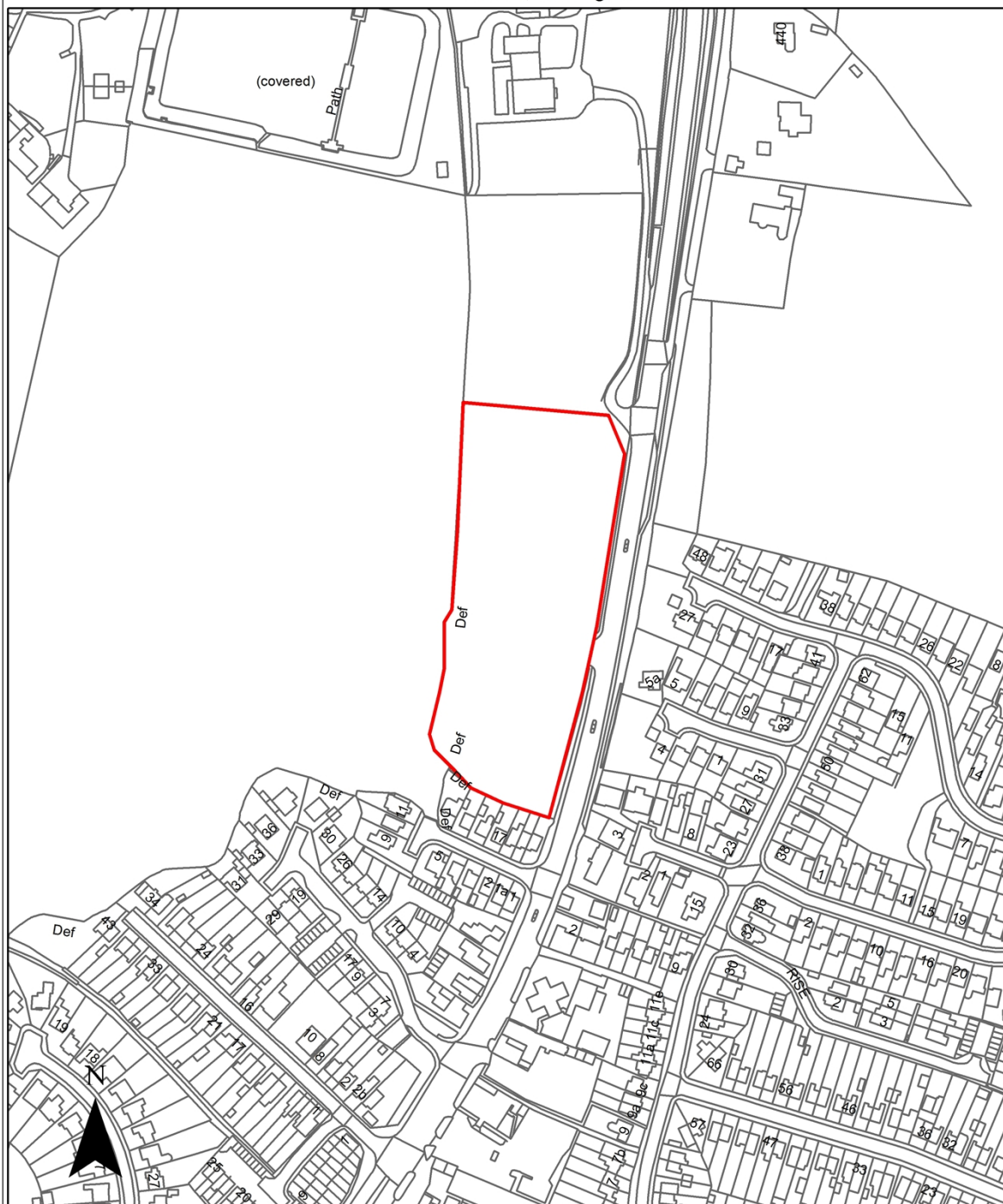




1:2,500

Application Number
Location

2016/0854
Metallifacure Ltd, Mansfield Road
Redhill, Nottinghamshire



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Report to Planning Committee

Application Number: 2016/0854

Location: Metallifecture Ltd, Mansfield Road, Redhill.

Proposal: Erection of 72 dwellings and new vehicular access from Mansfield Road

Applicant: Barwood Homes Ltd And MF Strawson Ltd

Agent: Miss Fiona Shaw

Case Officer: David Gray

1.0 Site Description

- 1.1 The application site relates to the former Metallifecture Engineering Works on the western side of Mansfield Road, Redhill (A60) adjacent to the rear gardens of properties on Lodge Close. All associated previous structures have been demolished following approval on the site for 66 dwellings (Application reference 2007/0615). The site has continued to remain vacant and more recently has been utilised for the storage of cars.
- 1.2 In order to accommodate the former works on the land that rises steeply from south to north, the site was terraced. This has left the site with a poor relationship to Mansfield Road and the wider landscape.
- 1.2 The site extends to an area of approximately 1.2ha. The application site is adjoined to the south by rear garden areas to dwellings on Lodge Close, which are at a lower level than the application site. Open countryside is located to the north and west of the former engineering works. The western boundary forms the boundary of the Nottinghamshire Green Belt. Dense foliage exists to the North and West of the site, mature woodland exists on the Southern boundary and a retaining bank in addition to a tree screen is situated to the Eastern boundary with the adjoining highway.
- 1.3 The site is located within the urban area and the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) does not identify the site for any specific purpose.

2.0 Relevant Planning History

- 2.1 In October 2008 outline planning permission was granted to demolish the factory premises & erect dwellings (ref: 2007/0615).

- 2.3 In November 2011 a replacement planning permission was granted to replace an extant planning permission in order to extend the time limit for implementation – outline application 2007/0615 – demolish factory and erect dwellings (ref: 2011/1055).

3.0 Proposed Development

- 3.1 Full Planning Permission is sought for the erection of 72 dwellings and a new vehicle access from Mansfield Road.
- 3.2 The scheme would provide an area of public open space within the application site, and would retain potential access to the land to the rear.
- 3.3 The scheme consists of the following mix of units which have been designed to meet the needs of the area:
- 16 x 1 bed flats
 - 46 x 2 bed dwellings / flats
 - 10 x 3 bed dwellings
- 3.4 The proposed development is designed around a central T-shaped access road terminating at either spur with a turning head and a parking court.
- 3.5 The agent proposes the tree cover on the perimeter of the site to be retained to offer a visual and noise buffer from Mansfield Road.
- 3.6 A single point of access is proposed to the site from Mansfield Road. A Transport Statement has been submitted with the application which confirms the level of potential journeys to the site would not cause adverse highway safety implications subject to off-site highway works and other mitigation measures.
- 3.7 Bin storage areas are provided on plot for each property in a convenient location for collection.
- 3.8 In accordance with the statutory and local requirements the following supporting documentation has been submitted with the application to be considered:
- Planning Statement
 - Site Location Plan
 - Topographical Survey
 - Design and Access Statement
 - Ecological Survey
 - Transport Statement
 - Flood Risk Assessment / Drainage Strategy
 - Arboricultural Survey
 - Land Contamination Assessment
- 3.9 Further information was submitted in support of the application in the form of a Viability Appraisal produced by 'Turner Morum – Chartered Surveyors' to support the development with 0% affordable housing provision.

4.0 Consultations

4.1 Nottinghamshire County Council (Highway Authority) –

Drawing number 3029-04 Revision U now shows a 6.75m wide carriageway with 2.0m wide footways on both sides which is acceptable. The reference to a 5.5m wide carriageway should be deleted for the avoidance of doubt.

The turning head located at plots 25 and 52 should be removed, with the footway following a continuous alignment. Ideally, these amendments should be made at planning stage, although they could take place through the S.38 process if necessary. The private drive areas will however need to be maintained in accordance with details to be submitted until such time that a management company has been set up. The management company will however need to be secured through S.106.

The turning head at plots 18 and 36 is provided with 9m radii kerbs which should be sufficient to accommodate the turning manoeuvre of a refuse wagon.

We have been advised by the LPA that the overall parking provision is acceptable, although we still maintain our concerns that its remote location will result in on-street parking. Such practice cannot be allowed to take place on the A60 or along the main route into the site. Waiting restrictions should therefore be provided to maintain the free flow of traffic along these lengths.

Cycle facilities should be provided on the Western side of the A60 Mansfield Road in the form of a shared cycleway/footway from the site access to the signalised junction of the A60 and Redhill Road. Further details are required in this regard.

No objections subject to conditions to deal with surfacing of off street car parking areas, shared cycle footway provision, Travel Plan, Future Maintenance Agreements with a Management Company, and details of no waiting restrictions to the access from the A60.

4.2 Nottinghamshire County Council (Policy) –

Rights of Way

No definitive rights of way are affected.

Landscape

It is anticipated that the proposal would not have a detrimental effect on Landscape Character providing boundary vegetation can be successfully retained as indicated in the application documents.

Further information has been requested prior to determination of the application in order to enable further assessment of the proposal in terms of landscape and visual impact. A further plan has been requested distinguishing between the proposed and existing planting.

Notwithstanding this, conditions in relation to ecological mitigation have been requested.

4.3 Nottinghamshire County Council (Nature Conservation) –

Overall, the site has limited nature conservation value, and proposals largely retain the relatively higher value boundary vegetation. Nevertheless, conditions should be attached controlling the clearance of vegetation outside of bird nesting season, and the protection of vegetation during construction.

4.4 Nottinghamshire County Council LLFA (Lead Local Flood Authority) –

The LLFA have no objection and the proposed development is acceptable provided that the surface water drainage is managed in line with the information provided in the Flood Risk Assessment and Drainage Strategy for the Proposed Residential Development at Land Adjacent to Mansfield Road, Redhill, Nottingham, by Travis Baker Ltd dated 6 July 2016.

4.5 Environment Agency –

No objections subject to a condition requiring the applicant to submit a scheme for approval by the local planning authority that includes components to deal with the contamination of the site.

4.6 Wildlife Trust –

No comments received, the Wildlife Trust are focussing their limited time on the most potentially ecology damaging applications.

4.7 Architectural Liaison –

No comments received.

4.8 Natural England –

No comments to make on the application.

4.9 Education –

The proposed development of 72 dwellings would yield an additional 15 primary places. As the primary schools are at capacity it is therefore requested that an education contribution of £171,825 (15 x £11,455) to provide primary provision at Arnbrook Primary Academy to accommodate the additional pupils.

As the development would also impact on the local library service, at an average of 2.4 persons per dwelling, the 72 new dwellings would add 172 to the existing library's catchment area population. Therefore, if this development went ahead a library contribution of £3,293 for the additional stock would be required.

4.10 Nottingham North & East Clinical Commissioning Group (NHS) –

A development of 72 dwellings would result in increased service demand which would not be easily accommodated within existing primary care resources. The proposal would trigger the need to provide health related section 106 funding amounting to £38,831.

4.11 Arboricultural Officer –

The submitted Arboricultural Assessment dated July 2016 is adequate enough for the purpose of the proposed works and the retained trees would be offered adequate protection.

If the existing boundary fencing is to be removed prior to works onsite it is recommended pre-commencement meeting would be essential with the site/manager / agent to ensure all tree protection measures are in situ.

No objection subject to conditions covering the following:

1. All tree protection measures stated within the Arboricultural Assessment must be adhered to
2. All tree pruning must be carried out in accordance to BS3998:2010

4.12 Strategic Housing –

Gedling Affordable Housing Supplementary Planning Document requires 30% affordable housing on this site with a mix of 70% affordable rented dwellings and 30% intermediate for sale dwellings.

4.13 Public Protection (Scientific Officer) –

The applicant has submitted an air quality assessment (Air Quality Consultants (AQC) ref J2669 Aug 2016). It is recommended that an informative is attached to any approval to encourage the applicant to consider mitigation in the form of electrical vehicle charging infrastructure, Low NOx Boilers, and Broadband provision.

A condition should be attached requiring a Dust Management Plan to be submitted prior to the development commencing.

4.14 Public Protection (Technical Officer) –

Raise concerns over the possibility of noise from external sources being intrusive to residents of certain properties as outlined in the noise report.

It is therefore recommend that a condition is attached to any planning permission requiring the glazing and ventilation strategy outlined in the noise report submitted as part of the application being adopted in order to minimise the noise impact on residents. This would include the adoption of the glazing plan illustrated in the noise report figure 15/0715/GM1 and the associated specification outlined in 15/0715/SPC1 together with the associated ventilation.

4.15 Parks & Street Care –

The site is in excess of 0.4ha and therefore is covered by the requirements of the Supplementary Planning Guidance for Open Space Provision.

At least 10% of the gross site area will be public open space, made up of 40% LEAP and 60% Amenity Open Space. This should be provided through the section 106 process.

4.16 Economic Development –

The size of the development meets the thresholds for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction's "Client-Based Approach; Local Client Guidance for England" – to be implemented during the terms of the build to deliver employment and training activities – including work experience, jobs, apprenticeships and training"

4.17 Neighbouring Properties were notified and a Site Notice and Press Notice posted and 5 letters of representation were received as a result. The comments can be outlined as follows:

- A request has been made to reduce the height of the existing trees that form the frontage of the site as these overshadow the properties on Charlotte Close;
- The trees to the front of the site overshadow properties on the other side of Mansfield Road;
- The trees would also restrict sunlight to the proposed dwellings on the application site;
- Mansfield Road is already congested and additional traffic would add to the problem;
- More traffic would make it difficult for cars to turn right onto Mansfield Road from the other side of Mansfield Road to the application site;
- Concerns over the level of pollution from additional traffic;
- Additional population would put pressure on existing resources;
- Concerns have been raised on the health of trees adjoining neighbouring properties;
- Additional access onto Mansfield Road has been restricted for individual properties in the past;
- Previous access onto Mansfield Road to serve housing development have been refused by the Local Planning Authority in the past;
- Suggestions have been made to limit the number of dwellings built to reduce potential highway safety impacts or by making improvements to the existing highway.

5.0 Planning Considerations

5.1 National Planning Policy

- 5.2 The relevant planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). The core planning principles set out in the guidance is a presumption in favour of sustainable development. In particular the following chapters are relevant in considering this application:
- 6. Delivering a wide choice of quality homes
 - 7. Requiring good design
- 5.3 Section 6 of the NPPF states inter-alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings... decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 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.
- 5.6 It is considered that the following policies contained within the GBACS are relevant to this application:
- ACS Policy 1 (Climate Change)
 - ACS Policy 2 (The Spatial Strategy); and
 - ACS Policy 10 (Design and Local Identity).
- 5.7 In accordance with paragraphs 214 – 215 of the NPPF due weight should be given to the policies of the GBRLP in accordance to their degree of consistency with the framework. Consideration will also need to be given to whether policies are out of date in line with paragraph 14 of the NPPF.
- 5.8 It is considered that the following policies from the GBRLP are relevant to this application:
- RLP Policy ENV1 (Development Criteria);
 - RLP Policy H7 (Residential Development on Unidentified sites within the urban area and defined village envelopes);
 - RLP Policy H8 (Residential Development);
 - RLP Policy R3 (Provision of Open Space with New Residential Development);
- 5.9 Weight can be given to emerging policies depending on a number of factors (stage of preparation, extent to which there are unresolved objections and degree of consistency with the NPPF). The following policies of the emerging Local Planning Document are relevant:

- Policy LPD 4 – Surface Water Management;
- Policy LPD 32 – Amenity;
- Policy LPD 35 – Safe, Accessible and Inclusive Development; and
- Policy LPD 39 – Housing Development on Unallocated Sites.

5.10 Additionally the following supplementary planning documents are considered to be of relevance to this application:

- Gedling Borough Affordable Housing SPD adopted 2009;
- Gedling Borough Parking Provision SPD adopted 2012; and
- Gedling Borough Open Space Provision SPD adopted 2001.

5.11 Assessment of Planning Considerations

In my opinion the planning considerations in the determination of this application are:

- Principle of development
- Effective and Efficient Use of Land
- Masterplan and Design
- Landscape and Visual Impact.
- Viability / Housing Supply and Provision
- Transport and Connectivity
- The impact on neighbouring amenity
- Open space and recreation
- Air Quality
- Noise
- Water resources, flood risk and drainage
- Land contamination
- Ecology
- Socio-economic impacts
- Other material considerations

6.0 Principle of Development

6.1 The NPPF 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 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 The GBACS sets out a housing target of 7,250 dwellings in Gedling Borough between 2011 and 2028 and requires 4,025 homes located within and adjoining the Nottingham built up area. In order to meet this target the GBACS adopts a strategy of urban concentration with regeneration. This means the following hierarchy will be used to identify sites:

- Within or on the edge of the built up area of Nottingham
- Adjacent to the sub regional centre of Hucknall

- Key villages (Bestwood, Calverton, and Ravenshead)
- Other villages.

6.3 The proposal is located within the defined urban area (built-up area) of Arnold and, as such, accords with the strategy of urban concentration set out in ACS Policy 2.

6.4 When referring to the NPPF the definition of brownfield land is 'previously developed land that which is or was occupied by permanent structure, including the curtilage of the developed land and any associated infrastructure'.

6.5 Given the location of the development within the established urban residential area of Arnold and its former industrial use, and therefore brownfield land, there is no objection in principle to the redevelopment of the site for residential purposes. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The development is therefore considered acceptable in principle.

7.0 Effective and Efficient Use of Land

7.1 The development is to provide 72 new homes on a site of 1.2ha, equating to a residential density of 60 dwellings per hectare which accords with the requirements of Policy H8 of the RLP which requires a minimum net density of 50 dwellings per hectare within 400 metres of a quality public transport route.

7.2 I am also of the opinion that the application site is of sufficient size to accommodate the 72 no. dwellings with the layout proposed without appearing cramped or over-intensive.

7.3 The development would feature a mixture of 2 and 3 bedroom homes as well as 1 bedroom apartments. The variety of housing types would create a mixed community providing units for family housing as well as smaller units to accommodate couples or individuals. I consider this to be an acceptable mix of homes which would serve the needs of the community.

8.0 Masterplan and Design

8.1 Policies ENV1, H7 and H16 of the Replacement Local Plan require development to be of a high standard of design. The policies require regard to be given to the appearance of the surrounding area, the provision of a safe and convenient access and circulation of pedestrians and vehicles, and incorporating crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, and defensible space and well considered layouts and landscaping.

8.2 I note that the application site is on the edge of the urban boundary with a residential cul-de-sac of Lodge Close immediately to the south characterised by detached 1980's houses. The site itself incorporates a number of constraints due to its previous industrial use and its location including; ground contamination, the requirement for special foundations, sound reduction

enhancements, surface water and associated works, external works / earthworks, re-grading of the site through cut and fill.

- 8.3 In formulating the design a number of Design Concepts were established that informed the scheme proposals led by the constraints of the previously developed site. These included: -
- Existing levels across the northern half of the site are to be regraded, as part of the remediation works required to make the site suitable for residential development;
 - New dwellings along Mansfield Road would form a largely continuous barrier to noise resulting on appropriate noise levels within the site;
 - The scheme proposes to retain the existing boundary planting and provides opportunity for additional ecological enhancements;
 - The proposals retain the existing point of access to the site.
- 8.4 I note that the proposal would result in a higher density development than that of the immediately adjoining area. However, I consider, given the constraints of the site that have been established, every opportunity has been taken to provide green space and gaps in the built-up frontage for the development not to appear cramped or over-intensive. I note that the development would be set back from Mansfield Road and would retain the dense vegetation boundaries to the frontage and the sides of the site. The proposed development would utilise its own separate access and would create new street scenes within the development.
- 8.5 I note that parking courts have been utilised to account for car parking provision. The use of the parking courts was established due to the location of Mansfield Road, potential noise impacts, and the desire of the applicant to set the properties fronting Mansfield Road back from the edge of the highway. Parking courts were used to account for the site limitations, and to provide access and circulation of traffic around a central road. The noise and air quality issues relating to the adjoining section of Mansfield Road resulted in the applicant to design the front facing properties along a pedestrian route to retain the dense tree boundary facing Mansfield Road. I am satisfied given the site specific limitations, which have been demonstrated, that a satisfactory car parking layout has been achieved.
- 8.6 Despite the limited dimensions of the site, the topographical constraints and the number of properties being proposed, the layout achieves front facing properties onto the public realm with rear boundaries of back gardens being enclosed to increase security. I am satisfied that a satisfactory layout has been achieved which has accounted for the site specific limitations that were apparent on this brown field site.
- 8.7 During the processing of the application amendments were made to the design to ensure that there was natural surveillance along pedestrian routes, enclosing the rear garden areas for security and to offer front facing dwellings onto parking areas. Additional windows were sought to the side elevations of plots 61 and 62 to ensure that the public open space (Local Equipped Area of Play (LEAP)) would have an element of natural surveillance from residential windows. Other amendments were made to ensure the development was not

over dominated by hardstanding for car parking, breaking up car parking with areas of green space.

- 8.8 The proposal comprises mainly of two-storey dwellings, some with accommodation in the roof, and I consider the design of the elevations / house types utilised complement each other and would help achieve a sense of place which would be in keeping in size, scale and massing.
- 8.9 Having considered the overall design of the development and the constraining factors of the site, it is my opinion that the proposal would satisfy the design and landscaping criteria of Policies ENV1 of the RLP and Policy 10 of the ACS. I also consider that the proposed development accords with the broad design aims of the NPPF, which states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- 8.10 In my opinion, the proposed development would also meet the relevant design elements of Policy 10 of the ACS/PV in terms of the positive contribution it would make in the streetscene by virtue of its architectural style, detailing and materials. Should planning permission be forthcoming conditions would be attached requiring the precise details of external materials and surfacing to ensure a satisfactory development with materials that complement each other and create legibility and a sense of place.

9.0 Landscape and Visual Impacts

- 9.1 The application site falls within the fringes of Arnold in north Nottingham and as such has not been directly assessed as part of the Greater Nottinghamshire Landscape Character Assessment 2009 which excludes urban /suburban areas. However, land immediately adjoining the site to the north and west form part of the Draft Policy Zone (DPZ) MN045 – The Dumbles Rolling Farmland. GBACS Policies 10 and 16 requires a landscape character approach towards assessing the impact of proposals on the landscape. Proposals should protect, conserve or, where appropriate, enhance landscape character.
- 9.2 I note the comments from the County Council Landscape team with regards to the requirement for a landscape visual impact appraisal, of a suitable level of detail, to indicate the nature of any visual impact and mitigation prior to determination of the application. However, the application was considered by the Landscape Team at Pre Application stage and no Landscape Visual Impact Appraisal was requested from the County Landscape team for determination. The application site has also previously benefitted from outline planning permission for residential development. The whole of the application site was previously developed, brownfield land that was occupied by a large industrial building and associated structures that has since been demolished. The majority of the mature trees on the boundary are proposed to be retained and any soft landscaping and planting plans can be secured by condition. Whilst I consider that the development would raise landscape impacts I consider, given that a residential development would have a reduced visual impact from the previous use of the site a landscape visual appraisal would not be necessary in this instance. I consider that the use of appropriate

conditions requiring a detailed landscape scheme would be sufficient to secure a development that minimises landscape and visual impacts in this instance.

- 9.3 Noting all the considerations above, and accepting the visual impact that this residential development would have, I consider that mitigation and landscape proposals secured by condition, managed and delivered over the whole site would make the development visually acceptable under the provisions of Policy ENV1 (b) of the GBRLP and Policy 10 of the GBACS.

10.0 Viability / Housing Supply and Provision / Socio-Economic Impacts

10.1 *Affordable Housing*

To comply with the Housing SPD a scheme of 72 dwellings would generate a requirement of 14 affordable units which should be delivered at 70% / 30% split in favour of affordable rent over intermediate housing.

10.2 *Education*

The proposed development of 72 dwellings would yield an additional 15 primary places. As the primary schools are at capacity it is therefore requested that an education contribution of £171,825 (15 x £11,455) to provide primary provision at Arnbrook Primary Academy to accommodate the additional pupils.

10.3 *Library*

As the development would also impact on the local library service, at an average of 2.4 persons per dwelling, the 72 new dwellings would add 172 to the existing library's catchment area population. Therefore, if this development went ahead a library contribution of £3,293 for the additional stock would be required.

10.4 *Health*

A development of 72 dwellings would result in increased service demand which would not be easily accommodated within existing primary care resources. The proposal would trigger the need to provide health related section 106 funding amounting to £38,831.

- 10.5 The National Planning Policy Framework policy on viability states that decision-taking on individual schemes does not normally require an assessment of viability; however, viability can be important where planning obligations or other costs are being introduced. Where the viability of a development is in question, local planning authorities are encouraged by the NPPF to look to be flexible in applying policy requirements wherever possible.

- 10.6 The Agent submitted a viability assessment with the scheme advising that the scheme could not deliver any affordable housing or any Section 106 contributions. Gedling Borough Council instructed the District Valuer Services (DV) to independently assess the viability of the scheme given the landowner

has identified abnormal costs attached to the construction of the former industrial site with significant engineering costs with the derelict site. In light of the abnormal costs and specific circumstances attached to this scheme the DV concluded that the land value used by the developer was appropriate. Taking into account all the costs associated and other s106 obligations, along with a modest developer's profit, this means the site would be viable with an on-site provision of 4 affordable housing units; 1 affordable rent and 3 intermediate type dwellings. On this basis, it is therefore concluded that the offer of 4 affordable units, plus the s106 obligations totalling £210,656.00 is reasonable and appropriate for this site.

10.7 The mix of housing considered to be the maximum achievable given the viability of the scheme equates to 4 affordable units: 1 affordable rent and 3 intermediate houses.

10.8 I note the assessment by the District Valuer which omitted the library contribution from the assessment. A hierarchy of requirements was established and it was considered, through negotiation with the County Council, that the Education and Health contributions would be of higher priority. Therefore given the issues with viability and the requirement of the NPPF to act flexibly the library contribution would not be sought in this instance. I note that the County Council have reviewed the Viability assessment and would agree that the education contribution would take priority in the hierarchy and they accept that the library contribution should not be sought.

10.9 *Local Labour Agreement*

I note that the development would meet the threshold for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board (CITB). Should planning permission be forthcoming a Local Employment Agreement would be sought through s106 agreement.

11.0 Transport and Connectivity

11.1 When considering the car parking provision the adopted Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 is relevant. The proposed development is for 72 residential units with an off street car parking provision of 85 spaces. The application site also contains a total number of off street visitor car parking spaces of 14 spaces. The development therefore makes provision for 99 off street car parking spaces.

11.2 When referring to the Car Parking SPD the allocation of spaces to individual properties generates an additional need for visitor and on-street car parking. I note that the proposed development as submitted would generate a requirement for a total of 108 car parking spaces to account also for the visitors to the site; this equates to a deficit of 9 visitor / unallocated car parking spaces. I would however note that each individual home has provision for at least 1 off street car parking space with some 3 bedroom properties with provision of 2 spaces. I also note that the layout and design of the roads

conform to the 6C's Highways Design Guide, and given the highway width and the areas free from driveways there would be provision for intermittent on-street car parking. I note that paragraph 4.4 of the car parking SPD states that where unallocated requirement can be accommodated on-street, this will be acceptable as long as it does not cause an adverse impact on the free flow of traffic. Given that each residential dwelling has at least 1 off-street car parking space, with over provision in some instances, the availability of visitor spaces distributed across the development and the potential for some on-street car parking, I consider that the development would not give rise to unacceptable car parking that would give rise to highway safety concerns. I also note that the application site is located on a main arterial route into Nottingham City which benefits from very good public transport linages reducing the reliance on private car journeys.

- 11.3 I note the comments from the Highway Authority regarding the location of off street car parking being remote from front doors. I also note that during the processing of the application considerable alterations have been made in light of these comments to create clear and legible pedestrian routes from the parking courts to designated properties. It is also noted that the layout of the scheme results in a large number of property's front elevations facing onto a pedestrian route facing Mansfield Road and that pedestrian access has been provided to these properties to the rear. I consider that appropriate pedestrian routes have been provided to minimise the potential distances from the car parking to the dwellings. There is a maximum distance of 20 metres from the curtilage of the furthest dwelling to the car parking court, and in my opinion this distance would not cause significant harm to the potential occupiers of the dwellings and would not, in my opinion, warrant a refusal of this application.
- 11.4 I note the comments received from the Highway Authority regarding the turning heads at plots 18, 25, 36, and 52 being removed with the footway following continuous alignment. Whilst I note that the Highway Authority is not intending to adopt these areas it would not, in my opinion, materially alter the layout of the development. I consider that these amendments and agreements should be sought directly with the technical officer at the Highway Authority when seeking adoption of the road under s38 of the Highways Act. The applicant has been made aware of the amendments requested and shall account for this when they submit an adoption plan to the Highway Authority.
- 11.5 I note the comments regarding the 'no waiting' restrictions requested along the main access into the site to prevent any undue congestion at this point. Should planning permission be forthcoming I would suggest attaching a condition to any approval requesting a plan showing the details of the 'no waiting at any time' restrictions to be provided prior to the development commencing.
- 11.6 I note that other than the above considerations the Highway Authority raised no objections to the scheme subject to conditions. I am therefore satisfied that the development would not result in any undue highway safety implications.
- 11.7 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 Henry Street, to

include real time bus stop pole and displays and to raise kerb boarding points. 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.

- 11.8 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 the development 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.
- 11.9 I also note that the Highway Authority has requested shared cycle/footway from the application site to the signalised junction with the A60 and Redhill Road. However, I would also note that there is no existing shared cycle/footway provision within the locality from Redhill Road towards the city for the new provision (if provided) to link up with. Given that there is no infrastructure of this kind within the vicinity I do not consider that the provision of an off-site shared cycle/footway would be fairly or reasonably related in scale and kind to the development. I would also note that should the short distance of cycle/footway be provided it would terminate at the signalised junction with Redhill Road and the A60 which would not link the development to existing cycle routes or other local amenities.
- 11.10 I note that the Highway Authority request details of a management company to deal with the future maintenance of the private drive areas. Given that the development would create private drives off the central adopted highway, shared parking courts and incidental open space not adopted by the Highway Authority and not within the curtilages of dwellings, should planning permission be forthcoming details of a Management Company responsible for the upkeep of the access drives, parking courts and areas of open space not within the curtilages of dwellings would be sought via Section 106 Agreement in order to retain an acceptable appearance of the public realm associated with the development.
- 12.0 The impact on neighbouring amenity
- 12.1 Residential amenity considerations relevant to this proposal include the impact from noise generated by the development and the A60 as well as dust, lighting and overlooking. 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 effect on the amenity of occupiers of neighbouring 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.

- 12.2 I note that the development is bounded by mature trees and the open space adjacent to the nearest residential properties at Lodge Close. Given the distances between the development and the rear boundaries of these properties and that open space is proposed immediately adjacent to these properties that the proposal would not give rise to any undue overlooking, overbearing or overshadowing impact on the residential amenity on these dwellings.
- 12.3 The principle noise sources associated with the development post construction are anticipated to be related to the road traffic, particularly on the A60 Mansfield Road. I note the comments from Public Protection and the associated noise impact assessment and I consider that the proposed mitigation in the form of specialised noise reduction windows to windows in the front elevations of properties fronting the A60 is sufficient to mitigate any potential undue noise impacts. The attached conditions would reference the conclusions of the Noise Impact Assessment to ensure the correct mitigation is installed.
- 12.4 The Gedling Borough Replacement Local Plan does not specify standards for outdoor amenity space for dwellings. Nevertheless, each house benefits from its own private garden and the proposed residential flats are occupied within areas of green space. I would also note that the development would also provide on-site public open space and a Local Equipped Area of Play for the enjoyment of residents.
- 12.5 It is therefore considered that the details deposited with the application accord with the NPPF, Policy ENV1 of the RLP and Policy 10 of the GBACS.
- 13.0 Open space and recreation
- 13.1 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 area for residential development amounts to 1.2 hectares a total of 0.12 hectares of local open space is required.
- 13.2 The SPD for open space provision requires 40% of the minimum 10% open space provision should be informal play area or NEAP. This results in a total requirement for the provision for children and young people of 0.048ha (within the overall 0.12ha requirement).
- 13.3 The layout plan illustrates that the application site can accommodate the minimum requirement of open space provision on site and the layout and makeup of this provision would be sought through s106 agreement in line with the requirements of the SPD.
- 14.0 Air Quality
- 14.1 The NPPF states that: 'Planning Policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking

into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new developments in Air Quality Management Areas are consistent with local air quality action plan'.

- 14.2 The National Planning Practice Guidance (NPPG) launched on 6 March 2014 to support the NPPF contains guidance on air quality. It requires local planning authorities to consider whether development would expose people to existing sources of air pollutants, and/or give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations.
- 14.3 Saved Policy ENV 11 of the GBRLP states that planning permission would not be granted for pollution generating development which would result in an unacceptable risk to the health and safety of residents or users of nearby properties as well as unacceptable nuisance to users or residents. Planning conditions will be imposed if restrictions or mitigation of pollution effects would make a proposal acceptable.
- 14.4 The Scientific Officer has reviewed the submitted air quality assessment (Air Quality Consultants (AQC) ref J2669 Aug 2016). In light of the recommendations made I would attach an informative to any approval to encourage the applicant to consider mitigation in the form of electrical vehicle charging infrastructure, Low NOx Boilers, and Broadband provision.
- 14.5 A condition would also be attached in line with the recommendations requiring a Dust Management Plan to be submitted prior to the commencement of development.
- 15.0 Noise
- 15.1 I note that concerns have been raised with regards to the potential noise from external sources being intrusive to residents of certain properties as outlined in the submitted noise report.
- 15.2 In line with the recommendation a condition would be attached to any approval requiring the glazing and ventilation strategy outlined in the noise report submitted as part of this application to be adopted prior to occupation. I am satisfied that the potential adverse impact from noise can be satisfactorily mitigated using the methodology proposed within the glazing strategy.
- 16.0 Water resources, flood risk and drainage
- 16.1 I note that the application is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding. The Environment Agency was consulted on the application. The comments received relate to contamination and shall be dealt with separately within the following chapter.
- 16.2 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 locating development in low risk flood zones, as set out in Policy 1 of the GBACS and Section 10 of the NPPF.

- 16.3 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.
- 16.4 Paragraph 103 states: 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere'
- 16.5 The Environment Agency's flood map for surface water flooding indicates that the site is located in an area that has a 'very low' chance of flooding from surface water. However, given that the proposal is for a comprehensive redevelopment of the site careful consideration needs to be given to the impacts of the development on 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.
- 16.6 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.
- 16.7 Paragraph 031 states: 'A flood risk assessment should also be appropriate to the scale, nature and location of development.'
- 16.8 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).
- 16.9 Following consultation the LLFA accept that the submitted FRA and drainage strategy is generally acceptable, subject to the scheme being implemented in accordance the Flood Risk and Drainage Strategy submitted by Travis Baker Ltd (6 July 2016). 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.
- 16.10 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.
- 17.0 Land contamination
- 17.1 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.

- 17.2 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.
- 17.3 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.
- 17.4 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 for each phase of the development. These details can be secured by condition as recommended by the Scientific Officer.
- 17.5 It is considered, therefore, that the proposed development would accord with Policies ENV3 of the RLP and Section 11 of the NPPF.
- 18.0 Ecology
- 18.1 GBACS Policy 17 seeks to protect local sites of biological importance in line with the hierarchy of designations.
- 18.2 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.
- 18.3 The majority of the application site is previously developed brown field land which is not affected by any statutory designations. The most ecologically valuable parts of the site are considered to be the boundaries that are delineated by mature trees and vegetation.
- 18.4 I note that Nottinghamshire County Council Nature Conservation confirms that the application site has limited nature conservation value, and largely proposes to retain the relatively higher value boundary vegetation. I also note that the Arboricultural Assessment is adequate for the purpose of the proposed works to offer protection to the retained trees.
- 18.5 I note the comments received regarding the removal of the trees fronting Mansfield Road due to the overshadowing of properties on the opposite side of the road

18.6 Given the above I am satisfied that the proposed scheme has addressed the impacts on ecology and the existing vegetation that is to be retained I am therefore satisfied that the proposed development accords with the requirements of GBRLP Policy ENV36 and GBACS Policy 17.

19.0 Other Considerations

19.1 I note the comments from the dwellings on the opposite side of Mansfield Road and the concerns that have been raised regarding the overshadowing from the existing mature trees on the east boundary of the site and the request to get these trees reduced. However, I note that existing trees are proposed to be retained. Given the potential noise impacts on the proposed properties fronting Mansfield Road, the contribution the trees make to the setting of the development, and the distance to neighbouring dwellings on Charlotte Close I do not consider there to be any adverse impacts from these trees that should be controlled by the implementation of conditions in this instance. I also note that the Arboricultural Officer was consulted on this application and concurs with the findings of the Tree Survey which does not identify any further works to the trees.

19.2 I note the comments regarding the impact on existing resources and the potential socio-economic impacts; however, I also note the applicant has agreed to deliver a full contribution of education and health with the affordable housing being reduced to a viable level as discussed in chapters 10.0. It is my opinion that satisfactory contributions have been sought to account for the socio-economic impacts of the proposed development.

20.0 Conclusion

20.1 I consider that, 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 6.0 – 20.0; 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.

21.2 In conclusion, the development is considered acceptable for the following reasons:

- The principle of residential development is supported in policy.
- The development would deliver local housing need, contributing significantly to Gedling's requirement to deliver 7,250 homes by 2028.
- The development is located on brownfield land, avoiding / lessening the need for green belt release in order to deliver the Borough's housing needs, and forms a natural urban extension to Nottingham's urban boundary.
- Residential amenity would not be significantly adversely affected, although it is considered there may be some impact on amenity

during construction phase, which will be controlled through the implementation of safeguarding conditions.

22.0 Recommendation:

That the Borough Council GRANTS FULL 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 as education authority for the provision of / or financial contributions towards; On Site Affordable Housing; Open Space; Healthcare; Education; Management Company for areas of open space / private drives / parking courts not within residential curtilages and not adopted by the Highway Authority; a Local Labour Agreement; and subject to the conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby approved shall be completed strictly in accordance with the approved plans, application forms, plans and drawing no's: Planning Statement (July 2016); Noise Assessment Report 15/0715/R1; Site Location Plan (3029 01); Design and Access Statement (12/07/2016 ref 3029); Proposed Site Plan (3029-04 Rev U); Bin Collection Plan (3029-16); Road Adoption Plan (3029-17); The Ashby Floor Plans and Elevations (3029-06 Rev B); The Ashby and Ashby Variant Floor Plans and Elevations (3029-13 Rev A); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant - Floor Plans and Elevations (3029-15); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant 1 - Floor Plans and Elevations (3029-12 Rev A); The Hardwick Floor Plans and Elevations (3029-08); The Alnwick (Terraced) Floor Plans and Elevations (3029-14); The Alnwick Floor Plans and Elevations (3029-09 Rev B); RH2 Floor Plans and Elevations (3029-12); The Ashby Variant and Bradgate Floor Plans and Elevations (3029-13); Ashby and Bradgate Floor Plans and Elevations (3029-07 Rev A); The Alnwick Floor Plans and Elevations (3029-09 Rev A); Arboricultural Report - July 2016 - (T_EDP2897_01b); Topographical Study (574); Ecological Appraisal June 2016 (EDP2897_02a); Flood Risk and Drainage Strategy (Project No: 15075 - 6th July 2016); Ground Conditions Report (SLR Ref: 415.05614.00001); and the Transport Statement (ADC1321 A).
- 3 Occupation of the proposed dwellings shall not take place until their respective off-street parking areas as shown on drawing number 3029-04 Revision U have been provided.
- 4 Occupation of the proposed dwellings shall not take place until the private drive areas have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

- 5 Prior to the occupation of any dwellings hereby approved the junction to the A60 (the site access) shall be provided strictly in accordance with the approved plan drawing no: Proposed Site Plan (3029-04 Rev U) to the satisfaction of the Highway Authority.
- 6 No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Borough Council and shall include arrangements for monitoring of progress of the proposals. The approved Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Borough Council.
- 7 Occupation of the proposed dwellings shall not take place until "no waiting at any time" restrictions have been provided on the new access road in accordance with details first submitted to and approved in writing by the Borough Council.
- 8 The development hereby approved shall be constructed strictly in accordance with the information provided within the Flood Risk and Drainage Strategy for the Proposed Residential Development at Land Adjacent to Mansfield Road, Redhill, Nottingham, by Travis Baker Ltd dated 6th July 2016 unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development hereby approved shall be constructed strictly in accordance with the submitted Arboricultural Statement dated July 2016. All tree protection measures stated within the statement must be adhered to. All tree pruning must be carried out in accordance to BS3998:2010. Should the existing boundary treatment require removal prior to the commencement of development, the written approval from the Borough Council should be sought on the Pre Commencement Meeting outlined in the Arboricultural Statement paragraphs 6.7 - 6.10.
- 10 Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Dust Management Plan should be produced in accordance 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance) and carried out in accordance with the approved plan.
- 11 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details.
- 12 Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of enclosure of the site and precise details of the materials and structure of the retaining walls. Thereafter the means of enclosure shall be erected and retained in accordance with the approved details.

- 13 Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
- 14 The hard and soft landscaping details to be submitted in relation to condition 13 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as column lighting and bollard style luminaries to communal car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.
- 15 The development hereby approved shall be completed strictly in accordance with the submitted Noise Report 15/0715/R1/Revision 1 unless otherwise prior agreed in writing by the Local Planning Authority. The Glazing and Ventilation strategy shall be adopted in accordance with the glazing plan illustrated in the noise report figure 15/0715/GM1 and the associated specification outlined in 15/0715/SPC1 together with the ventilation.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure that adequate off-street parking is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 To promote sustainable travel.
- 7 To maintain the free-flow of traffic, in the general interest of highway safety.
- 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 sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 9 In the interests of good Arboricultural practice.

- 10 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 11 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 12 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 13 To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 14 To ensure that the final form of the development complies with policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 15 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

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

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Notwithstanding any planning permission if any highway forming part of the development is to be adopted by the Highways Authority the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the 6CsDG.

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 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.

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 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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guide and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under Section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. 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 in writing before any work commences on-site. Correspondence to

the Highway Authority should be addressed to: TBH - NCC Highways (Development Control, Floor 9), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

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 these works you will need to enter into an agreement under Section 278 of the Act. Correspondence to the Highway Authority should be addressed as above.

The proposed off-site highway works referred to in condition 7 require a Traffic Regulation Order (TRO) to be enforceable. The developer should note that the TRO can be made on behalf of the developer by VIA in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0300 500 8080 for details.

The applicant is advised to safeguard the land that is required for future development to avoid prejudicing access to the site.

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). Also, consideration should be given to the installation of Low NOx Boilers: DEFRA, in their document entitled 'improving air quality in the UK' - Tackling nitrogen dioxide in our towns and cities' Dec 2015, are keen to encourage further use of low NOx boilers both in domestic and commercial premises.