

Planning Report for 2019/0696



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Report to Planning Committee

Application Number: 2019/0696

Location: Phase 1B Land at Chase Farm Arnold Lane Gedling,
Nottinghamshire

Proposal: Section 73 application to remove Condition 2 of planning permission 2015/1376 to remove the construction cap of 315 dwellings and to allow building within Phase 1B prior to the completion of the Gedling Access Road.

Applicant: Mr Rob Hannan

Case Officer: Kevin Cartwright

1.0 Site Description

1.1 The application site relates to the Chase Farm development (Planning Ref: 2015/1376) currently under construction.

2.0 Relevant Planning History

2.1 On the 3rd March 2017 Conditional Permission was granted for the *“Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road.”* app ref: 2015/1376.

2.2 In September 2017 a Non Material Amendment was granted for Plots 218 – 228 substituting brickwork and plots 38 – 47 window alterations. Ref: 2017/0927NMA

2.3 In September 2017 a Non Material Amendment was granted for changes to external elevations of plots 112, 114 and 156. Ref: 2017/0928NMA.

2.4 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee to replace 01, 02, 03, 169, 170 and 171 with alternative house types. Ref: 2017/1018 subject to completion of a deed of variation varying the original s106. Permission was granted on 7th January 2019.

- 2.5 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-positioning of 3no. plots and a substitution of house type. Ref: 2017/1076 subject to completion of a deed of variation varying the original s106. Permission was granted on 8th January 2019.
- 2.6 In May 2018 resolution to grant Full Planning Permission was given by planning committee for the re-elevation of 71 no. plots Ref: 2018/0392 subject to a deed of variation of the s106. Permission was granted on 8th January 2019.
- 2.7 In September 2018 resolution to grant Full Planning Permission was given by the Planning Committee for the substitution of house types in respect to 30 plots (329 – 358) with amended house types and layouts. Ref: 2018/0684 subject to a deed of variation on the s106. This permission was granted on 8th January 2019.
- 2.8 In May 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-elevation of 110 plots Ref: 2017/1275 subject to a deed of variation of the s106. Permission was granted on 7th January 2019.
- 2.9 In June 2019 an application was submitted for amendments to the layout of three plots (229, 230 and 231) approved under planning permission 2015/1376. The house types are proposed to remain as approved. Ref: 2019/0304. Resolution to approve. Awaiting completion of S106.
- 2.10 Also in June 2019 an application was submitted to change a house type. Ref: 2019/0586. Resolution to approve. Awaiting completion of S106.
- 2.11 In August 2019 an application was submitted to change the design of 204no. dwellings. Ref: 2019/0759. This application is awaiting the completion of S106.

3.0 Proposed Development

3.1 This application seeks to remove condition 2 of planning permission 2015/1376.

3.2 The current wording of Condition 2 is:

No more than 315 homes shall be constructed on the application site (to be located within Phase 1A identified on the agreed Phasing Plan 14052_P2) prior to the completion of the Gedling Access Road (approved under GBC ref 2015/1033).

No development shall commence within in Phase 1B prior to the completion of the Gedling Access Road.

3.3 The deletion of this condition would permit the construction and occupation of a total of 506 dwellings located within Phase 1A and 1B of the Development

ahead of the completion of the Gedling Access Road, construction of which began on 6th January 2020.

- 3.4 The remaining balance of the 1050 dwellings would be constructed as part of Phase 2 following the relevant reserved matters approvals being obtained.
- 3.5 This request to remove condition 2 from the developers Keepmoat is due to the successful delivery of both traditional and modular homes within Phase 1A to permit additional dwellings to be constructed concurrently with the GAR.

4.0 Consultations

4.1 **Highway Authority (NCC)** – No objection. Nottinghamshire County Council pledged to remove planning restrictions on development sites, including Chase Farm, once the Gedling Access Road (GAR) was under construction. As construction of the GAR was commenced on 6th January 2020, the Highway Authority has no objection in principle to the removal of Condition 2 of planning permission 2015/1376.

4.2 **A press notice and 3no. site notices** have been posted along the frontage of the site and within Phase 1A. 2no. letters of representation have been received. The comments are summarised below:

-This will cause yet another increase in the amount of traffic on unsuitable local roads before the GAR is constructed and will impact on local schools, doctors and other facilities.

-If this level of housing was started prior to the completion of the GAR the area of Gedling village will face significant congestion, safety issues for pedestrians as the roads are unsuitable for the type and volume of traffic.

-The delay of construction of dwellings until after the GAR is completed will allow facilities (school place, GP place, etc.) to be in place otherwise there will be below adequate levels of services for existing and new residents.

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 planning policies are relevant in the consideration of this application.

6.2 National Planning Policy Framework 2019

Section 5 - Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport

6.3 Aligned Core Strategy

ACS Policy 2 – The Spatial Strategy

6.4 Local Planning Document 2018

LPD Policy 35 – Safe, Accessible and Inclusive Development
LPD Policy 61 – Highway Safety
LPD Policy 64 – Housing Allocations – H9 Gedling Colliery/Chase Farm

7.0 Planning Considerations

Principle of Development

7.1 The purpose of an application made under section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with a planning permission. The relevant condition is condition 2 of 2015/1376.

7.2 The effect of granting this application would be to issue a new permission with condition 2 omitted. All the remaining conditions would remain. It would permit the construction and occupation of 506 units within Phase 1A and 1B of the development. The remaining 544 units within Phase 2 cannot be constructed until a reserved matters application has been submitted to and approved in writing by the Local Planning Authority.

7.3 The Town and Country Planning Act is very clear that: "On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted." In other words the Local Planning Authority cannot revisit the principle of development, or those issues which are not covered by the conditions, and only minor material changes can be considered.

7.4 The main consideration therefore in the determination of this application is whether the deletion of this condition would have a material impact on highway safety and capacity as additional dwellings would be constructed and potentially occupied ahead of the completion of the Gedling Access Road.

Highway Safety and Capacity

7.5 Condition 2 of planning permission 2015/1376 was required to limit the number of dwellings that could be constructed without the delivery of the GAR. At the time of considering the original planning application there was a degree of uncertainty in relation to its delivery. Land acquisition work was required, including the possibility of a Compulsory Purchase Order and the actual design of the road to be finalised. These matters have now been addressed. It should also be noted that the £40m funding has been secured

and the County Council as the Highway Authority have commenced construction on site. Despite the Covid-19 pandemic planned work on the GAR has progressed and the road is due to be completed on schedule by the summer of 2021.

- 7.6 As 'lockdown; restrictions are eased and more people return to their place of work it is accepted that there could be an increase in vehicle movements to pre-Covid-19 levels on the surrounding road network until such time that that GAR is open to traffic. The National Planning Policy Framework is explicit in relation to highway matters and states at para 109:

“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe”

- 7.7 The Highway Authority has assessed the removal of the cap from a highway capacity and congestion perspective, and have raised no objection even if traffic levels rise beyond pre-Covid-19 levels prior to the completion of the GAR due to the construction of more dwellings. It is therefore considered that any additional traffic movements to and from the development would not result in severe impacts in terms of capacity and congestion. In the absence of any objection from the Highway Authority there are no planning reasons to justify retaining Condition 2.
- 7.8 Current government advice is that planning can play an important role with regard to the economy and recovery post Covid-19. In a letter to Chief Planning Officers in March, outgoing Chief Planner Steve Quartermain had a simple following message for planners: “Be practical, be pragmatic and let's plan for the recovery”.
- 7.9 It is considered that this application accords with this guidance and would allow the house builder to continue to build on site and provide certainty and continuity to their workforce and continue to deliver important housing in these otherwise uncertain times.

8.0 Conclusion

- 8.1 The proposed removal of condition 2 to permit the construction of dwellings from within both Phase 1A and Phase 1B before the Gedling Access Road is completed is considered acceptable and would have no undue impact on the highway safety and the capacity of the highway network. As such the proposed development is considered to accord with the objectives of Section 5 and 9 of the National Planning Policy Framework, Policy 2 of the Aligned Core Strategy and Policies LPD 35, 61 and 64 of the Part 2 Local Plan.

Recommendation: Grant removal of planning condition 2 of planning permission 2015/1376 subject to the applicant entering into a deed of variation with the Borough Council as Local Planning Authority and with the County Council as Highway and Education Authority amending the Section 106 Agreement associated with 2015/1376 for the provision of, or financial contributions towards Affordable Housing, Open Space,

Healthcare Facilities, Highways, Education, Air Quality, a Local Labour Agreement and a contribution towards Arnold Library.

Conditions

- 1 Development within Phase 1B hereby permitted shall be begun no later than 6 years from the grant of planning 2015/1376 or within six months of the completion of the Gedling Access Road, whichever is the later.

- 2 Development of Phase 1a and 1b shall be carried out in accordance with the following drawing numbers and documents and such other plans, and documents as may be approved pursuant to the conditions of this planning permission unless otherwise agreed in writing by the local planning authority: Location Plan (14052_P100 - Rev A); SITE MASTER PLAN (14052_P101 - Rev J); DETAILED SITE PLAN 1-3 (14052_P102 - Rev J); DETAILED SITE PLAN 2-3 (14052_P103 - Rev G); DETAILED SITE PLAN 3-3 (14052_P104 - Rev G); SITE SECTIONS A B & C (14052_P105 - Rev A); STREET SCENES 1 2 3 & 4 (14052_P106 - Rev A); SITE BOUNDARY TREATMENT/PLAN (14052_P107 - Rev A); STOREY HEIGHTS PLAN (14052_P108 - Rev A); LANDSCAPE STRATEGY PLAN (14052_P109 - Rev B); HOUSE TYPE 580-651 (14052_P200 - Rev A); HOUSE TYPE 651-752 (14052_P201 - Rev A); HOUSE TYPE 764-891 (14052_P202 - Rev A); HOUSE TYPE 849-857 (14052_P203 - Rev A); HOUSE TYPE 867-930 (14052_P204 - Rev A); HOUSE TYPE 955-1054-1272 (14052_P205 - Rev A); HOUSE TYPE 1154-1157 (14052-P206 - Rev A); HOUSE TYPE 1178-1216 (14052_P207 - Rev A); HOUSE TYPE 1224-1244 (14052_P208 - Rev A); HOUSE TYPE 1393-1650 (14052_P209 - Rev A); GARAGE TYPE G1 G2 & G3 (14052_P210 - Rev A); APARTMENT BLOCK 1 (14052_P211 - Rev A); APARTMENT BLOCK 2 (14052_P212 Rev A); APARTMENT BLOCK 3 (14052_P213 - Rev A); APARTMENT BLOCK 4 (14052_P214 - Rev A); APARTMENT BLOCK 5 (14052_P215 - Rev A); APARTMENT BLOCK 6 (14052_P216 - Rev A); PHASING PLAN (14052_P2 - Rev A); Soft Landscaping (L6011/01 - Rev A); Soft Landscaping (L6011/02 - Rev A); Soft Landscaping (L6011/03 - Rev A); Soft Landscaping (L6011/04 - Rev A); Soft Landscaping (L6011/05 - Rev A); Soft Landscaping (L6011/06 - Rev A); Soft Landscaping (L6011/07 - Rev A); Soft Landscaping (L6011/08 - Rev A); Soft Landscaping (L6011/09 - Rev A); Soft Landscaping (L6011/10 - Rev B); Soft Landscaping (L6011/11 - Rev A); Soft Landscaping (L6011/12 - Rev B); Soft Landscaping (L6011/13 - Rev A); Soft Landscaping (L6011/14 - Rev A); Soft Landscaping (L6011/15 - Rev A); Soft Landscaping (L6011/16 - Rev B); Soft Landscaping (L6011/17 - Rev B); Urban Park Hard Landscape (L6011/20 - Rev A); Urban Park Hard Landscape (L6011/21 - Rev A); Urban Park Hard Landscape (L6011/22 - Rev A); Urban Park Hard Landscape (L6011/23 - Rev A); Urban Park Hard Landscape (L6011/24 - Rev A); Urban Park Hard Landscape (L6011/25 - Rev A); Urban Park Hard Landscape (L6011/26 - Rev A); Urban Park Hard Landscape Image Pallet (L6011/27 - Rev A); PARAMETERS PLAN (14052_P110 - Rev C); Engineering Appraisal Layout Phase 1 (21410_02_SK_001); Engineering and

Tree Overlays (21410_00_sk_001); Refuse Vehicle Tracking Phase 1 (21410_02_sk_002 - Rev A); Phase 2 Tracking Sheet 1 of 2 (21410_02_sk_004a); Phase 2 Tracking Sheet 2 of 2 (21410_02_sk_005a) and the Landscape Strategy Report (November 2015).

- 3 Application(s) for approval of all reserved matters for Phase 2 shall be made to the local planning authority no later than 8 years from the grant of planning permission 2015/1376, and the development hereby authorised for Phase 2 shall be begun no later than 10 years from the grant of planning permission 2015/1376 or 2 years from the date of the final approval of reserved matter, whichever is the later.
- 4 The development hereby approved in outline for Phase 2 of the development shall not exceed a total residential floorspace of 52,000 sqm.
- 5 No development for Phase 2 shall commence until a phasing programme for Phase 2, including timings for development of the neighbourhood centre, public open space, education provision and off-site highways works, has been submitted to and approved in writing by the local planning authority.
- 6 Before any part of Phase 2 of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority with respect to reserved matters, namely, the appearance, landscaping, layout and scale and internal access roads for the relevant part.
- 7 No part of the development in Phase 2 shall be occupied or brought into use unless or until details of the internal layout for the development as indicated on the illustrative Site Master Plan Ref 1 4052-P101 REV J have been submitted to and approved in writing by the LPA. These shall be designed in accordance with the principles set out in 'Manual for Streets' and the 6C's Highway Design Guidance. The development shall thereafter be implemented strictly in accordance with the approved details.
- 8 No dwelling shall be occupied within a Phase unless the measures set out in the agreed Travel Plan (21410/12-15/4153 REV B (March 2016)) are in place and a Travel Plan Coordinator has been appointed. A monitoring period will be required from first occupation to the date 5 years from 50% occupation of a Phase. A review must take place with the local planning authority and the highway authority after three years from first occupation within the monitoring period. The Travel Plan Coordinator shall produce an Annual Monitoring Report during the course of the monitoring period commencing on the first anniversary of first occupation of a Phase, and shall issue this to the local planning authority and the highway authority. Survey forms for residents shall be created in liaison with the highway authority with the first surveys to be conducted 3 months from the date of first occupation of a Phase.
- 9 No development shall be occupied unless or until footway and pedestrian/cycle crossing points as shown for indicative purposes only on the plan drawing reference 21410_08_010_01 have been provided to the satisfaction of the Local Planning Authority.
- 10 No development shall commence on any part of the site unless and until

details of Traffic Calming on ROAD01 and ROAD06 (Drawing No: 21410_02_SK_003) and a timetable for implementation have been submitted to and approved by the Local Planning Authority. The details approved shall thereafter be implemented in accordance with the approved timetable.

- 11 Prior to Public Transport servicing of the development, bus infrastructure in the form of raised bus kerbs/shelters/bus stops/lighting/timetable information is to be implemented. Details (including a programme for construction/installation) of any such infrastructure are to be submitted and approved by the Local Planning Authority. Once approved the development shall be constructed strictly in accordance with these details and retained as such for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
- 12 Phase 1A shall be undertaken in accordance with the Construction Environmental Management Plan approved by planning reference 2017/0323DOC.

Prior to the commencement of any other Phase of the development, (including remediation works) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The CEMP shall include details of: a named contact for the developer/construction firm should a complaint be received; the limit and height of stockpiling of materials and interim ground treatment; Storage of building materials, equipment and plant; Temporary landscaping; Construction drainage; Measures to control vibration, noise and dust emissions; Measures to protect retained vegetation, protected and other species and the control of invasive species; Full details of all materials to be imported to, or exported from the site including measures to manage soil movement; Fencing for the duration of site works; Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic; Loading and unloading of materials and plant; Storage of materials and plant and materials for use during construction; Details of method to treat and remove suspended solids from surface water run-off during construction; Provision of wheel cleaning facilities; a Construction workers compound; and parking areas including oil and petrol separators. The approved scheme shall be implemented in full for the duration of that phase of the development and no construction activity or work on site shall be undertaken except during the following times: Monday to Friday 0700 to 1800 hours and Saturday 1000 to 1600 hours.

- 13 Phase 1A shall be undertaken in accordance with the surface water drainage scheme approved by planning reference 2017/0331DOC.

No other Phase of development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented strictly in accordance with the approved details before occupation of that phase of development and shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

- 14 Phase 1A shall be undertaken in accordance with the foul sewage drainage plans approved by planning reference 2017/0331DOC.

No development within any other phase of the development shall commence until drainage plans for the disposal of foul sewage within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details prior to occupation of that phase of development.

- 15 Phase 1A shall be undertaken in accordance with the contamination assessment approved by planning reference 2017/0331DOC.

Plots 219-228 shall be undertaken in accordance with the contamination assessment approved by planning reference 2017/0013DOC.

Unless otherwise agreed in writing by the Local Planning Authority, development within any other Phase must not commence until 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. The assessment 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.

Where any contamination assessment indicates that contamination may be present, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) for the development 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.

- 16 In the event that remediation is required to render the development suitable for use, the remediation scheme approved pursuant to condition 15 shall be Implemented strictly 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 to and approved in writing by the Local Planning Authority.

- 17 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 of condition 22 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. The approved scheme shall thereafter be implemented strictly in accordance with the approved timetable.

- 18 No part of the development hereby approved shall be commenced until amended soft landscaping proposals have been submitted to and approved by the Local Planning Authority, in relation to sheet 16 and 17 (L6011/16 and L6011/17), to incorporate essential habitat mitigation works and amend the Marginal Planting Within Wetland Meadow Mix to omit Ranunculus baudotti, Carex disticha and Carex divisa and to replace these with other, locally characteristic species. The development shall be completed strictly in accordance with these details unless otherwise approved in writing by the Borough Council.
- 19 Phase 1A shall be undertaken in accordance with the submitted tree works details approved by planning reference 2017/0331DOC.

In any other Phase:

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out strictly in accordance with British Standard [3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken strictly in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority

- 20 Any trees or other plants, which die, are removed or become seriously damaged or diseased within the first five years following planting shall be replaced during the next planting season with others of similar size or species unless otherwise agreed in writing by the Local Planning Authority.
- 21 Phase 1A shall be undertaken in accordance with the earthworks details approved by planning reference 2017/0331DOC.

No development within any other phase shall take place until details of earthworks for that phase have been submitted to and approved in writing by the Local Planning Authority.

(1) The details shall include the proposed grading and mounding of land areas including the finished levels across the site (including finished floor levels, path and road levels and height of retaining walls) and contours to be formed,

showing the relationship of proposed mounding to existing vegetation and surrounding landform; and

(2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for that phase. Dwellings either side of an access road should have a floor slab level at least 300mm above the adjacent access road. The development shall thereafter be implemented strictly in accordance with the approved details.

- 22 The development shall be undertaken in accordance with the Written Scheme of Investigation and Geophysical Survey Report approved by planning reference 2017/0332DOC.
- 23 Prior to the commencement of development in Phase 1B or Phase 2 an updated Ecological Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include and updated Phase 1 Habitat Survey and protected species surveys for the site area. Thereafter works shall be undertaken strictly in accordance with the mitigation recommended within the EclA for the Phase.
- 24 No site clearance or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing in advance with the Local Planning Authority. Any clearance works within this period must be supervised by an Ecological Clerk of Works and the works agreed in writing by the Local Planning Authority prior to the works commencing.
- 25 No development shall commence within a Phase until a landscape management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of enhancements to retained habitats on the site, and also provide details of the long-term management of the retained habitats of the site. Thereafter such works shall be undertaken strictly in accordance with the approved landscape management plan for the relevant phase unless otherwise agreed in writing by the Local Planning Authority.
- 26 No Phase of the development shall be occupied unless glazing and ventilation mitigation for that phase has been implemented in line with the strategy outlined in Chapters 6 and 7 of the Noise Assessment (November 2015). This shall include the adoption of the enhanced glazing and ventilation to those properties outlined in sketch plans SK05 and SK05b.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.

3. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
4. In order to set the top parameter of floor space for the purpose of calculating CIL, to ensure the scheme remains viable within the limits available finance.
5. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
6. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990
7. In the interests of highway safety.
8. To ensure that sustainable travel is encouraged and implemented in accordance with the aims of the National Planning Policy Guidance.
9. In the interests of pedestrian and cycle safety.
10. In the interests of highway safety.
11. In order to secure adequate public transport linkages to the site and promote sustainable transport.
12. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough.
13. To prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
14. To ensure adequate measures are in place to deal with foul sewage on the development site.
15. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.
16. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.
17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.
18. To ensure a satisfactory development and that the landscaping of the development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)
19. In the interests of good Arboricultural practice.

20. In the interests of good Arboricultural practice.
21. To prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures.
22. To ensure a satisfactory programme of archaeological work has been approved to ensure that the development is constructed in accordance of the impacts defined within the Environmental Statement.
23. To protect and enhance ecology interest in the area.
24. To protect and enhance ecology interest in the area.
25. To protect and enhance ecology interest in the area.
26. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The applicant is advised that all planning permissions granted on or after 16th October 2015 May be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved.

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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. 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 the Highway Authority for details.

The detailed surface water drainage scheme to be submitted shall:

- require all flows to be attenuated to Q_{bar} for the entire site;
- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;
- include an exceedance check using micro-drainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas;
- demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;
- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements.

Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;

- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.
- Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).