

Report to Planning Committee

Application Number:	2018/0817
Location:	Car Park, North Green, Calverton
Proposal:	Erect 20 No. single storey bungalows.
Applicant:	Lovely Homes Ltd
Agent:	John Booth
Case Officer:	Kevin Cartwright

1.0 Site Description

- 1.1 The application site relates to an area of hardstanding formerly in use as a car park associated with the Calverton Colliery on the corner of Hollinwood Lane and North Green.
- 1.2 The application site is a rectangular plot with the width fronting North Green and has a site area of approximately 0.68 hectares.
- 1.3 North Green is to the south of the application site with residential properties sited on the opposite side of the highway. Hollinwood Lane is an adopted highway which becomes a byway adjacent to the west boundary of the application site.
- 1.4 To the west of the byway is the boundary to the Calverton Recycling Centre developed for employment uses and household recycling centre.
- 1.5 The west boundary is defined by a wide border consisting of metal railed fencing and vegetation with panelled fencing behind.
- 1.6 Agricultural land lies to the north and east of the site. The north, east and south boundaries of the application site are defined by a mixture of trees and mature vegetation.
- 1.7 The site is allocated for residential development by Policy 66 of the Local Planning Document.

2.0 Proposed Development

- 2.1 Full planning permission is sought for the erection of 20 single storey bungalows. The housing mix would be thirteen 1 bed bungalows and seven 2 bed bungalows.
- 2.2 Revised plans have been received indicating internal roads being constructed in accordance with the requirements of the 6C's Highways Design Guide.
- 2.3 The layout of the development centres around a 'T'; shaped access with front facing bungalows onto the public realm.
- 2.4 Car parking is adjacent to the dwellings and ranges from 1 – 2 allocated spaces per dwelling.

3.0 Consultations

- 4.1 Environment Agency – No objection subject to conditions relating to land contamination and surface water drainage.
- 4.2 Nottinghamshire County Council – Lead Local Flood Authority – No objection subject to a drainage condition.
- 4.3 Historic England – Do not wish to offer any comments, suggest that you seek the views of your specialist conservation and archaeological advisers
- 4.4 Gedling Borough Council Economic Development – a Local Labour Agreement is required.
- 4.5 Gedling Borough Council Parks and Street Care – Given the constraints on the site and the proposed layout an off-site contribution, in accordance with LPD Policy 19 – Developer Contributions, would appear the most appropriate method of providing the local open space/play facilities. The commuted sum would be £31,025.28 and a maintenance sum of £12, 979.20. Total £44,004.48 to be expended on facilities within 2km of the site.
- 4.6 Gedling Borough Council Strategic Housing – The affordable housing requirement (as stated within the Gedling BC Affordable Housing Supplementary Planning Document) for this location, is 20% of dwellings to be developed as affordable housing. Based on a development of 20 units this would require 4 units to be built as affordable housing on site. Of these, we require that 3 are for affordable/ social rent and 1 is for intermediate sale. The size of the affordable units should be reflective of the overall development and propose 2x2 bed bungalows and 2x1 bed bungalows.
- 4.7 Gedling Borough Council Scientific Officer -no objection, requests conditions relating to land contamination, electric vehicle charging points and a construction emission management plan.
- 4.8 Forestry Officer – The tree report and method statements are adequate for the application, but I would need to know what trees surveyed will be removed and retained.

- 4.9 NHS Clinical Commissioning Group – due to the scale of the proposal no contribution towards healthcare provision is required.
- 4.10 Nottinghamshire County Council Highways – the revised plan rev 03 received on 06/06/2019 is acceptable and accordingly there is no objection to the proposal.
- 4.11 Nottinghamshire County Council Planning Policy - objects unless a noise assessment is undertaken with respect to the adjacent waste facilities.
- 4.12 Nottinghamshire County Council Education – No contribution is required.
- 4.13 Trent Valley Drainage Board – a drainage scheme must be agreed with the Lead Local Flood Authority and the Local Planning Authority.
- 4.14 Calverton Parish Council – We have no major objection to this development but dwellings are likely to be targeted at retired people and they are far from the village's amenities particularly the shops, there are still no links between this development and the Park Road development adjacent to it. It would be helpful if some sort of path/cycleway could be provided so that residents don't always have to use the public highway to access the village.

Calverton Neighbourhood Plan Policy G1 – Comprehensive development states:

Proposals for residential development in the 'North-West Quadrant Urban Extension' will only be permitted where it is accompanied by an overall masterplan illustrating the following aspects:

A high quality residential environment
Footpath and cycle links into the village
Provision of open space and structural landscaping
The inter-relationship and open frontages between new development and North Green and Park Road.

We are aware this is a small development in the North West quadrant but feel that some effort should have been made to link this into the greater plan proposed for this area which has been submitted by Persimmon Homes. It should be possible to link the two developments together with footpaths or cycleways.

4.15 Members of the Public

A press notice was published, three site notices were displayed and neighbour notification letters were posted. No representations were received.

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 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 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 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 Calverton 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.

LPD 66: Housing Allocations– identifies the application site as part of housing allocation H16, for approximately 390 new dwellings.

6.5 Calverton Neighbourhood Plan

The Calverton Neighbourhood Plan was adopted by Gedling Borough Council on 31 January 2018. As such the Calverton Neighbourhood Plan forms part of the Development Plan for Gedling Borough.

Policy G2: Developer Contributions – sets out that developer contributions will be sought towards education provision (nursery, primary, secondary, 16-18), primary GP healthcare provision and village centre environmental improvements

Policy G5: Housing Mix – states that development should include a mix of dwelling sizes, that planning permission will be granted for developments which provide bungalow and other types of accommodation for elderly and disabled people, that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation suitable for elderly and disabled people will be refused, that on all major development schemes, planning permission will be granted for the provision of plots for self-build subject to other policies in the development plan and that affordable housing should be designed and delivered to be indistinguishable from market housing and should be distributed throughout the development as a whole.

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3 – Highway Impact – sets out the criteria for assessing highway impact.

Policy ISF4: Infrastructure Provision – states that residential developments will be required to provide the necessary infrastructure, such as education provision, healthcare provision, open space and drainage provision.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE2: Local Distinctiveness and Aesthetics – states that development should be designed to a high quality that reinforces local distinctiveness including that buildings on the fringes of major developments should have variations in height, style and position.

Policy BE3: Public Realm – sets out the approach to the public realm and to landscaping.

Policy BE4: Parking Provision – sets out that adequate parking must be provided.

Policy NE3: Flooding- sets out the approach to preventing flooding and to ensure that adequate drainage is provided.

Policy NE4: Green Infrastructure –sets out the approach to green infrastructure and ecological considerations.

Policy NE5: Biodiversity – sets out the approach to biodiversity.

6.6 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 the development

- 7.1 The site forms part of housing site (H16) allocated by Policy LPD 66 of the Local Planning Document which was adopted in July 2018. Policy LPD 66 identifies the H16 site as providing approximately 390 dwellings. The principle of residential development on this site is therefore accepted, subject to a detailed consideration of the following matters.

Density

- 7.2 The site area is approximately 0.68 hectares and 20 dwellings are proposed, giving a density of 29.4 dwellings per hectare. Policy LPD 33 states that development in Calverton should be of a minimum density of 25 dwellings per hectare, so the proposed development would meet with this requirement.

Compliance with Calverton Neighbourhood Plan Policy G1 (Comprehensive Development)

- 7.3 Policy G1 states that proposals for residential development in the 'North-West Quadrant Urban Extension' will only permitted where it is accompanied by an overall masterplan illustrating the following aspects:

- A high quality residential environment
- Highway access links including to/from the existing village road network and the feasibility of links to/from the B6386 Oxton Road
- Off-site highway improvements
- Footpath and Cycle links into the village
- Provision of open space and structural landscaping
- Retention of open frontages between new development and North Green and Park Road
- The inter-relationship between new development and the Community Hall & Sports Pavilion and William Lee Memorial Park
- Housing mix, including starter homes, affordable housing and housing for the elderly
- Ecological corridors
- Health Impact Assessment

- 7.4 An overall masterplan for the North-West Quadrant has not been provided however this site represents a proportionately small part of the H16 allocation. It is considered that the site would represent a high quality residential environment and would provide acceptable highway links for a development of this scale. Off-site highway improvements are not considered to be necessary due to the quantum of development proposed. The site has excellent links to the byway which runs to the west of the site and it is also envisaged that access will be available to the wider H16 housing allocation in due course, both from the byway and from North Green. The site has good sustainability credentials in that the nearest bus stop is approximately 500m away providing connectivity to the facilities of Arnold and Nottingham.
- 7.5 Open space provision would be provided by way of an off-site contribution and the site is already landscaped to the north and eastern sides, which would be retained as part of the development. The proposed development is considered to be acceptable with regard to its relationship with North Green and it is not immediately adjacent to the Community Hall or associated facilities. The development would provide bungalows that would add to the housing mix available in Calverton and is acceptable from an ecological point of view. The NHS have advised that the size of this development does not meet its threshold for requiring a financial contribution towards healthcare provision.
- 7.6 In conclusion it is considered that the approval of this application would not prejudice the development of the North-West quadrant nor would it conflict with the objectives of Policy G1 of the Calverton Neighbourhood Plan.

Impact upon visual amenity

- 7.7 The proposed dwellings would be arranged with 6 units facing onto North Green (two detached and two pairs of semi-detached). An adoptable standard road would lead from North Green to serve the remaining 14 units to the rear. The dwellings would be externally faced with brickwork with elements of cladding. Porches and brick detailing would also be included to increase the visual interest of the dwellings.
- 7.8 The dwellings would be low scale with respect to their height and are considered to be of an acceptable design. It is considered that they would integrate into the surrounding area in an acceptable manner and would not cause harm to the visual amenity or character of the surrounding area. It is considered that the proposal is acceptable and would meet with the objectives of National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policy 35 of the Local Planning Document and Policies BE2 and BE3 of the Calverton Neighbourhood Plan

Impact upon residential amenity

- 7.9 The dwellings are all single storey in height which reduces their impact upon the nearest adjacent dwellings, which are located on southern side of North Green. It is considered that the proposed dwellings would be located an adequate distance from these existing dwellings to ensure that there would be

no undue impact arising from massing, loss of daylight/sunlight or through overlooking.

- 7.10 It is noted that Nottinghamshire County Council has raised concern due to the relationship between the application site and the waste facilities located on the adjacent industrial estate and has requested that a noise assessment be carried out to evaluate the potential noise impact from the waste facilities. This is due to the risk of waste site sterilisation and the potential for these two land uses being adjacent causing considerable impact on the quality of life of future occupiers of the proposed dwellings. However, the proposed development site is not significantly closer to the waste facilities in question than the existing dwellings on North Green, and therefore it is not considered reasonable or necessary for a noise assessment to be provided,
- 7.11 It is therefore not considered that the proposed development would have an undue impact upon residential amenity and the proposal would be in accordance with the objectives of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy LPD 32 of the Local Planning Document.

Sherwood Forest Special Protection Area

- 7.12 Paragraph 3.17.3 in the Council's Aligned Core Strategy (ACS) (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known'.
- 7.13 Natural England's current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.
- 7.14 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place. However

unlike the Council's ACS, Natural England's Standing Advice Note does not recommend that the Sherwood Forest Region should be treated as a confirmed European site.

- 7.15 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the Habitats Regulations until it has been actually designated as a SPA. Furthermore, the site does not qualify for protection under the NPPF as paragraph 176 refers to pSPAs and footnote 59 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.
- 7.16 Having regard to evidence submitted to the inquiry in 2010, the site is not located within a core ornithological interest for breeding nightjar and woodlark area but is situated within an indicative 5km buffer zone. An ecology report has however been prepared by the applicant and this does not find any evidence of nightjar or woodlark on the planning application site. The precise extents of any buffer zones are not known. The proposal is a variance with Paragraph 3.17.3 of the Council's ACS, however the benefits of the scheme would outweigh any harm identified and the approach is consistent the Habitats Regulations and NPPF.
- 7.17 It should also be noted that this site is an allocated housing site within the recently adopted (July 2018) Local Planning Document, with Policy LPD 66 identifying it as a housing allocation. The Local Planning Document has been through a Public Inquiry, has been found to be sound and has subsequently been adopted by Gedling Borough Council, meaning that housing development on this site is in full conformity with the Local Planning Document. Against this background it is considered that it can be reasonably concluded that the site would not have any adverse effects on the breeding populations of Nightjar and Woodlark in the Sherwood Forest Area and that the development would meet with the objectives of Policy 17 of the Aligned Core Strategy. Furthermore, the scale of this development is very limited in the context of the wider housing allocation.

Other ecological considerations

- 7.18 The proposed built development on the site would take place on land which is already hard surfaced, as a result of its previous use as a car park. As a result, it is not considered that the proposal would have an adverse impact upon any ecological interests.
- 7.19 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Aligned Core Strategy 17, Local Planning Document Policy 18 and Calverton Neighbourhood Plan Policy NE5.

Impact upon trees

- 7.20 As noted the development would take place on land which is already hard surfaced. The Tree Officer has advised that the tree report and method

statements are adequate for the application but they need to know what trees surveyed will be removed and retained. These matters can however be addressed by way of planning conditions requiring details of tree protection and landscaping to be submitted and approved by the council prior to the commencement of the development. It is noted that trees will need to be removed on the site frontage however it is advised that these are highway trees and discussions would need to be undertaken between the application and Nottinghamshire County Council. The trees in question and not considered to be of any specific visual importance and their removal would not have a significant impact upon the character or appearance of the surrounding area.

Impact upon designated heritage assets

- 7.21 Whilst the impact upon designated heritage assets is a consideration with regard to the development of the north-west quadrant due to the presence of a Scheduled Ancient Monument (two Roman marching camps located 350m north east of Lodge farm) in the vicinity, the application site is limited in size and is located a significant distance away from the SAM, behind existing landscape buffers. It is therefore not considered that the development would have any impact upon designated heritage assets.

Highways matters

- 7.22 The proposed development has been assessed by the local highway authority. The layout includes appropriate access to the site, car parking for each unit and the ability for a refuse vehicle to manoeuvre within the site. The local planning authority has not raised any objection to the development as such I am satisfied that the scheme is acceptable on highway grounds.

The car parking requirements for the development with a mix of 13 one bed and 7 two bed units as set out in the SPD is a total of 35 spaces. The development accords with this and provides the required 35 spaces.

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, the Parking Provision SPD and Calverton Neighbourhood Plan Policy ISF2 and ISF3..

Planning obligations

- 7.3 The development proposed would require that the following planning obligations be met:
- 20% on-site affordable housing (70% must be social rented and 30% intermediate housing) in accordance with LPD Policy 36 and the adopted Affordable Housing Supplementary Planning Document 2009.
 - £31,025.28 towards off-site public open space provision together with £12,979.20 for 10 years maintenance to be expended on facilities within 2km of the site
 - Local Labour Agreement to meet with the requirements of LPD Policy 48

7.4 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 meets with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.

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 part of a housing allocation in the adopted Local Planning Document. The development would be of an acceptable layout, design and density and would not have an undue impact upon visual amenity, residential amenity, ecological considerations, existing landscape features or highway safety. The development would therefore accord with the general objectives of the national and local planning policies set out above.

Recommendation: Grant Full Planning Permission: 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 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: 2012-15-004 received 25/09/18, 2012-53-021 REV A received 05/04/19, 2012-53-022 REV A received 05/04/19, 2012-53-030 received 05/04/19, 2012-53-031 received 05/04/19, 2012-53-032 received 05/04/19, 2012-53-03 REV 03 received 6/6/2019. The development shall thereafter be undertaken in accordance with these plans.
3. Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice - Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents - Set out a communication strategy to keep regulators, resident and

other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance - Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours - Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

4. 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. 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.

5. 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should 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.
b) 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.
c) 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 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.

6. No development shall commence on site in connection with the development hereby approved (including, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
 - a) Timing and phasing of Arboricultural works in relation to the approved development.
 - b) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges on and adjacent to the site.
 - c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and adjacent to the site, as defined by BS5837:2012.
 - d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.
7. Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floors levels of the proposed dwellings shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
8. No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
9. Prior to the first occupation of the dwellings hereby approved there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place.
10. No dwelling shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and

approved in writing by the Local Planning Authority. The approved scheme shall be completed before the dwellings are first occupied and retained as such in perpetuity.

11. Prior to commencement of any above ground construction 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.
12. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
13. 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.
14. No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
15. No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
16. No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the LPA. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

17. No part of the development hereby permitted shall be brought into use until the pedestrian crossing has been constructed, together with the footway fronting the site has been constructed and is available for use in accordance with drawing number 03 rev 03.

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 terms of this permission.
3. In the interests of residential amenity.
4. To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
5. 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 Plan.
6. To ensure that existing trees and hedges are adequately protected.
7. To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
8. To ensure a satisfactory standard of external appearance.
9. In the interests of visual amenity.
10. In the interest of visual amenity.
11. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
12. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
13. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
14. To ensure the development is constructed to adoptable standards
15. To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
16. In the interests of Highway safety.
17. To ensure a safe crossing point is available for pedestrians.

Notes to Applicant

The comments of the Rights of Way Officer are attached.

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 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 Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional and amended information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. 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. 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 Environment Agency advises with respect to Condition 8 that Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality