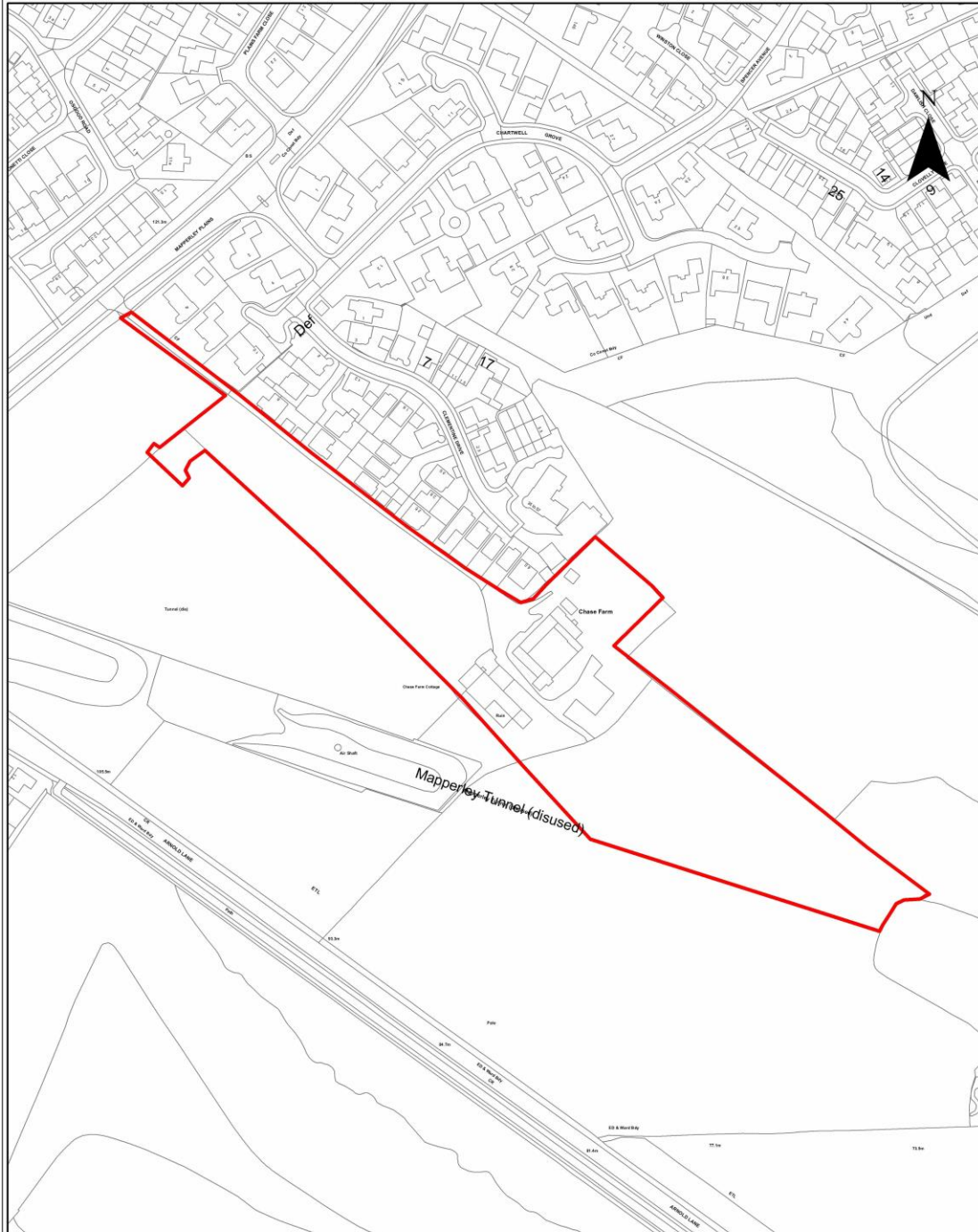




## Planning Report for 2019/0764

1:2,500

Land At Chase Farm, Mapperley Plains, Mapperley



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**

<b>Application Number:</b>	<b>2019/0764</b>
<b>Location:</b>	<b>Land At Chase Farm Mapperley Plains Mapperley</b>
<b>Proposal:</b>	<b>Outline planning permission all matters reserved except access for residential development.</b>
<b>Applicant:</b>	<b>Nottingham City Council</b>
<b>Agent:</b>	<b>Planning and Design Group (UK) Ltd</b>
<b>Case Officer:</b>	<b>Kevin Cartwright</b>

**1.0 Site Description**

1.1 The site consists of an area of overgrown land that slopes steeply from north to south and is currently accessed by a single track off Mapperley Plains Road. To the north-east of the application site are the existing residential properties off Clementine Drive which is a modern housing estate of mixed architectural styles. The site would be accessed from the proposed Gedling Access Road (GAR).

1.2 The overall site area is approximately 2.42 hectares.

**2.0 Relevant Planning History**

2.1 Whilst there is no site history specific to the application site of relevance is the proposed GAR.

2.2 2014/0915 – The Gedling Access Road was granted under planning reference 2014/0915 for the construction of a 3.8km road linking the A612 Burton Road and B684 Mapperley Plains Road (GAR). The construction of which was intended to be carried out in two phases:

2.3 Phase 1 - The construction of a new 5 arm roundabout onto the A6211 Arnold Lane. The development was expected to commence in early 2015 and facilitate development of an initial stage of residential development on the former Gedling Colliery/Chase Farm site and would provide a by-pass route to ease traffic congestion through Gedling Village.

2.4 Phase 2 - Completion of the GAR between the B684 Mapperley Plains Road to the north-west and the A612 Burton Road enabling the complete redevelopment of the Gedling Colliery/Chase Farm site, which was due to be finished by 31<sup>st</sup> December 2019.

- 2.5 The full condition, number 1, which stipulated the time frames for the development to be complete is drafted below: “The Gedling Access Road hereby approved shall be constructed in two phases. Phase 1 shall cover the construction of the five arm roundabout off Arnold Lane, which shall be completed by 31st December 2015. Phase 2 shall cover the construction of the rest of the Gedling Access Road, which shall be completed by 31st December 2019.”
- 2.6 In February, 2015, planning permission was granted under application no: 2015/0110 for a variation of condition 2 attached to planning permission no: 2014/0915 to amend the details of the approved plans to allow limited vegetation clearance to allow gas main re-alignment and preparation for an interim roundabout, prior to the bird nesting period, which would otherwise constitute a commencement of development and require a wide range of pre-commencement conditions to be discharged.
- 2.7 Furthermore, given concerns over the original time lines for the completion of the GAR application 2015/01033 was submitted to vary condition 1 of the original permission. The application was granted permission on the 3<sup>rd</sup> June 2016 and condition 1 is reproduced below: “*The Gedling Access Road hereby approved is made up of two phases. Phase 1 is the construction of a five arm roundabout off Arnold Lane. Phase 2 covers the construction of the rest Gedling Access Road. Whichever phase is commenced first, both phases shall be completed by 31<sup>st</sup> December 2019*”.
- 2.8 A non-material amendment application has been granted (ref: 2019/0488NMA) to remove the requirement for the road to be complete by the 31<sup>st</sup> December 2019.
- 2.9 Application 2017/1535DOC has been granted for the approval of details pursuant to conditions 10, 16, 17, 18 and 19 with formal written consent offered that due to drainage works undertaken the permission has been lawfully implemented.
- 2.10 Application 2019/0903DOC for the ‘approval of details reserved by conditions 10 (surface water drainage) and condition 14 (Dust Management Plan) of planning permission 2015/1033 - Gedling access road’ is currently pending a decision and is likely to be made under delegated powers.
- 2.11 Application 2019/0904DOC for the approval of details reserved by conditions 4 and 5 (management of traffic and pedestrian movements), condition 6 (public transport strategy), condition 7 (temporary lighting), condition 11 (highway design code), condition 12 (arboricultural impact assessment, condition 13 (landscaping), condition 15 (noise assessment), condition 21 (recording and method statement of the garden wall at Gedling House and condition 22 (footpath diversion) of planning permission 2015/1033 was granted on 12<sup>th</sup> November 2019.
- 2.12 2019/0500 – Construction of an access junction off the Gedling Access Road which would serve this development was granted planning permission on 2<sup>nd</sup> August 2019.

### **3.0 Proposed Development**

- 3.1 The application seeks outline planning permission for residential development with the matter of access for consideration now and the matters of layout, appearance, scale and landscaping reserved for later consideration.
- 3.2 Access would be taken directly off the proposed Gedling Access Road via the approved access junction spur that is the subject of planning permission 2019/0500.
- 3.3 An indicative plan has been submitted with the application that demonstrates how the site could be developed for 27 dwellings and 19 apartments.

### **4.0 Consultations**

- 4.1 Natural England – No comments to make.
- 4.2 Nottinghamshire County Council (Arboricultural Officer) – There are no trees on the site that are suitable for retention.
- 4.3 Gedling Borough Council (Scientific Officer - Contamination) – Having reviewed the submitted report further investigation works are required. It is requested that phased contamination conditions are attached to any planning consent.
- 4.4 Gedling Borough Council (Scientific Officer – Air Quality) - The proposed development site borders onto the proposed Gedling Access Road (GAR) at a point where the road rises up toward Plains Road. Air pollution issues can be exacerbated where vehicles are under increased load rising up inclined routes and queuing at junctions, as will be the case at this point of the GAR. To ensure that we do not get create an area where exceedances of the air quality objectives are created, by virtue of the introduction of receptors close to the GAR, I would recommend that an air quality assessment is carried out. It is therefore requested that a condition requiring the submission of an Air Quality Assessment is attached to any planning consent.
- 4.5 Severn Trent – Request a surface and foul drainage condition is attached to any grant of planning permission.
- 4.6 Nottinghamshire County Council (Minerals and Waste) – No objection.
- 4.7 Nottinghamshire County Council (Strategic Highways) - The County Council does not have any objections on strategic transport grounds to the formation of an access junction with GAR as this has been allowed for in the design development of GAR. There will however need to be planning conditions;
  1. That restricts the development so that none of the dwellings can be occupied unless and until the GAR has been completed and is open to traffic
  2. Which stipulates that no direct vehicle access will be taken at any time between the application site and the B684 Mapperley Plains Road (in the interests of highway safety).

- 4.8 Nottinghamshire County Council (Highway Authority) – No objection subject to a number of conditions including details in relation to design of the access road, surface water drainage, driveways constructed of bound materials, no direct vehicular access of Mapperley Plains Road and bus stop improvements at Chartwell Grove.
- 4.9 Nottinghamshire County Council (Local Lead Flood Authority) – Insufficient surface water drainage information has been provided.
- 4.10 Environment Agency - The previous use of the proposed development site as a farm presents medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary B aquifer.  
The application's 'Geo-technical and Geo-environmental Desk Study' (ref 19-0048/J1795/D1/1) demonstrates that it will be possible to manage the risks posed to controlled waters by this development.  
We agree with the conclusions presented in section 5.1.1 of the report; the site is unlikely to present a risk to controlled waters beneath the site.

It is requested that the conditions in relation to contamination and silt pollution are included on any planning permission granted for the site.

- 4.11 Gedling Borough Council (Affordable Housing) – Provision of affordable housing of 20% which would be split 70% social affordable rent and 30% intermediate sale as per the Affordable Housing Supplementary Planning Document.
- 4.12 Gedling Borough Council (Open Space) – Off site capital contribution of £160,179.80 plus the off-site revenue contribution which is £67,227.60. Total amount payable by the developer would be £227,407.40.
- 4.13 NHS (Primary Care) – A contribution of £4,926.25 towards a new surgery to accommodate the additional patients created by the proposed development.
- 4.14 Nottinghamshire County Council (Education) – A Primary School contribution of £158,060 to provide additional school provision within 2 miles of the development and a Secondary School contribution of £151,585 to provide additional provision at Carlton Academy.
- 4.15 Members of the Public – a press notice was published, three site notices displayed and neighbour notification letters posted. 1no. letter of objection have been received and this is summarised as follows:

The plan outlines changing the track to a shared footway/cycleway. We have a legal right of way over this track.

## **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. Section 1 (Achieving Sustainable Development), Sections 5 (Delivering a sufficient supply of homes), Section 8 (Promoting healthy and safe communities), Section 9 (Promoting sustainable transport), 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 17: Biodiversity – sets out the approach to ecological interests.

Policy 18: Infrastructure – sets out the approach to ensure new development is supported by the required infrastructure and the appropriate stage.

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 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 18: Protecting and Enhancing Biodiversity – encourages measures to deliver biodiversity enhancements to be included into developments.

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 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 20% affordable housing provision will be required in Arnold.

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 40 – Housing Development on Unallocated sites

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.

LPD 63: Housing Distribution – A minimum of 7,250 homes will be provided during the plan period 2011-2028) of which 4,890 homes would be distributed in or adjoining the main built up area of Arnold and Carlton.

## 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.

## 7.0 **Planning Considerations**

### Principle of Development

- 7.1 Whilst the site is not allocated for housing LPD Policy 40 states that housing development will be permitted on unallocated sites outside of the Green Belt provided that the development is of a high standard of design, would not result in the loss of features that make a contribution to the appearance of the area, would not result in adverse impact on the amenity nearby residents and appropriate parking provision is made. Policy LPD 63 states that a minimum of 7,250 homes will be provided over the plan period (2011-2028) and this includes a windfall allowance of 240 homes.
- 7.2 The site is located within the main urban area adjacent to existing residential properties. Development of the site for residential purposes would be seen as a logical extension to the existing built form. The principle of development in this location is supported subject to the above criteria being satisfied. These matters are considered below. As such the proposal is considered to accord with policies LPD 40 and LPD 63.

### Impact upon visual and residential amenity

- 7.3 The site has significant variations in ground levels, which will in part dictate how development could take place. However the indicative layout plan submitted demonstrates that residential development could be accommodated on the site in keeping with the adjacent residential development on Clementine Drive.
- 7.4 Matters relating to visual and residential amenity would be assessed in detail at reserved matters stage however it is considered that the number of dwellings shown on the submitted indicative plan could be accommodated in a manner that would not cause undue harm to either visual or residential amenity, subject to a satisfactory scale and layout of dwellings being proposed.



- 7.5 It is therefore considered that the proposed development could, in principle, be achieved in a manner that would accord with the relevant policies of the National Planning Policy Framework and Local Development Plan in terms of the impact upon visual and residential amenity.

#### Drainage matters

- 7.6 Whilst it is noted that the Lead Local Authority has raised concerns in relation to the application on the basis of insufficient information, it should be noted that this is an outline planning application which seeks only to establish the principle of residential development on the site.
- 7.7 The submitted drainage information states that the soils are unlikely to be suitable for traditional soakaways. Accepting that the disposal of surface water runoff from the site via infiltration is unlikely to be viable due to the presence of clay soils with impeded drainage, it is considered that the alternative of conveying the surface water to the lowest point on the site and attenuating on site before release at a restricted rate to the network is an acceptable solution. It should be noted that no objection is raised by Severn Trent Water or the Environment Agency subject to conditions.
- 7.8 Both surface and foul drainage matters can be addressed by appropriately worded conditions. It is considered that this is a reasonable way to proceed given that the plans submitted with respect to the layout are indicative only and could be subject to change in order to address any issues that are raised before or during the considerations of the reserved matters.

#### Air quality

- 7.9 The development access would be located off the Gedling Access Road (GAR). Public Protection has requested the submission of an air quality assessment providing any appropriate mitigation measures prior to the application being determined.
- 7.10 As this is an outline application with only access being determined, it is considered that the publication of an Air Quality Assessment is not possible at this current time as it will rely on the GAR being operational for a period of time and air quality would need to be assessed in the wider area. It should however be noted that conditions are proposed to mitigate the impact of this development on air quality. In this instance the mitigation measures required by the Air Quality and Emissions Mitigation Guidance for Developers 2019 are the provision of Electric Vehicle charging points and the submission of a Construction Emission Management Plan.

#### Ecological considerations

- 7.11 The site is for the most part open grassland with scattered trees and shrubs. There is an area of disturbed land resulting from the demolition of the Chase Farm buildings.

- 7.12 The submitted Ecological Report confirms that there are no bat roosts within the site and that no further special measures or surveys are required in relation to bats.
- 7.13 It does however suggest the incorporation of bat boxes into the development and the control of external lighting. Both these matters can be controlled by an appropriately worded conditions.
- 7.14 In relation to birds it is suggested that any site clearance if undertaken during the period October to February inclusive to avoid the nesting season. An advisory note to applicant would be attached to any grant of planning permission.
- 7.15 No other protected species were found to be present on the site.
- 7.14 The Ecological Report also identifies the presence of rhododendron and cotoneaster both of which are potential Schedule 9 species which are non-native invasive species. It is noted that this is not a material planning consideration and the managing such species is the responsibility of the owner/occupier of the site. While there is no statutory requirement to control/eradicate this invasive plant, nor is it necessary to report its presence (it is not listed in the Weeds Act 1959), it is advisable to take action to control its spread. Soil and waste containing invasive species is considered to have the potential to cause ecological harm. This is deemed "Controlled Waste or "Directive Waste" (Waste Management Licensing Regulations 1994). It is an offence under the Environment Protection Act 1990 to deposit, treat, keep or dispose of controlled waste without a licence. Accordingly the Applicant will require an appropriate licence if invasive species are to be removed from the site. It is considered appropriate to attach a note to the consent, making the Applicant aware of their duties in this regard.

#### Highway matters

- 7.20 The site would be accessed from a new junction formed off the GAR. This junction has been recently granted planning permission (2019/0500).
- 7.21 The County Council as Highways Authority have not raised any objection in relation to the proposal subject to a number of conditions including that the development is not occupied until the GAR is constructed and open to traffic.
- 7.22 In addition the Highway Authority has requested improvements to the bus stop at Chartwell Grove and that there should be no vehicle access to the site from Mapperley Plains Road. The access restriction may be controlled through a planning condition and the bus stop improvements via a financial contribution secured by a planning obligation.

#### Planning Obligations

- 7.23 In order to comply with the relevant planning policies, the following planning obligations would need to be met:

- 7.24 Affordable Housing - to meet with the requirements of the adopted Affordable Housing Supplementary Planning Document and Policy LPD 36 of the Local Planning Document – 20% of the dwellings should be affordable dwellings with a 70% social rented/ 30% intermediate housing split.
- 7.25 Education - A Primary School contribution of £158,060 to provide additional school provision within 2 miles of the development and a Secondary School contribution of £151,585 to provide additional provision at Carlton Academy are required to comply with the Nottinghamshire County Council Planning Obligations Strategy.
- 7.26 Open Space - To meet with the requirements of the adopted Open Space Supplementary Planning Guidance and Policy LPD21 of the Local Planning Document as the site exceeds 0.4 hectares in area, an off-site capital contribution of £160,179.80 plus the off-site revenue contribution which is £67,227.60. Total amount payable by the developer would be £227,407.40.
- 7.27 Primary Care – A contribution of £4,926.25 towards a new surgery to accommodate the additional 115 patients created by the proposed development. This would be used to enhance the capacity/infrastructure within the local practices. The affected practices would be Plains View Surgery, West Oak Surgery, Unity Surgery and Highcroft Surgery.
- 7.28 Highway Authority – A contribution of £6,100 to install real time bus stop pole and displays to the bus stop at Chartwell Grove.
- 7.28 A Local Labour Agreement is required 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.
- 7.29 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. These contributions are based on the site delivering 46 dwellings as demonstrated on the submitted indicative layout plan. Should a lower quantum of development be approved at the reserved matters stage, the contributions would be proportionate to the quantum of development proposed.

#### Other Matters

- 7.30 The comments of the neighbouring land owner in relation to a right of access over the existing track is noted. This matter is a private legal matter between the parties involved. The applicants have however confirmed that any right of way would not be prejudiced. There is no intention for the track to be used for vehicular traffic. It is the intention to connect the proposed development to the existing track with a 3m footway/cycle way only. This would provide pedestrian and cycle connectivity to the surrounding network. Any existing rights of way would remain.

## 8.0 Conclusion

- 8.1 The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. It is therefore considered that the granting of outline 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 Outline Planning Permission with the matter of Access approved: Subject to the applicant entering into a Section 106 Agreement 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, open space, education, primary care, bus stop improvement and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:**

### Conditions

- 1 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.
- 2 Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 3 This permission shall be read in accordance with the Site Location Plan and Indicative Site Layout (with regards to access only). The development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwellings 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.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. If a pumped solution is being proposed for this development, a sewer modelling assessment may be required to determine what impact the generated flows from this site will have on the network and to determine the maximum pump rate that could be accommodated within the existing network without worsening the existing sewer performance in rainfall events. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme

- 6 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme. Where required following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the 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 set out in Condition 6 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 8 Prior to commencement of any external works, details of Electric Vehicle charging points to be provided at 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 prior to the first occupation of the development.
- 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. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

- 10 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 11 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.
- 12 No dwelling shall be occupied until such time as the Gedling Access Road has been completed and is open to traffic.
- 13 No direct vehicle access shall be taken at any time between the application site and the B684 Mapperley Plains Road.
- 14 Prior to the first occupation of the dwellings hereby approved the highway works (access junction to the GAR) as shown on the plan entitled 'Site Access Arrangements', drawing no. CFGN-BSP-ZZ-XX-DR-D-001, revision P2 shall be provided.
- 15 No dwelling hereby approved shall be occupied until any access driveway or parking area directly relating to that dwelling has been surfaced in a bound material (not loose gravel). The surfaced driveway or parking area shall then be maintained in such bound material for the life of the development.
- 16 No part of the development hereby permitted shall be brought into use until all 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
- 17 No development hereby permitted shall commence until details of wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities thereby approved shall be maintained in working order for the duration of the construction works 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.
- 18 The maximum number of residential units to be constructed on site shall be 46.

## **Reasons**

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 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.
- 3 To define the permission, for the avoidance of doubt.
- 4 This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings
- 5 To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Planning Document.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Planning Document.
- 8 In the interest of sustainable travel
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Planning Document.
- 10 In the interests of protecting ecological interests
- 11 In the interests of enhancing ecological provision on the site.
- 12 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development
- 13 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 14 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 15 To ensure appropriate access and parking arrangements are available.
- 16 To ensure appropriate access and parking arrangements are available.
- 17 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 To define the permission and for the avoidance of doubt

## **Reasons for Decision**

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. It is therefore considered that the granting of outline 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**

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

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application forms for diversions from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600).



No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

The applicant is advised that any site clearance works are undertaken outside of the bird breeding season - October to February inclusive.

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 applicant attention is drawn to the following advice in relation to the control of non-native plant species. <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional 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 in addition to the standard 3 pin socket 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).

In relation to the lighting condition above the submission of a bat-sensitive lighting scheme, should be developed in accordance with the Bat Conservation Trust publication "Artificial Lighting and Wildlife - Interim Guidance: recommendations to help minimise the impact of artificial lighting" dated June 2014.