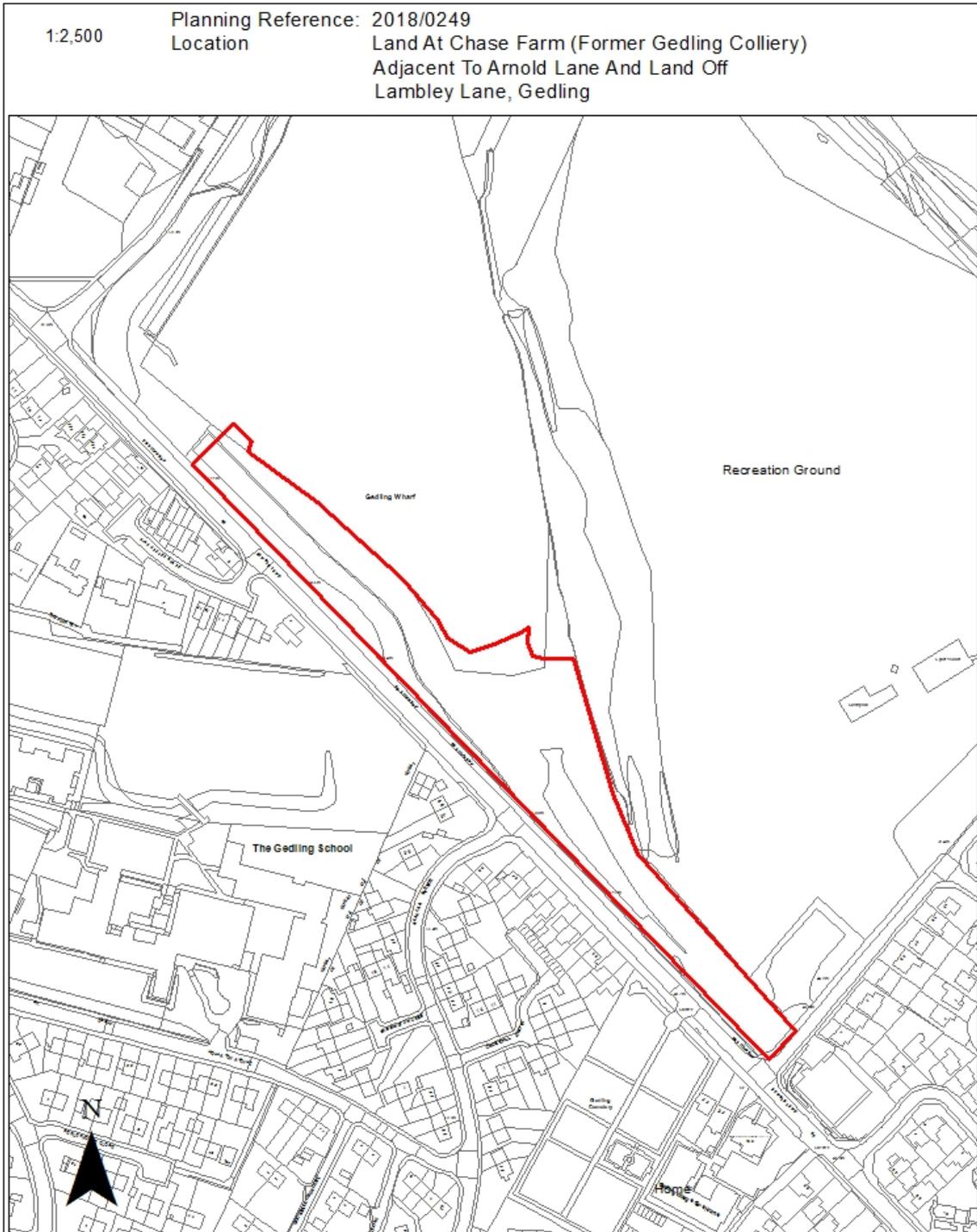




Planning Report for 2018/0249



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2018/0249
Location:	Land at Chase Farm (Former Gedling Colliery), Adjacent to Arnold Lane and Land off Lambley Lane
Proposal:	14 plot re-plan including landscape buffer and a retaining wall adjacent to Arnold Lane.
Applicant:	Keepmoat Homes Ltd.
Agent:	Armstrong Burton Architects
Case Officer:	David Gray

1.0 Site Description

- 1.1 The application site relates to an area of land fronting Arnold Lane which falls within the previously approved 'Chase Farm' development (Planning Ref: 2015/1376) currently under construction.
- 1.2 The south western boundary of the site incorporates a partially constructed unauthorised concrete retaining wall of up to 4.5 metres in height.

2.0 Relevant Planning History

- 2.1 On the 3rd March 2017 Conditional Permission was granted for the "Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road." app ref: 2015/1376.
- 2.2 In September 2017 a Non Material Amendment was granted for Plots 218 – 228 substituting brickwork and plots Plots 38 – 47 window alterations. Ref: 2017/0927NMA
- 2.3 In September 2017 a Non Material Amendment was granted for changes to external elevations of plots 112, 114 and 156. Ref: 2017/0928NMA.
- 2.4 In February 2018 Full Planning Permission was granted to replace 01, 02, 03, 169, 170 and 171 with alternative house types. Ref: 2017/1018

- 2.5 In February 2018 Full Planning Permission was granted for the repositioning of plots 5,6 & 7(rotation through 90 degrees). Ref: 2017/1076
- 2.6 In February 2018 Full Planning Permission was granted for the re-elevation of 110 plots. Ref: 2017/1076.

3.0 Proposed Development

- 3.1 Planning permission is sought to amend the layout and landscaping of 14 residential units to negate the requirement for a 5 metre high retaining wall with fencing above positioned adjacent to Arnold Lane.
- 3.2 The amendments would limit the maximum height of the retaining wall adjacent to Arnold Lane to 2 metres and would incorporate an 18 metre landscaped bank with black railings above.
- 3.3 The 14 dwellings initially approved would be partly relocated to accommodate an 18 metre landscape buffer. Eight of the dwellings would be located behind the landscape buffer with 6 being relocated to the edge of the balancing pond to the south of the site.
- 3.3 During the processing of the application a number of additional windows were included on the side elevations of the dwellings facing onto Arnold Lane and a Landscape Plan was submitted illustrating the planting type and mixture of trees proposed for the 18m Landscape Buffer.
- 3.4 The previously approved balancing pond would alter in shape and size, however, the capacity of the pond would be the same as previously approved.

4.0 Consultations

- 4.1 Nottinghamshire County Council (Highway Authority) – no objections
- 4.2 Neighbouring Properties were notified and a Site Notice and Press Notice posted and no letters of representation were received as a result.
- 4.3 Nottinghamshire County Council (Arboricultural Officer) – There are no significant trees on site requiring protection.

The proposed re-plan identifies an 18 metre buffer area containing trees. If the area is to be replanted, a woodland mix typical for this area may contain the following: Acer campestre, Betula pendula, Cornus sanguinea, Corylus avellane, Crataegus monogyna, Ilex aquifolium, Malus sylvestris, Prunus avium, Quercus robur.

- 4.4 Nottinghamshire County Council (Lead Local Flood Authority) – no objections as the surface water attenuation approved under 2017/0331DOC remains at the same capacity.

5.0 Planning Considerations

- 5.1 The principle of the development has already been established through planning application 2015/1376. The Council granted full planning permission for the erection of 506 dwellings in phase 1 of the Chase Farm development.
- 5.2 The main consideration therefore in the determination of this application is the impact of the proposed changes on the approved layout and the new street scenes.
- 5.3 In terms of visual amenity, I consider that the amendments would be in keeping in terms of the design with the surrounding previously approved development. I note the development site has a number of housing designs and I consider that the altered layout to incorporate a soft vegetation buffer above a 2 metre high retaining wall, coupled with the dwellings facing onto Arnold Lane incorporating feature windows, would sit well within the existing street scene when viewed from Arnold Lane. The extant planning permission incorporates vehicle turning heads and private drives adjacent to Arnold Lane and I consider that the proposed landscape buffer would soften the appearance of the new development in this location. The proposal therefore accords with Part 7 of the NPPF, policy 10 of the ACS and saved Policy ENV1.
- 5.4 I note that a landscape plan has been submitted indicating the species mix of trees suitable for this area as agreed by the Arboricultural officer. In order to secure a satisfactory planting scheme a condition requiring the precise details of the landscaping scheme would be attached to any approval.
- 5.4 I also consider this proposal would result in an acceptable relationship with the adjacent plots in terms of overbearing, overlooking and overshadowing impacts.
- 5.5 For the reasons set out above, the proposed development accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan and Policy 32 of the Local Planning Document.

6.0 Planning Obligations

- 6.1 The application site falls within the wider Chase Farm development which is subject to a Section 106 agreement. The triggers for the obligations are dependent on completion of a specified number of dwellings on the approved Chase Farm development. The proposed development would not alter the number of dwellings; however, the original Section 106 agreement would need to be varied to account for the minor changes highlighted above as the grant of this application would result in a new planning permission being issued for 14no. dwellings.

7.0 Recommendation:

- 7.1 Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form and Drawings: Design and Access Statement; 102(1) Rev E (External Levels Layout Sheet 1 of 2); 102(2) Rev E (External Levels Layout Sheet 2 of 2); P201 (House Type 955); P204 (House Type 1244); P206 (14 Plot Re-Plan Sections); Site Location Plan; P200 (House Type 954); P202 (House Type 1178); P203 A (House Type 1233); P400 (Materials Plan); P204 A (House Type 1244); P205 (House Type 1244); P101 Rev C (Site Layout Plan); P300 Rev C (Street Scenes); and P101D (Landscape Plan).
- 3 Prior to the occupation of the first dwelling full details of both soft and hard landscape works within the proposed landscape buffer shown on plan no: 17057a-P101 rev D shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall incorporate the mixture of plants contained within the planting schedule and shall also include details of size, species, positions and densities of all trees, hedges and shrubs to be planted. The landscaping shall be implemented in accordance with the approved details within the first planting season following approval. The landscaping shall thereafter be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 4 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 3, 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 Local Planning Authority 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.

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 a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 4 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

Notes to Applicant

Details of the latest proposed highway will be subject to a Technical Appraisal and should be designed in accordance with the Nottinghamshire County Councils Highway Design Guide which can be found at;
www.nottinghamshire.gov.uk/transport/roads/highway-design-guide

Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). 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, and /or 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 after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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 by installing wheel washing facilities on site.

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 as is detailed below. Full details about the CIL Charge including,

amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

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 be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at; <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

Date Recommended: 25th April 2018