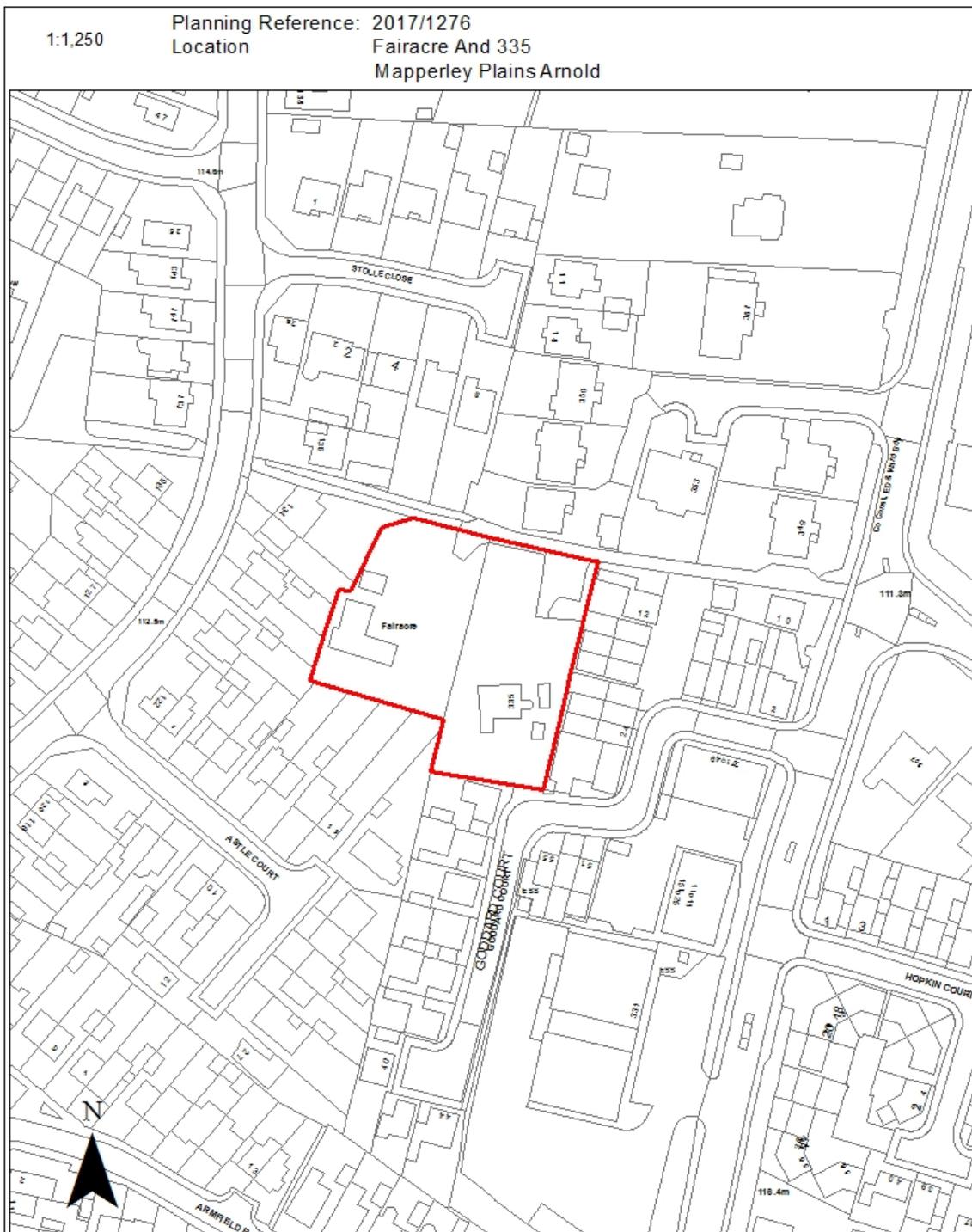


Planning Report for 2017/1276



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: 2017/1276

Location: Fairacre And 335 Mapperley Plains Arnold

Proposal: Outline planning application for erection of 11 dwellinghouses with details of access, layout and scale and other matters reserved and demolition of two existing bungalows

Applicant: Mr A Sisson

Agent: Zenith Planning And Design

Case Officer: David Gray

1.0 Site Description

- 1.1 The application site comprises two detached residential bungalows (no.335 Mapperley Plains and 'Fairacre') and their associated curtilages. The application site measures approximately 0.3 hectares in area.
- 1.2 Access to the site is currently from Mapperley Plains via a private drive to the north of the site.
- 1.3 Fairacre is located to the southwest of the site. Rear boundaries of properties on Ramsey Drive adjoin the west side boundary and rear boundaries of properties on Astle Court adjoin the rear south boundary of this property. The north boundary of the site adjoins the private access drive and the east boundary adjoins no.335 Mapperley Plains. The boundaries are currently defined by close-boarded panelled fencing, trees and planting.
- 1.4 No.335 Mapperley Plains is located to the southeast of the application site. The rear south boundary adjoins a rear boundary of no.15 Astle Court and the side boundary of no.28 Goddard Court. The east side boundary adjoins the rear boundaries of properties on Goddard Court. To the north is the private access drive. The boundaries are defined by close-boarded panelled fencing.

2.0 Relevant Planning History

- 2.1 In December 2006 Outline Planning Permission was granted (reference: 2006/1085) for a residential development at no's 333 – 339 Mapperley Plains.
- 2.2 In June 2007 a Reserved Matters application was granted for the residential development of 49 houses, garages and associated works. The approval included an area of land which accesses the current application site from

Goddard Court onto no.335 Mapperley Plains and Fairacre. This development has been fully implemented with the access currently hardsurfaced.

3.0 Proposed Development

3.1 Outline Planning Permission is sought with matters relating to (i) Access, (ii) Layout, and (iii) Scale being sought for approval, with (iv) Appearance and (v) Landscaping being reserved for subsequent approval at reserved matters stage.

3.2 (i) Access: The sole access to the site would be from adjacent to the frontage of no.28 Goddard Court.

3.3 (ii) Layout:

- The development would comprise 7 dwellings (2.5 stories in height with rooms in the roof) fronting onto the new access drive, each with a minimum of 2 allocated off street car parking spaces. These 7 dwellings would be set back from the back edge of the proposed pavement by 5 metres.
- The remaining 4 properties would be set around a private turning head in a crescent layout and would each have a minimum 2 allocated off street car parking spaces, 1 being an attached garage.

3.4 (iii) Scale: The development would be made up from 5 house types outlined below:

- Type A – 3 bedrooms, 3 storeys - 90sqm internal floor area, 5.2m wide x 8m deep;
- Type B – 3 bedrooms, 3 storeys - 100sqm internal floor area, 5.85m wide x 8m deep;
- Type C1 – 3 bedrooms, 2 storeys – 96sqm internal floor area, 5.8m wide x 9.8m deep;
- Type C2 – 3 bedrooms; 2 storeys – 78sqm internal floor area, 5.8m wide x 8.1m deep;
- Type D – 4 bedrooms, 2 storeys – 96sqm internal floor area, 8.5m wide x 6.7 deep.

3.5 Supporting information has been submitted by the agent including:

- Design and Access Statement;
- Protected Species Survey; and
- Tree Survey.

4.0 Consultations

4.1 Nottinghamshire County Council (Highway Authority) –

The Highway Authority is satisfied that all outstanding issues have been resolved. It would have been preferred that the service margin did not go through the car parking space adjacent to the access to the private drive, however there appears to be 4.7m remaining for the car to park. No objections to the proposal subject to conditions relating to the surfacing, layout and turning and provision of car parking in accordance with the revised plan ref: AS-17-01-RevE.

- 4.2 Nottinghamshire County Council (Forestry Officer) –
Satisfied with the conclusions of the submitted Tree Survey, none of the trees on site are worthy of protection.
- 4.3 Nottinghamshire County Council (Lead Local Flood Authority) –
No construction should take place until a detailed surface water design and management proposal has been submitted to and approved by the Local Planning Authority.
- 4.4 Nottinghamshire County Council (Ecology) –
It may be expedient to request a bat survey of the buildings to be demolished, to establish whether or not there would be impact on roosting bats.
- 4.5 Nottinghamshire County Council (Education) –
Current projections show that both primary and secondary schools in the area can accommodate any yield from such a development. There are no education requirements at present.
- 4.6 Severn Trent
No comments received.
- 4.7 Scientific Officer
- 4.7.1 The proposed development is on land that has been used for what could be considered a 'low risk' historical land use. However, a condition should be attached to deal with any unidentified contamination found at any time when carrying out the development.
- 4.7.2 The applicant's attention should be brought to the planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how we might decrease levels by incorporating mitigation measures into scheme design as standard. Therefore it is requested that the developer considers the commitment to incorporate provision of EV charging points to allow residents to charge electric/plug-in hybrid vehicles.
- 4.8 NHS - Clinical Commissioning Group (Nottingham East) –
No health contributions would be sought.
- 4.9 Neighbouring residents were notified and a Site Notice posted and 12 letters of representation were received from 7 separate addresses. The representations are summarised below:
- 4.9.1 Residential Amenity
- The properties would overlook nearby residential properties;
 - Concerns raised in regards to noise and pollution from construction;
 - The properties would overlook the garden areas and bedrooms of adjoining neighbouring dwellings parallel to them;
 - The access road would be adjacent to the rear gardens of neighbouring dwellings creating noise and pollution.
- 4.9.2 Access, Traffic, and Highway Safety

- The development would result in a significant increase in car numbers with only one point of access onto Goddard Court;
- Traffic on Goddard Court is already busy;
- Godard Court is a popular road with a significant number of cars double parked on both sides of the road;
- Introducing a new access halfway down Goddard Court adjacent to no.28 would greatly restrict access to this property;
- Goddard Court would be negatively impacted upon by additional traffic and restricted access for a significant amount of time;
- Increased traffic would spill onto Goddard Court and would result in unacceptable safety concerns for cars and pedestrians;
- There is a requirement for a Traffic Assessment to assess the impact on Mapperley Plains and Goddard Court;
- Assuming that each of the dwellings would have 2 cars each this result in 22 car passing adjacent to the front door of no.28 Goddard Court which would be a highway safety matter;
- The increased car numbers would create difficulties for Waste Services or Emergency Vehicles accessing Goddard Court.

4.9.3 Other Considerations

- There would be significant access issues when construction begins;
- No objections to the proposal but request the developer builds a new wall adjacent to a neighbouring property along the existing right of way due to subsidence from the path falling into a garden area;
- There has been a number of burglaries and increasing the accesses with another right of way would increase the risk;
- The covenant that retained the access from Goddard Court to 335 Mapperley Plains relates to 5 dwellings being accessed from this point and not 11 as proposed.

4.0 Planning Considerations

4.1 Assessment of Planning Considerations

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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'.

4.3 The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). In particular the following chapters are relevant in considering this application:

6. Delivering a wide choice of quality homes;
7. Requiring good design.

4.4 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, 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 the area and the way it functions.

4.5 Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant: -

- Policy 2 – The Spatial Strategy.
- Policy 8 – Housing Size, Mix and Choice.
- Policy 10 – Design and Enhancing Local Identity.

4.6 Appendix E of the GBACS refers to the saved policies from Adopted Local Plans. The following policies contained within the Gedling Borough Replacement Local Plan (GBRLP) (Certain Policies Saved 2014) are relevant:

- ENV1 – Development Criteria.
- H7 – Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes.
- H8 – Residential Density.
- H16 – Design of Residential Development.

4.7 In respect to car parking, regard should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

4.8 Paragraph 216 of the NPPF outlines that weight can be given to emerging policies, relative to their advancement in preparation; the extent of unresolved objections; and consistency with the NPPF. The LPD is currently being examined in accordance with paragraph 182 of the NPPF. Until the Inspector's report is published, LPD policies cannot be significant weight.

4.9 Where the LPD policies meet the requirements set out in Paragraph 216 (i.e. they have no substantive objections) they are afforded "moderate" weight. Where the LPD policies have outstanding objections, they are afforded "limited" weight.

The following LPD policies are relevant to this application (and weight given):

- **LPD 32 – Amenity (Moderate)**
- **LPD 33 – Residential Density (Moderate)**
- **LPD 34 – Residential Gardens (Moderate)**
- **LPD 35 – Safe, Accessible and Inclusive Development (Limited)**

4.10 In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -

- The principle of developing the site and whether the proposal makes efficient and effective use of the land;
- Whether the layout and scale of the development is acceptable;
- The highway implications of the development, including parking provision;
- Whether there would be an adverse impact on neighbouring properties;
- Other matters raised by local residents.

5.0 The principle of developing site

- 5.1 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 forward). 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 housing, business and other development needs of an area are met.
- 5.2 The proposal is located within the urban residential area of Arnold and, as such, accords with the strategy of urban concentration set out in ACS Policy 2 and therefore the principle of the residential redevelopment of the site is supported by this policy.
- 5.3 Policy H8 of the GBRLP and LPD33 sets out residential density requirements of at least 30 dwellings per hectare, and gives support where higher densities are proposed provided that such proposals *‘reflect local characteristics and does not harm the character of the area’*. The development is to provide 11 residential units on a site of 0.3 hectares equating to a residential density of approximately 37 dwellings per hectare. As such, the proposed density accords with Policy H8 and LPD33.
- 5.4 LPD 34, which is afforded moderate weight, states inter-alia that: *‘Development involving the loss of residential gardens will not be permitted unless: (i) the development proposal would represent a more efficient use of land at a location where higher densities are appropriate.’* I note that the proposal would be located in an established urban residential area and as such accords with the strategy of urban concentration as set out in ACS Policy 2. I also note that when assessing the proposal against Policy LPD24 and GBRLP H8 that it would represent a higher density development which would result in a more effective and efficient use of land where higher densities are appropriate. This higher density would however be subject to the layout of the development being acceptable which is considered below in Chapter 6.
- 5.5 Given the location of the development within the established urban residential area of Arnold and the more effective and efficient use of the land as proposed there would be no objection in principle to the residential redevelopment of the site. 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 acceptable in principle.

6.0 Whether the layout, density and scale of the development is acceptable

- 6.1 Policies ENV1, H7, H8, H16 of the Replacement Local Plan, LPD35, and Policy 10 of the ACS require development to be of high standard of design that is safe, accessible and inclusive. The policies require regard to be given to the appearance of the surrounding area, the provision of 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.
- 6.2 I note that the proposal incorporates 2 and 2.5 storey detached dwellings with reasonable sized gardens. The surrounding area is defined by a mixture of semi-detached and detached dwellings on Ramsey Drive and Astle Court and contemporary detached dwellings on Goddard Court. The proposal is for 11 dwellings on a site of 0.3 hectares equating to 37 dwellings per hectare. When considering the proposed layout and density of the development I am satisfied that it reflects the pattern of residential development in the immediate surrounding area. I would also note that the layout incorporates rear boundaries of the proposed dwellings adjoining the rear boundaries of the neighbouring existing dwellings along with the side boundary of the property on Goddard Court by the proposed access to the site.
- 6.3 I note that the layout shows that front facing development has been achieved along the primary access to the site and within the proposed crescent which allows for strong frontages to the public realm supporting natural surveillance and opportunities for landscaping.
- 6.4 Overall it is considered that an imaginative layout has been achieved on the site which suitably connects to the characteristics of the immediate surrounding area. Subject to the detailed design of the individual dwellings and landscaping at reserved matters stage I am satisfied that the layout accords with the broad aims of the NPPF, Policy 10 of the ACS, and Policies ENV1, H7, H8, H16 of the Replacement Local Plan.

7.0 The highway implications of the development, including parking provision

- 7.1 I note the comments received from nearby residents with regards to the potential highway safety implications that may arise as a result of the development, such as additional on street car parking and traffic volumes, particularly on Goddard Court.
- 7.2 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 11 residential units within a 'built-up area' with minimum allocated car parking provision of 2 spaces per dwelling when including the garages. When referring to the Parking Provision for Residential Development Supplementary Planning Document (SPD) the

developments allocated provision would result in additional demand of 4 unallocated spaces (on-street car parking).

- 7.3 I note that the development would result in an under provision of unallocated (visitor) car parking, however, I do note that each individual house has a minimum of 2 off street car parking spaces. The access drive has been designed to adoptable standards and for a development of this size I consider adequate on-street car parking would be available to visitors to the site within the application site boundary without the need for overspill car parking on Goddard Court. It is also noted that the application site is in a sustainable urban residential location with good public transport, cycling and pedestrian facilities in close proximity.
- 7.4 I also note that the Highway Authority have been consulted and have not objected to the level of car parking provision or raised any highway safety implications. Should planning permission be forthcoming I would suggest attaching the conditions from the Highway Authority with regards to the parking/turning and servicing areas, the new access provision, and details to prevent the deposit of debris upon the public highway with reference to the amended plan.

8.0 Whether there would be an adverse impact on neighbouring properties

- 8.1 Residential amenity considerations relevant to this proposal include the impact from the level of activity, overlooking, overshadowing, and overbearing impacts. 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 on the amenity of nearby residents is also relevant.
- 8.2 The application site adjoins the rear boundaries of residential properties on Ramsey Drive and Astle Court along with the side boundary of no.28 Goddard Court. It is noted that a layout plan has been submitted for approval with this outline planning application. The layout plan illustrates that adequate rear garden depths have been achieved with rear elevations of properties being sufficient distance from neighbouring dwellings to ensure that there would be no significant undue overlooking, overshadowing or overbearing impact from the development. It is also noted that the side elevation of no.28 Goddard Court is blank and the proposed neighbouring dwelling would be set in line with the rear elevation of this dwelling. I am therefore satisfied that there would be no significant undue impact on the residential amenity of this dwelling.
- 8.3 I note the comments received regarding the noise, pollution and disturbance that would result from the new access along rear gardens of Goddard Court. I am satisfied that the proposed access drive would not give rise to significant undue impact on the amenity of these residents given the garden depths and the significant rear boundary treatments.
- 8.4 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.

9.0 Other matters

- 9.1 I note the representations received with regards to private covenants contained within the deeds regarding the access to the development site being restricted to 5 new dwellings. However, matters relating to covenants remain private legal matters and are not material planning considerations when determining planning applications. I therefore do not consider that the private legal matters would warrant the refusal of this application.
- 9.2 I note the comments with regards to the request for the developer to erect a replacement wall to a nearby residential property, however, the wall is not within the application site and the planning department would not be able to require works outside the application site. This matter would be a private matter between the two land owners.
- 9.3 I note the comments with regards to an additional access creating more opportunities for crime, however, I am satisfied that the proposed front facing dwellings would offer sufficient natural surveillance. I am satisfied that the proposed layout would not result in indefensible space within the public realm that would give rise to increased crime and disorder in this location.
- 9.4 I note the comments from County Ecology and should planning permission be forthcoming an informative would be attached to any approval advising the requirement to protect bats during the demolition of buildings and the requirements of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010.

10.0 Conclusion

- 10.1 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 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 of the scheme.

11.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance and Landscaping for subsequent approval, and subject to the following conditions:

Conditions

- 1 Approval of the details of landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.

- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 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 8th November 2018: - Application Forms; Design and Access Statement; Protected Species Survey; Tree Survey; Site Location Plan and the revised Layout Plan (ref: AS-17-01revE) received by the Local Planning Authority on 22nd May 2018.
- 4 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans ref (plan ref: AS-18-02 revA). The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 7 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 8 No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 9 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.

- 10 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.
- 11 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 Local Planning Authority.
- 12 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority 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 of the Local Planning Authority, 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 Local Planning Authority.
- 13 Notwithstanding the details contained within approved plan (Drawing Number: AS-17-01 rev E) the scale of the proposed dwelling(s), Type A and Type B as indicated on the plan, shall be restricted in their scale to either 2 storey dwellings or 2 storey dwellings with living accommodation built into the roof space.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance doubt.

- 4 To ensure the development is constructed to adoptable standards.
- 5 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
- 7 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 8 In the interests of Highway safety.
- 9 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.
- 10 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).
- 11 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).
- 12 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).
- 13 In the interests of the visual amenities and the character of the surrounding area.

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 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.

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.

This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.

The applicant should note that notwithstanding any planning permission that 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 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.

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.

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.

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.

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday - 08:00 to 13:00 Saturday - No work shall be undertaken on Sundays or Public Holidays.

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. Highways Development Control Section, Highways South, Nottinghamshire County Council, County Hall floor 3, Loughborough Road, West Bridgford, Nottingham, NG2 7QP

Date Recommended: 22nd May 2018
08.