buildings) comprises mainly poor semi-improved grassland. The conclusion of the survey suggests further requirements that could be sought at reserved matters stage including a prestart badger survey, a precautionary survey in relation to owls, and that vegetation removal should be outside of bird breeding season.

- 15.7 I note the comments from the Wildlife Trust which concerns the management plan relating to the woodland that is covered by a Group TPO. Following revisions to the scheme the access through the woodland has been omitted from the proposal and does not form part of the application. Management of the woodland would need to be sought through the submission Tree Preservation Order consent to cover the maintenance works within this designation.
- 15.8 It is noted that the indicative layout and ecological appraisal indicate that the development would look to keep some habitats, including managed hedgerows, along with the introduction of a native vegetation boundary to the north. The network of hedgerows and vegetation boundaries can be considered ecological enhancements that would be brought as a result of the development and would provide potential new habitats for wildlife.
- 15.9 Overall, I consider that the indicative layout illustrates that significant areas of open space and new ecological enhancements can be incorporated in the detailed landscape proposals to be submitted with a reserved matters application. Further survey works and mitigation measures recommended in the Extended Phase 1 Habitat Survey would also be sought by way of planning condition. The opportunities to secure appropriate mitigation can be incorporated in the detailed scheme in order to minimise impacts on ecology. In conclusion it is considered that there would be no significant residual effects on protected species or ecology as a result of the development.

16.0 Socio-economic impacts

Education

- 16.1 As the Local Education Authority (LEA), Nottingham County Council (NCC) estimates that the proposed development of 14 dwellings would yield an additional 3 primary school places and 2 secondary school places.
- 16.2 NCC Education calculates the contribution on the following basis: £34,365.00 (3 x £11,455.00) to provide primary provision at Burton Joyce Primary school (or another primary school in the area) and £34,520.00 (2 x £17,260.00) to accommodate the additional secondary pupils. Total: £68,885.00
- 16.3 Subject to agreement between the County as the LEA and the applicant, I am content that appropriate education provision can be secured through s106 agreement.

Health

- 16.4 The development falls within the Nottingham North and East Clinical Commissioning Group (CCG) area, who calculate that the new development would result in an increased patient population based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services, equating to a financial contribution of £13,591.00. Timing and mechanism for delivery is subject to s106 negotiations.

Economic

- 16.5 I note the comments from economic development, the size of the site and the numbers of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. Should planning permission be forthcoming CITB would form part of the s106.

Affordable Housing

- 16.6 The Borough Council's affordable housing policy in terms of site size and threshold states that the Borough Council would negotiate an element of affordable housing on all sites above 15 dwellings or more. Given that the application is for an additional 14 units this application does not meet the affordable housing threshold in this instance and contributions would not be sought through planning obligations.

17.0 Other Material Considerations

- 17.1 Comments have been received with regards to the potential Highway impacts in relation to access, congestion, increase activity and highway safety in the localised area and access onto the A612. I also note the detailed assessment and recommendations within the Transport and Connectivity chapter (9.0) and am satisfied that the impacts relating to Highway Safety and Circulation have been suitably addressed.
- 17.2 I note the comments from the Parish Council about the requirement for smaller homes to account for the ageing population, however, the application is for outline planning permission and the mix of homes would be considered in detail at the reserved matters stage of the planning process.
- 17.3 I also note the comments received with regards to the school places, and health care provision; however, these concerns are addressed in the socio-economic section 16.0 above.
- 17.3 I note the comments regarding the impact on the house prices however I do not attach enough material weight to this consideration to warrant a refusal of this application.
- 17.4 I note the comments received regarding the foul drainage from the site,

however; details relating to such matters need separate approval from Severn Trent Water. Flood Risk and Drainage have been considered in Section 13.0.

- 17.5 I note the comments received with regards to neighbouring amenity and these issues have been considered in Section 10.0.

18.0 Conclusions

- 18.1 In light of the considerations given above in relation to:

- ☐ The principle of developing the site;
- ☐ Green Belt;
- ☐ Masterplan and Design;
- ☐ The impact on neighbouring amenity;
- ☐ Open space and recreation;
- ☐ Landscape and Visual effects;
- ☐ Transport and Connectivity;
- ☐ Water Resources, Flood Risk and Drainage;
- ☐ Land Contamination;
- ☐ Ecology;
- ☐ Socio-economic impacts;
- ☐ Other material considerations.

It is considered, on balance, and taking into account the benefits that would be generated as a result of this proposal, it would constitute a sustainable form of development. In reaching this conclusion I have had regard to paragraph 98 of the NPPF which advises that when determining planning applications, local planning authorities should approve the application if impacts are, or can be made, acceptable. Given the considerations set out in chapters 5.0 – 17.0, above, I consider that it has been demonstrated that, on balance, the planning impacts have been addressed and have therefore been made acceptable, or that such impacts are outweighed by the benefits that result from the scheme.

- 18.2 This application has been advertised as a departure from the Development Plan for the Area; however, the application is only required to be referred to the Secretary of State if the development by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. Given the conclusions drawn in the Green Belt section of this report, I do not consider that this application should be referred to the Secretary of State.

Recommendation:

That the Borough Council GRANTS OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council education authority for the provision of, or financial contributions towards, Educational Facilities, Healthcare and Public Open Space; and subject to the following conditions:

Conditions

1. The First application for the Approval of the Reserved Matters shall be made to the Borough Council not later than three years from the date of this permission. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the Reserved Matters) for the development shall be submitted to and approved in writing by the Borough Council before any development begins and the development shall be carried out as approved.
2. The development hereby permitted shall commence no later than two years from the date of approval of the last Reserved Matters to be approved.
3. The submission of all reserved matters and the implementation of the development shall be carried out in substantial accordance with the plans and documents received on the 7th March 2016: - Application Forms; Planning Statement; Landscape and Visual Appraisal; Highways Report (ADC Infrastructure); Ecological Reports; Flood Risk Assessment; Archaeological Assessment; and Contaminated Land: Phase 1 Desk Top Study. The Revised Illustrative Masterplan Rev B (October 2016); Site Location Plan (November 2016); Revised Design and Access Statement (November 2016); and the email received on 2nd February 2016 (Termination of Farm Traffic from Glebe Drive).
4. The formal written approval of the Local Planning Authority is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage All details submitted to the LPA for approval shall comply with the County Council's current Highway Design and Parking Guides (The 6'cs Design Guide) and shall be implemented as approved.
5. Prior to the commencement of development precise details of the works to the carriageway on Glebe Drive required for technical approval by the Highway Authority are to be submitted to and approved in writing by the Local Planning Authority. The precise details are to be in line with the indicative details on drawing ADC1354/001B. Once approved, no part of the development hereby permitted shall be brought into use until works to increase the footway and carriageway widths (as shown for indicative purposes only on drawing ADC1354/001B) have been completed to the satisfaction of the Local Planning Authority.
6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission

of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

7. Prior to the commencement of development hereby approved there shall be submitted to and approved in writing by the Borough Council a site level survey plan for the development showing existing and proposed site levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented 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.
10. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
11. No development shall commence on site until a detailed survey of Protected Species and their habitats has been conducted and the report and conclusions and recommendations for mitigation measures, including protection measures to be put in place to prevent accidental ingress and damage, and including timings, has been submitted to and approved in writing by the Local Planning Authority. The report shall include: (1) Updated ecological surveys, in the event that 2 years has elapsed since the date of the original survey: (2) Details relating to the protection of retained vegetation, to included trees and hedgerows: (3) A working methodology to minimise impacts on common toad, a Section 41 species (i.e. national conservation priority) recorded on site during the reptile surveys: (4) A detailed landscaping plan, to provide details of planting mixes and establishment regimes and to ensure the use of locally-appropriate native tree and shrub species on the site boundaries: (5) Details of any water attenuation facility, to ensure that this is

multifunctional and designed to maximise its biodiversity value: (6) A detailed lighting scheme, in the event that lighting is required, to be designed to minimise its impacts on nocturnal wildlife: (7) Other biodiversity enhancement measures, such the incorporation of integrated bird and bat boxes into the fabric of the new buildings, measures to provide bird and bat breeding boxes within the site area (8) Pre Start Badger Survey (9) A precautionary survey in relation to owls; in accordance with details to be agreed in writing with the Local Planning Authority. The report shall include measures for the prevention of light spillage to adjacent habitats from the development. The detailed layout and other plans submitted at the Reserved Matters stage shall incorporate all the measures identified including stand-offs and other similar measures to protect the habitat of Protected Species. The mitigation measures identified in the approved details shall be fully implemented in accordance with the approved timings at all times and in their entirety.

12. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.
13. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
14. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub 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 or shrub 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.
15. Unless otherwise agreed by the Borough Council, development must not commence until details relating to the following have been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological

sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme shall be implemented in accordance with the approved details.

16. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works under condition 14 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above and, where remediation is necessary, a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
18. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to layout shall include precise details of how the agricultural access from Woodside Road would be utilised for commercial / farm vehicles and the access to Glebe Drive terminated for commercial / farm vehicles. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.

Reasons

1. To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990
2. To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
3. To define the scope of this permission.
4. In the interest of Highway Safety.
5. In the interest of Highway Safety, to ensure adequate width is provided on

Glebe Drive to accommodate the additional pedestrian and vehicle movements associated with the development.

6. In the interest of Highway Safety, to ensure construction works do not interfere with the safe operation of the Public Highway.
7. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
9. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submission Documents.
10. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
12. To ensure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
13. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
15. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance

with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. Prior to making any application of Building Regs approval. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

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 (name and telephone number of appropriate person) for detail

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it

occurring.

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to Q_{bar} for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and 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 plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.