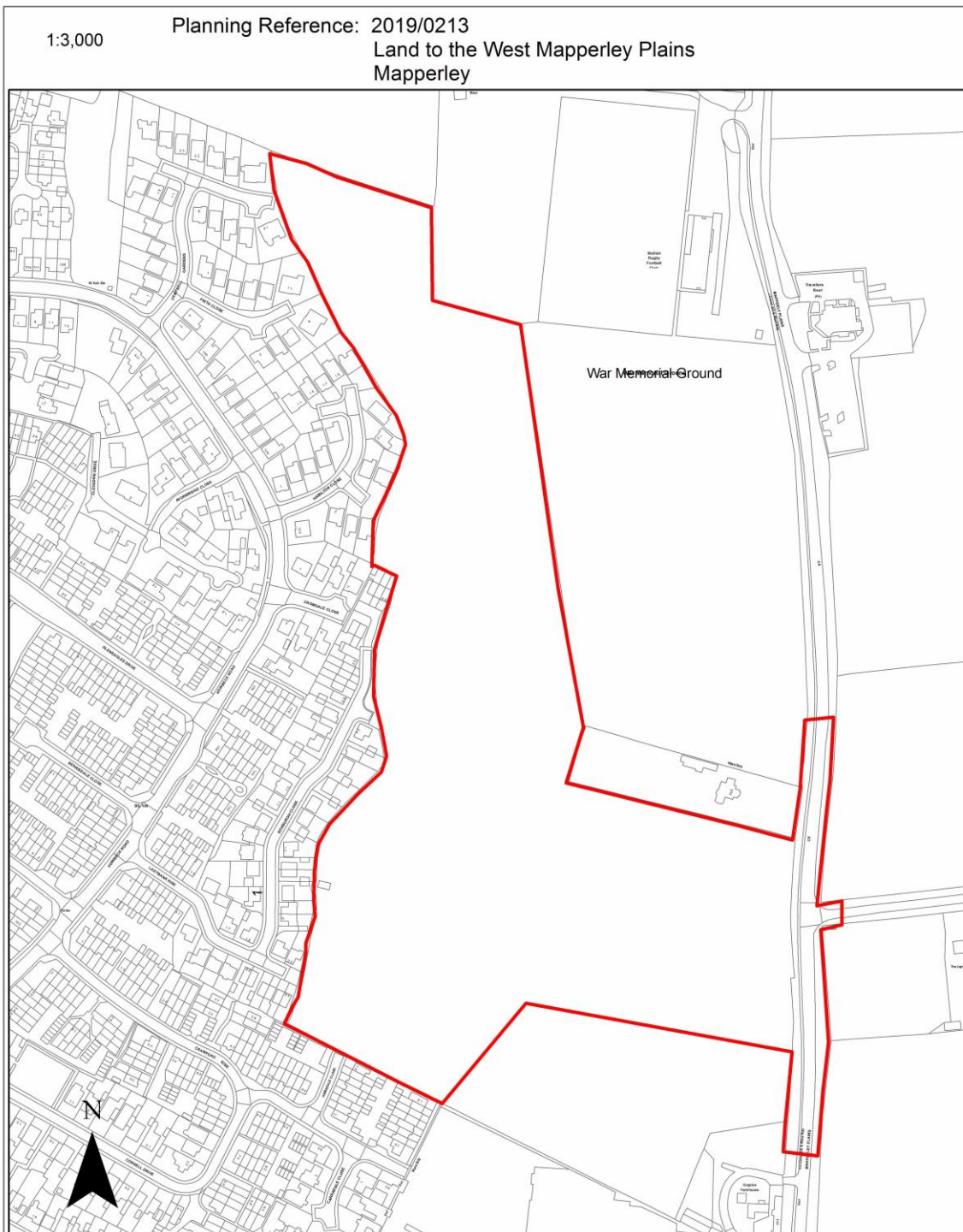




Planning Report for 2019/0213



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Report to Planning Committee

Application Number: 2019/0213

Location: Land to the West Mapperley Plains Mapperley

Proposal: Erection of 164 dwellings including new vehicular and pedestrian access, garages, parking, roads, footpaths, infrastructure, drainage and attenuation/detention basins, landscaping and open space.

Applicant: Davidsons Homes

Agent:

Case Officer: Kevin Cartwright

1.0 Site Description

- 1.1 The site consists of an area of agricultural land of approximately 7.54 hectares in size. The site is roughly T shaped and covers an area of land to the west of Mapperley Plains and Catfoot Lane, to the south and west of Melish Rugby Club and to the east of Howbeck Road estate.
- 1.2 The site is allocated for residential development by Policy LPD 64 (H7) of the adopted Local Planning Document. To the south of the site is the remaining part of the residential allocation H7 residential allocation.

2.0 Relevant Planning History

- 2.1 The site has been released from the Green Belt and is an allocated housing site (H7) within the recently adopted (July 2018) Local Planning Document.
- 2.2 2018/0906EIA – Environmental Impact Assessment (EIA) Screening request confirmed that an EIA not required for residential development of the site.

3.0 Proposed Development

- 3.1 Full planning permission is sought for the construction of 164 dwellings and associated infrastructure including a new vehicular access off Mapperley Plains.
- 3.2 The access would comprise a new roundabout located directly opposite Catfoot Lane. Market Housing would be made up of 1no. one bed, 7no. two bed, 52no. three bed, 47no. four bed and 8no. five bed properties. Affordable Housing

would be made up of 10no. one bed, 24no. two bed and 15no. three bed properties. There would be an extensive mix of house types within the development.

- 3.3 The rear western edge of the site would accommodate the sustainable drainage solution for the development in the form of a series of drainage lagoons located within the open space.

4.0 Consultations

- 4.1 Nottinghamshire County Council (Highways) – No objection to the proposal, subject to the agreement of satisfactory technical details required as part of the Section 278 process. A contribution of £30,000 for a new pair of bus stops on Mapperley Plains is required.
- 4.2 Nottinghamshire County Council (Education) – The proposal would generate 34 primary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £647,632 (34 places x £19,048 per place) towards the provision of a new primary school. The proposal would generate 26 secondary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £461,578 (26 places x £17,753) to enhance educational facilities at Christ the King Academy.
- 4.3 NHS Clinical Commissioning Group – requests a financial contribution of £88,868 towards healthcare provision for 410 people.
- 4.4 Gedling Borough Council Housing Strategy -The affordable housing requirement is 30% of the proposed dwellings to be provided on site of which 70% will be affordable rent and 30% intermediate sale i.e. shared ownership.
- 4.5 Nottinghamshire County Council (Waste) – Development of this site is unlikely to bring the new housing development into conflict with landfilled areas.
- 4.6 Nottinghamshire County Council (Minerals) – No objection.
- 4.7 Environment Agency – No comments to make.
- 4.8 Nottinghamshire County Council (Arboricultural Officer) – The tree survey is adequate to assist with the proposed development design.
- 4.9 Natural England – No objection.
- 4.10 Nottinghamshire County Council (Local Lead Flood Authority) – No objection in principle subject to the compliance with the recommendations and proposals stated in the submitted Flood Risk Assessment dated 2019.
- 4.11 Gedling Borough Council (Scientific Officer – Contamination) – No objection subject to condition in relation to any unexpected contamination being found on the site.

- 4.12 Gedling Borough Council (Scientific Officer – Air Quality) – No objection subject to conditions in relation to a Construction Emission Management Plan and the provision of electric vehicle charging points for each property.
- 4.13 Gedling Borough Council (Open Space) – The open space provision has evolved in consultation with the PASC Service. Final comments in relation to the most recent amendment will be reported verbally at the meeting.
- 4.14 Nottinghamshire County Council (Public Rights of Way) – No objection to the proposal. The Design and Access Statement makes reference to the potential for establishing further pedestrian connections in the future subject to third party land being secured. The Rights of Way team welcome this proposal and hope to be consulted in the future if the opportunity to extend the network presents itself. A note to applicant is requested to ensure that there is no disturbance/blocking of the nearby footpath.
- 4.15 Nottinghamshire County Council (Strategic Transport) – The County Council does not have any strategic transport planning observations to make.
- 4.16 Gedling Borough Council (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” as required by Policy LPD 48.
- 4.17 Members of the public - a press notice was published, 4no. site notices displayed and neighbour notification letters posted. 7no. letters of objection have been received and these are summarised as follows:
- Concerns in relation to overlooking and loss of privacy for the residents on Roxburgh Close. Request for landscaping along the western boundary of Housing Allocation H7.
 - Affordable housing seems to be located in one area not spreads across the site.
 - There is no boundary treatment/landscaping along the common boundary with Ladybank Rise/Roxburgh Close. Potential issues in relation to loss of privacy and security.
 - Flooding in the area still does not seem to be addressed fully.
 - Concern if a future highway or footpath connection is made into Campbell Gardens which is a quiet cul-de-sac. Through road would remove this calm and stable environment.
 - Impact on local schools from the additional pupils.
 - We should be redeveloping brownfield sites ahead of Green Belt land.
 - Traffic generation and impact on the surrounding road network and junctions. Particularly Plains Road and Spring Lane. Contributions should be sought in relation to off-site highway improvements.

Following the submission of drawings to amend the site access from a signalised junction to a roundabout and changes to the layout including the reconfiguration of

properties at the front of the site and amendments to the proposed public open space, a further re-consultation has been undertaken.

1no. letter of objection has been received in relation to these amended plans. The concerns are summarised below:

- The affordable housing is located in one area. It would be better to have smaller pockets.
- The revised planting along the western boundary are not very tall or dense and would not provide much security or privacy.
- The proposed development would raise security concerns beyond that from an agricultural field.
- Flooding in this area still does not seem to have been addressed and will potentially increase in the future.

5.0 Assessment of Planning Considerations

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy (Part 1 Local Plan)

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.

Policy 8: Housing Size, Mix and Choice – sets out the objectives for delivering new housing.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 11 – The Historic Environment – sets out that proposals will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.

Policy 16: Green Infrastructure, Parks and Open Space – supports the delivery of green infrastructure within a development.

Policy 17: Biodiversity – sets out the approach to ecological interests.

Policy 19: Developer Contributions – set out the criteria for requiring planning obligations.

6.4 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 4: Surface Water Management – sets out the approach to surface water management.

LPD 7: Contaminated Land – sets out the approach to land that is potentially contaminated.

LPD 10: Pollution - states that planning permission will not be granted for development that would result in unacceptable levels of pollution.

LPD 11: Air Quality – states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD 19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.

LPD 21: Provision of New Open Space – sets out that there will be a requirement for public open space on sites of 0.4 hectares in area and above, which could be on-site or off-site.

LPD 30: Archaeology – sets out how proposed developments should assess the potential for impact on archaeological remains.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 30 dwellings per hectare unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 36: Affordable Housing – sets out that a 30% affordable housing provision will be required in Arnold but that a lower requirement may be justified provided there is sufficient evidence which takes account of all potential contributions from grant funding sources and a viability assessment has been undertaken by the Council which demonstrates this.

LPD 37: Housing Type, Size and Tenure – states that planning permission will be granted for residential development that provides for an appropriate mix of housing.

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

LPD62: Comprehensive Development – states that planning permission will not be granted for development which would prejudice the comprehensive development of any allocated site.

LPD 64: Housing Allocations – Howbeck Road/Mapperley Plains – identifies the application site as housing allocation H7, for approximately 205 new dwellings.

6.5 Other

Parking Provision for Residential Developments – Supplementary Planning Document 2012– sets out the car parking requirements for new residential development.

Open Space Provision SPG (2001) – sets out the open space requirements for new residential development.

Affordable Housing SPD (2009) – sets out the affordable housing requirements for new residential development.

Development Brief for the three sites north east of Arnold SPD (Supplementary Planning Document) 2019. Its key development principles include:

- Development in accordance with the proposed allocation (205 homes for entire site);
- Green Belt areas of the master plan will be used to provide a recreational area between sites H7 and H8;
- Suitable vehicular access will be provided to each site from the existing highway network supported with emergency vehicle access;
- Other opportunities for access should be fully exploited to enable direct access to bus stops, the new primary school and the countryside.

7.0 Planning Considerations

Principle of the development

- 7.1 The site is allocated as housing site H7 by Policy LPD 64 of the Local Planning Document which was adopted in July 2018. Policy LPD 64 identifies the site as providing approximately 205 dwellings. It is noted that that this site does not form the total of the allocation. It would deliver 164 dwellings with the remaining land to the south capable of delivering the balance (41) of the 205 dwellings.
- 7.2 It is noted that the proposed layout includes a road up to the southern boundary of the site. This would enable the remaining part of the allocation to be accessed through this development. This would ensure comprehensive development of this site and the wider allocation removing the requirements for any additional access points along Mapperley Plains in conformity with Policy LPD 62 of the Local Planning Document.
- 7.3 The approval of this full planning application for 164 dwellings would therefore be entirely in accordance with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy and the adopted Development Brief, subject to the consideration of any other relevant planning considerations which are discussed below.

Impact on residential amenity

- 7.4 The proposed development has been designed to accommodate the substantial changes in ground levels towards the eastern boundary of the site. The topography of the area is such that there is a level difference between the existing homes located on the lower lying land to the west of the site. The most sensitive relationship is between the proposed development and the properties off Roxburgh Close as their back gardens adjoin the western boundary of the site. The properties on Roxburgh Close being approximately 5 metres lower than the adjoining land within the application site.
- 7.5 The open space and surface water management features for the site would run parallel with the western boundary of the site. This would provide a substantial buffer and a separation distance of over 30 metres between the existing properties and the nearest proposed dwellings. Whilst the new dwellings would be elevated in relation to existing properties it is considered that this separation distance is sufficient to ensure no significant overlooking/loss of privacy would occur.

- 7.6 The location of the informal open space and drainage lagoons adjacent to the existing properties to the west of the application site would provide landscaping and planting along the eastern boundary. This would soften the edge of the development and provide further screening and security along the western boundary of the site.
- 7.7 On the southern edge of the site the proposed dwellings adjacent to Armadale Close and Carradale Close are sited adjacent to the side elevations of the existing properties. This would ensure no significant overlooking loss of privacy or overshadowing.
- 7.8 No.505, Mapperley Plains is located to the north of the access into the site and is approximately 9 metres from the application site boundary. The nearest proposed dwelling would have a gable end facing 505, Mapperley Plains. This coupled with the separation distance would ensure that there would be no significant overlooking loss of privacy or overshadowing.
- 7.9 Taking the above matters into account it is considered that the proposed development would not result in any significant impact on the residential amenity of neighbouring occupiers. As such the proposed development is considered to accord with the relevant policies of the National Planning Policy Framework and Policy LPD 32 of the Local Planning Document.

Design and visual amenity

- 7.10 The proposed layout is driven by the roughly T shape of the application site and the need to achieve an acceptable and safe access to the site from Mapperley Plains.
- 7.11 As the site has limited frontage, access would be achieved by the formation of a 4 arm roundabout with the western arm providing access to the site. This primary route into the site would lead to a village green inspired open space located roughly centrally within the site. A north-south secondary road would serve the remaining part of the site with an open space and sustainable urban drainage along the western boundary.
- 7.12 The layout would result in good vehicular and pedestrian permeability within the site and includes provision for vehicle and pedestrian connectivity to the remainder of the allocation to the south and pedestrian connectivity to the surrounding area to the west via Roxburgh Drive.
- 7.13 There would be a mix of house types within the development including dual aspect dwellings in key corner locations. There would be a mix of materials throughout the development with render on key elevations to add interest. The dwellings are predominantly two storey with two and a half storey properties at key focal points within the development.
- 7.14 It is considered that the layout and house types are acceptable and would result in a development that would be well-designed, with active frontages that overlook the green corridor to the rear of the site and create landmark buildings at prominent corners and focal points within the development.

- 7.15 As such the proposed development is considered to accord with objectives of the National Planning Policy Framework, Aligned Core Strategy (ACS) Policy 10 and the Development Brief for the three sites to the north east of Arnold.

Drainage matters

- 7.16 The site is located within Flood Zone 1 and therefore the land is assessed as having a less than 1 in 1,000 annual probability of river flooding. As such the site is not considered to be at risk of flooding from river sources.
- 7.17 The rear part of the site parallel to the western boundary would provide informal open space and sustainable urban drainage in the form of a network of drainage lagoons. The location of the lagoons is dictated by the levels on the site with the land adjacent to the western boundary being the lowest. This would allow the drainage outflows to be suitably attenuated to achieve a Greenfield run-off rate before connecting to the existing sewer network.
- 7.18 A management company would manage the SuDS and provide appropriate maintenance including litter removal, inlet and outlet inspections and sediment removal as required.
- 7.19 The Lead Local Flood Authority has not objected to the proposed development. As such it is considered that the proposed scheme provides an acceptable means of drainage for the development and complies with policy LPD 4.

Footpath links

- 7.20 Footpath links have been provided to the boundary of the application in a number of locations to promote pedestrian permeability to the surrounding residential areas. This would allow future connection to Armadale Close, Roxburgh Close and the remainder of the housing allocation H7.
- 7.21 There would also be a footpath link to the land to the northern edge of the application site to provide the opportunity for connection to the future Green Belt Recreation Area which would be located between this site and housing allocation H8 (Killisick Lane) referred to in the north east Arnold SPD.

Highway safety/capacity

- 7.22 The access to the development would be in the form of a four arm roundabout. One arm forming the access into the site, one arm connecting to Catfoot Lane and the remaining two arms being the north south route of Mapperley Plains. The roundabout provides satisfactory access to the development and has the capacity for the remaining 41 units of the H7 allocation.
- 7.23 The layout provides appropriate access to the site, car parking for each unit and the ability for refuse and delivery vehicles to manoeuvre within the site.
- 7.24 The Highway Authority has confirmed that it has no objection to the proposed access arrangements or layout of the development subject to a number of conditions including provision of a roundabout and all driveways and parking

areas being hard surfaced prior to the occupation of any of the proposed dwellings.

- 7.25 The proposed layout includes appropriate car parking for each dwelling in accordance with the adopted Supplementary Planning Document for residential developments.

No. of Bedrooms	SPD Requirements	No. of spaces provided
1 Bed	2 spaces	Minimum of 2 spaces
2 Bed	2 spaces	Minimum of 2 spaces
3 Bed	2 spaces	Minimum of 2 spaces
4 Bed	3 spaces	Minimum of 3 spaces
5 Bed	4 spaces	Minimum of 4 spaces

- 7.26 In light of the above it is considered that the proposal would not be harmful to highway safety or the surrounding highway network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework, Local Planning Document Policies LPD 57 and 61, and the Parking Provision for residential developments Supplementary Planning Document.

Ecology

- 7.27 As the majority of the site has most recently been used as agricultural fields there is limited opportunity for the presence of protected species. There are however a number of hedgerows within the site which have the potential for ecology to be present. A hedgerow survey, ecological appraisal, badger survey and reptile presence/absence survey have been submitted with the planning application.
- 7.28 In relation to birds the recommendation is that any ground and vegetation clearance is not carried out in the bird nesting season and that bird boxes are provided within the development.
- 7.29 There are no trees within the site with significant bat roost potential. The linear nature of some of the field boundary hedgerows provides moderate potential for bat foraging habit. Bat boxes are proposed in appropriate locations with the layout.
- 7.30 There is no physical evidence of badgers on the site. There was also no evidence of tracks or latrines on site.
- 7.31 There was no evidence of reptile activity within the site, although the report does encourage the formation of a permanent reptile refugia within the open space/landscape area close to the northern and eastern boundary hedgerows. This can be secured by an appropriately worded condition.
- 7.32 Natural England has no objection to the proposed development. Therefore, subject to a condition securing the bat and bird boxes on appropriate dwellings within the development it is considered that the scheme is acceptable in relation to impact on protected species. As such the proposal is considered to accord with ACS Policy 10.

Air Quality

- 7.33 The site is located in a sustainable location with good access to public transport. An air quality report has been submitted with the planning application which concludes that the proposed development would not have any significant impact on existing air quality.
- 7.34 A Travel Plan has also been submitted with the planning application which seeks to build on the sustainable location of the site by promoting electric vehicle use by providing a charging point at each new dwelling. The layout also includes a footpath links to the west of the site on to Roxburgh Close and footpath provision to the boundary of the site for future connection to the remaining part of the housing allocation H7 and Armadale Close.
- 7.35 The improved pedestrian connectivity and provision of electric vehicle charging points and the development being undertaken in accordance with a Construction Emission Management Plan would ensure that the proposed development would not negatively impact on current air pollution levels in the area. As such the proposal is considered to accord with policy LPD 11 and the advice contained within Air Quality and Mitigation Guidance for Developers 2019.

Trees and Hedgerows

- 7.36 The layout has been designed to retain wherever possible trees within the site. However a number of trees and section of hedgerow along the frontage of the site would be removed to allow construction of the roundabout and facilitate access.
- 7.37 There are also a number of trees and hedgerows adjacent to the other boundaries of the site situated on third party land. The layout has been designed to avoid any built form in close proximity to these trees.
- 7.38 Further protection would be provided by the erection of protection fencing around the root protection areas preventing the storage of materials or excavations within these areas. As such the proposal is considered to accord with policy LPD 19 of the adopted Local Planning Document.

Heritage and archaeology

- 7.39 The site is not within a Conservation Area and is not adjacent to any listed buildings or Scheduled Ancient Monuments.
- 7.40 There are no above ground heritage assets in close proximity to the site with the closest listed buildings being over 1km away from the site. As such the development of the site would not have any impact on the setting of heritage assets. The proposed development is therefore considered to accord with policy 11 of the Aligned Core Strategy Part 1 Local Plan and policy LPD 30 of the adopted Local Planning Document.
- 7.41 An archaeological desk-based assessment was undertaken which concluded the need for a geophysical survey of the site to establish the likelihood of any

archaeological remains within the site. This has been undertaken. The outcome of the survey was that there is unlikely to be any archaeological remains on the site. As such it is considered that no further assessment in relation to below ground heritage assets is required and the proposal is in accordance with policy 11 of the Aligned Core Strategy Part 1 Local Plan and policy LPD 30 of the adopted Local Planning Document.

Contamination

- 7.42 The site has been assessed in relation to contamination. Both a desk top study and ground investigations have been undertaken. As would be expected with land that has been used for agriculture no contaminants were found to be present.
- 7.43 No objection has been raised from the Public Protection Service subject to the imposition of a condition requiring mitigation should any unexpected contamination be found.
- 7.44 It is therefore considered that subject to an appropriately worded contamination condition the proposed development would accord with Section 15 of the National Planning Policy Framework and policy LPD7 and LPD10 of the Local Planning Document.

Open Space

- 7.45 The proposed layout includes a substantial area of informal open space parallel to the western boundary of the site. This area would contain a footpath route which meanders around the drainage lagoons with distance marker posts that would encourage physical exercise and activity.
- 7.46 The Locally Equipped Area of Play (LEAP) would be located at the northern end of the open space and would include 5 pieces of play equipment.
- 7.47 The layout provides 27% of the site area as public open space excluding the drainage lagoons. This exceeds the 10% set out in the Supplementary Planning Guidance for Open Space Provision. The LEAP would be gated and is set an appropriate distance from the nearest residential property thus minimising the potential for noise and disturbance to nearby residents.
- 7.48 Taking into account the above matters the on-site open space provision is considered to accord with the objectives of the National Planning Policy Framework, Aligned Core Strategy, Policy LPD 21 and the Council's Open Space Provision SPD.

Planning Obligations

- 7.49 **NHS (Primary Care)** - Financial contribution of £88,868 towards enhancing capacity and/infrastructure at the local practices of Plains View Surgery and Highcroft Surgery.
- 7.50 **Transport and Travel Services** - Bus Stop Infrastructure - £30,000. This would be for the installation of two bus stops on Mapperley Plains near to the

new access. The improvements are necessary to achieve an acceptable standard to promote sustainable travel and make the development acceptable in planning terms. The improvements would be for bus stop facilities close to the site so are directly related to the development, and are fairly and reasonably related in scale and kind to the development of 164 dwellings.

- 7.51 **Education** – In terms of education, the adopted Development brief for three sites to the north east of Arnold SPD identifies a need for a new One Form of Entry School at the North East of Arnold to meet the potential pupil demand that is forecast to arise from the development sites across the wider Arnold education planning area which includes this application site.
- 7.52 Following detailed discussions with Nottinghamshire County Council (NCC) regarding the education requirement, it was confirmed that there is a need for contributions towards the construction of a new primary school which is required to meet anticipated pupil growth in the Arnold area resulting from future pupil projections and proposed housing development. NCC has confirmed that there is some short term capacity to accommodate children
- 7.53 NCC instructed Arc Partnership to undertake an assessment of all existing primary schools in Arnold to assess whether there was scope to create additional capacity to accommodate the demand from future housing growth. The overall results from this analysis have concluded that there is no realistic opportunity to expand further existing schools in Arnold. On the basis of current pupil forecasts, a new primary school will therefore be required in order to absorb the potential pupil yield from additional housing in the Arnold area.
- 7.54 In respect of this application and other applications within Arnold which would create further demand on school places, the County Council have confirmed that they will therefore continue to seek contributions to the costs of a new primary school and also to the expansion of secondary schooling. However the County Council have not at present secured a site for this school and they continue to explore a site for the primary school. They will not therefore request contributions to land costs in the absence of an agreed site at present.
- 7.55 Nottinghamshire County Council is using new cost per pupil rate derived from Department for Education guidance and contained in the County Councils Updated Planning Obligations Strategy. As such the County Council is seeking a contribution based on build costs of £647,632 towards the provision of a new primary school in the Arnold area.
- 7.56 The site is within the catchment of Christ the King Academy and would generate 26 secondary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £461,578 to enhance educational facilities at Christ the King Academy
- 7.57 The County Council will monitor school place projections and housing delivery to decide when specifically the new school is needed. In the short term NCC will work with the local schools, including looking at the pattern of out of catchment admissions, to accommodate demand for places.

- 7.58 **Public Open Space** – The open space provision of 27% of the site area exceeds the 10% requirement set out in Policy LPD 21. The LEAP including 5no. items of play equipment is in accordance with the guidance set out in the Supplementary Planning Document for Open Space Provision. The applicant intends to nominate a management company to manage all of the amenity space and drainage features on the site that are not within residential curtilages or adopted by the Highway Authority. This will need to be a requirement of the S106 agreement. No financial contribution towards maintenance is required..
- 7.59 **Affordable Housing** - 30% affordable housing requirement split 70% affordable rent and 30% shared ownership. Providing a total of 49 units.
- 7.60 **Local Labour Agreement** - to meet with the requirements of Policy LPD 48 of the Local Planning Document, as the number of dwellings, size of the site and number of jobs exceeds the thresholds stated.
- 7.61 These obligations would need to be secured by way of a S106 Planning Obligation which shall be completed prior to determination of the planning application. It is considered that all of the above obligations meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.

Other Matters

The following section addresses other matters raised through the consultation process which have not been specifically addressed above.

Affordable Housing

- 7.62 The submitted layout includes affordable housing units. These would be a mix of both affordable rent and shared ownership. The appearance of the properties would be tenure blind and they would not look dis-similar to the equivalent market dwellings.
- 7.63 It is accepted that the affordable units are located predominantly towards the southern end of the site. They would however be interspersed with market housing and would provide a mix of detached, semi-detached and terraced properties. Additionally, as there is a balance of 41 dwellings to be provided on the remainder of the allocation this would ensure that the remaining balance of affordable units would be distributed throughout the H7 site allocation as they would form part of a separate planning submission.
- 7.64 There would be 49 affordable units on the site which equates to 30%. The 49 units would be split 70% rented and 30% shared ownership. This number and mix complies the Gedling Borough Council Affordable Housing Supplementary Planning Document.

Landscaping

- 7.65 There would be adequate landscaping throughout the development at key focal points including the entrance to the site and along the western boundary. This would include significant planting adjacent to the existing neighbouring properties. This, when established, would ensure that there would be no

significant overlooking and associated loss of privacy in relation to the rear gardens of the properties that adjoin the site notwithstanding the higher level of the application site. The landscaped areas would be managed by a management company that would maintain the drainage lagoons.

Footpath connection to Campbell Gardens

- 7.66 Whilst the layout plan indicates a footpath running parallel to the western boundary of the site through the open space it is not intended to connect this to Campbell Gardens. The only footpath connection along the western boundary of the site would be to Roxburgh Close.

8.0 Conclusion

- 8.1 The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that the proposed 164 dwellings would be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Recommendation: Grant Planning Permission: Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, education, bus stop improvements, health, public open space including management arrangements for the open spaces/drainage feature and a local labour agreement; 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 following plans:
 - Location Plan
 - Planning Layout 1184-100 PLANNING LAYOUT P17
 - Open Space Plan 1184-101 POS PLAN P03

House Types:

- DH101M-4, DH200GI-4 (OP), DH301GE-4 (AS) DH301GE-4 (OP) DH413B-4 (AS) DH414GH-4 (AS) DH414GH-4 (OP) DH421B-4 (OP) SH16BR-4 (AS) SH16BR-4 (OP) SH34BRI-3 (AS) SH34BRI-3 (OP)

House Types Received 3-10-19

- DH328R-4 (AS), DH328R-4 (OP), DH421G-4 (OP) DH421GR-4 (AS)
DH501G-4 (AS) DH509V-4 (AS) DH509V-4 (OP) SB21V-3 (AS) SH35BG-3 (OP) DH342G-4 CARPORT (AS) DH532R-4 (AS), SG4-4 SINGLE GARAGE (AS)

House Types Received 6-3-2019

- HOUSE TYPE 402BR, HOUSE TYPE 201 L, HOUSE TYPE 201-202, HOUSE TYPE 201-202 - OP, HOUSE TYPE 302 GE, HOUSE TYPE 302 GI, HOUSE TYPE 302 GI-OP, HOUSE TYPE 302 OP, HOUSE TYPE 312 G, HOUSE TYPE 313 B OP, HOUSE TYPE 318B, HOUSE TYPE 318B - OP, HOUSE TYPE 320 R, HOUSE TYPE 320 R - OP, HOUSE TYPE 330V, HOUSE TYPE 330V - OP, HOUSE TYPE 342M, HOUSE TYPE 400B, HOUSE TYPE 400B OP, HOUSE TYPE 404G HOUSE TYPE 404G OP HOUSE TYPE 409G, HOUSE TYPE 409G OP, , HOUSE TYPE 412G, HOUSE TYPE 412G OP, HOUSE TYPE 414 GR OP, HOUSE TYPE 427B, HOUSE TYPE 427B OP , HOUSE TYPE 430B , HOUSE TYPE 430B OP, HOUSE TYPE 532V , HOUSE TYPE 552G , HOUSE TYPE SH14BR , HOUSE TYPE SH14BR OP, HOUSE TYPE SH24 BRE, HOUSE TYPE SH24 BRE OP, HOUSE TYPE SH24 BRG , HOUSE TYPE SH24 BRG OP, HOUSE TYPE SH24 BRI , HOUSE TYPE SH24 BRI OP, HOUSE TYPE SH33G , HOUSE TYPE SH33G OP , HOUSE TYPE SH34 BRE OP, HOUSE TYPE SH34BRE,
- LG1 SINGLE GARAGE , LG4 TWIN SINGLE GARAGE CAR PORT - BRICK ARCH - 3M, CAR PORT - BRICK ARCH - 6M DG23 TRIPLE GARAGE DG23 TRIPLE GARAGE OP DOUBLE GARAGE
- Floor Levels E132-00-90 D PRELIMINARY FFLS-A1 , E132-00-91 D PRELIMINARY FFLS-A1, E132-00-92 D PRELIMINARY FFLS-A1 , E132-00-93 D PRELIMINARY FFLS-A1, E132-00-94 D PRELIMINARY FFLS-A1 , E132-00-95 D PRELIMINARY FFLS-A1
- Road Adoption E132-200-01F ADOPTIONS PLAN-A1, E132-200-02F ADOPTIONS PLAN-A1
- Landscaping GL1057 910B , GL1057 911C , GL1057 912C , GL1057 913C, GL1057 914A
- Engineering Layout E132-00-11C E132-00-12C E132-00-13C

The development shall thereafter be undertaken in accordance with these plans/details.

- 3 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.

- 4 No development in respect of the erection of dwellings shall take place above damp proof course until details of the bat and bird boxes to be incorporated within the fabric of the buildings have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided in accordance with the approved details.
- 5 No development in respect of the erection of dwellings shall take place above damp proof course until details of Electric Vehicle charging points to be provided for each dwelling, to include their location and specification shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details. The charging points shall be provided prior to the occupation of the dwelling to which they serve.
- 6 All the trees and hedges shown to be retained and/or any trees whose canopies overhang the site shall be protected during the construction phase in accordance with the approved details as indicated on Landscape Protection Plan Drawing No. GL1057 914A. The fencing/protection shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus material have been removed from the site. Nothing shall be stored or placed within the protected areas.
- 7 Within a period of five years from the first occupation of the final dwelling of the development hereby permitted, any trees or plants provided as part of the soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved on the landscaping plan.
- 8 No development in respect of the erection of dwellings shall take place above damp proof course until details of the external facing and roofing materials of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority.
- 9 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 10 No dwellings hereby permitted shall be occupied until the access arrangements have been provided as shown on the drawing entitled 'Preliminary Engineering Layout Sheet 1 of 3', drawing no. E132-00-11, revision C.
- 11 No dwellings hereby permitted shall be occupied until any access drives and parking areas to that dwelling 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.

- 12 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
- 13 The development hereby permitted shall be undertaken in accordance with the approved Flood Risk Assessment Rev B received by the local planning authority on 3rd October 2019.
- 14 Prior to the completion of the 50th dwelling hereby permitted details of reptile refugia shall be submitted to and approved in writing by the local planning authority. Such details shall include:
 - (1) location of the refugia
 - (2) its design and construction

The refuge shall be constructed on site in accordance with the approved details prior to the completion of the final dwelling.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the permission.
- 3 To ensure the development is safe and suitable for use.
- 4 In the interest of enhancing ecological provision on the site.
- 5 To ensure that the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration LPD11 of the Local Plan.
- 6 To ensure that retained trees and hedgerows are protected.
- 7 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 8 To ensure a satisfactory form of development and the interest of visual amenity.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 10 To ensure an adequate form of development in the interests of highway safety.

- 11 To reduce the possibility of deleterious material being deposited on the public highway.
- 12 To ensure surface water from the site is not deposited on the public highway causing dangers to road users
- 13 To ensure a satisfactory means of drainage for the site.
- 14 In the interests of promoting biodiversity on the site.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that the proposed 164 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

Note to applicant in relation to the adjacent public right of way: The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path. There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way with the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed

The developer is encouraged to consider installing the EV charging facilities to incorporate mode 3 charging capability, as this will help future proof the development and improve its sustainability. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided to allow 'Mode 3' charging of an electric vehicle; Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018).

Additional information has been submitted to address matters raised during the determination of the 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. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council Highway Development Control (email: hdc.south@nottscc.gov.uk) for details. The applicant should note that 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 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 (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

The applicant is advised that all planning permissions granted on or 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 and it is the Council's view that CIL IS PAYABLE on the development hereby approved.

The applicant is advised not to undertake any site clearance during the bird nesting season 1st March to 31st August inclusive in any given year.