



Planning Report for 2020/0822



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Report to Planning Committee

Application Number:	2020/0822
Location:	Land Off Flatts Lane Calverton
Proposal:	Reserved matters approval (appearance, landscaping, layout and scale) for the erection of 82 dwellings and public open space pursuant to outline permission 2020/0726.
Applicant:	Belway Homes Limited.
Agent:	Pegasus Planning Group
Case Officer:	Nigel Bryan

The application is referred to Planning Committee to comply with the Councils constitution as the development proposes more than 9 dwellings.

1.0 Site Description

- 1.1 The site consists of an area of mostly open land which runs north from Park Road along the west side of Flatts Lane. All of the site boundaries are formed by mature hedging and vegetation. The northern, eastern and southern boundaries are shared with the public highway (Park Road and Flatts Lane) and the western boundary with open land, Calverton Village Hall and the William Lee Memorial Park. A recent housing development is situated on the eastern side of Flatts Lane.
- 1.2 There is one residential dwelling, with associated outbuildings, located within the site, all of which would be demolished as part of the proposed development. The land rises gradually when heading in a northerly direction; however, the change is not considered to be significant.
- 1.3 There are two Oak trees on the north-eastern boundary of the site that are protected by a Tree Preservation Order. There is a Scheduled Ancient Monument, (Two Roman Camps 350m North East of Lodge Farm), and a Grade II Listed Building, Lodge Farmhouse and Adjoining Stables, located approximately 200 metres to the north of the site.
- 1.4 The site area is 2.75 hectares.

2.0 Relevant Planning History

- 2.1 2018-1143 - Outline planning application (all matters reserved except for means of access) for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure – was granted permission on the 05th March 2020 following completion of a S106 Legal Agreement securing planning obligations.
- 2.2 Section 52 of the Town and Town Country Act 1971 (Flatts Lane, Calverton) - The application was to allow the removal of an historical Section 52 agreement, which prevented the house on the application site, and adjoining land, from being sold separately. The Section 52 is no longer in force.
- 2.3 2020-0726 – An application made under Section 73 of the Town and Country Planning Act to vary a number of conditions attached to outline permission 2018/1143. The application was considered at the Planning Committee of 21st October 2020 and it was resolved to grant permission with the decision notice issued on the 23rd November. The full application title is in italics *'Variation of conditions 8 (trees) 3, 16 and 17 (highways) of outline permission 2018/1143 - for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure'*.

3.0 Proposed Development

- 3.1 The application seeks reserved matters approval pursuant to outline permission 2020/0726. Matters under consideration for this reserved matters approval are, layout, scale, landscaping and appearance. The application is for the erection of 82 dwellings, 16 of which will be affordable. To the north of the site will be public open space, which will include a Local Equipped Area of Play (LEAP) and have 5 pieces of play equipment on it. The dwellings to be erected will be a mixture of two and two and a half-storeys in scale, ranging from two to four bed.
- 3.2 Four vehicular access points are proposed to be from Flatts Lane, two of which are to be to an adopted standard, two of which will be private, along with a number properties fronting Flatts Lane having drives accessing direct onto the road. Access is a matter that was approved at the outline stage.

4.0 Consultations

- 4.1 Nottinghamshire County Council Highways – noting that access has been approved at the outline stage raise no objection to the application, and note that full details will need to be approved under Section 38 of the Highway Act 1980.
- 4.2 Trent Valley Internal Drainage Board – note that the site falls outside of their District but is within their catchment area. Note that any drainage for the site would need to be agreed with the Lead Flood Authority.
- 4.3 Nottinghamshire County Council (Policy) – make no specific observations on the reserved matters application.

- 4.4 Gedling Borough Council Housing Strategy – The affordable housing requirement is 20% of proposed dwellings to be provided on-site, of which 70% should be affordable rent and 30% intermediate.
- 4.5 Gedling Borough Council Parks and Street Care – Following receipt of an updated LEAP scheme with regard to the play equipment provided within the LEAP, which provides 5 pieces of equipment all made of metal, they support the scheme.
- 4.6 Gedling Borough Council Scientific Officer – make no observations on the reserved matters application, with their comments and suggest conditions on the outline still pertinent.
- 4.7 Calverton Parish Council – Raise concern about the loss of the hedgerow to the front of the site as well as over the number of access points on Flatts Lane, which they believe will be harmful to highway and a deterrent to public transport accessing the north of the village.

4.8 Members of the Public

A press notice was published and two site notices erected. Furthermore, an additional round of consultation was undertaken on amended plans received during the course of the application. In total 5 letters of objection have been received, three on the original consultation and two on the re-consultation; a summary of the objections raised are summarised below:

- Calverton does not have the infrastructure to deal with the number of dwellings proposed to be erected, notably the doctors surgery is at capacity and the town centre/shopping area has inadequate parking;
- Speeding already occurs along Flatts Lane, this will only get worse and parked cars will block traffic;
- A large number of vehicles already have to park on Flatts Lane, this will only get worse if the proposed development is granted permission as parking within the site is not adequate;
- The view of existing residents along Flatts Lane will be compromised, as well as house values being detrimentally impacted;
- The close proximity of dwellings on the opposite side of the road will be harmful to the amenity/privacy of existing occupiers;
- The loss of trees will be detrimental to wildlife, with some having bats roosting in them;
- Flatts Lane is prone to standing surface water and additional built form will increase this;
- The noise from the building operations and occupiers will be detrimental to the amenity of exiting residents, particularly those that work nights.

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’.

6.0 Development Plan Policies

6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2019 (NPPF)

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). Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) of the NPPF are particularly relevant.

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

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

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

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

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

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

Policy 11: Historic Environment – sets out the criteria for assessing applications affecting the historic environmental and heritage assets and their settings.

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 18 Protecting and Enhancing Biodiversity – sets out that proposals should be supported by an up to date ecological assessment. Any harmful impact should be avoided through design, layout and mitigation or compensation. Where possible, development proposals will be expected to take opportunities to incorporate biodiversity in and around the development and contribute to the establishment of green infrastructure.

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

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

LPD 30: Archaeology – sets out the measures to protect sites with archaeological potential.

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, alongside appendix D.

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 housing allocation X4, for approximately 60 new dwellings.

6.5 Calverton Neighbourhood Plan (CNP)

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 G1: Comprehensive Development – Sets out that proposals for residential development in the North Western Quadrant Urban Extension will only be permitted where it is accompanied by an overall masterplan illustrating 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 Oxtun Road; off-site highway improvements; footpath and cycle links into the village; open spaces and structural landscaping; retention of open frontages between development and North Green and Park Road; interrelationship between the new development and the Community Hall & Sports Pavilion and William Lee Memorial Park; Housing mix; ecological corridors and health impact assessment.

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 BE5: Heritage Assets – sets out that development proposals should take account of their effect on Ancient Monument and their setting within Calverton and non-designated sites with potential archaeological interest.

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 is allocated as a housing site, X6, under Policy LPD 66 of the Local Planning Document, which was adopted in July 2018. Policy LPD 66

identifies the site as providing approximately 60 dwellings and therefore the principle of residential development on this site is established. Furthermore, the proposal is a reserved matters application and, therefore, the site benefits from outline permission (2020/0726).

- 7.2 The Calverton Neighbourhood Plan (CNP) also identifies the wider area between Park Road and Oxton Road as being the location for the North East Quadrant Urban Extension Site. Policies G1 (comprehensive development) and G5 (housing mix) of the CNP are considered to be most pertinent to the determination of the application, which are addressed later in this report.
- 7.3 Having regard to the above it is apparent that the site is allocated for residential development, benefits from outline planning permission (ref: 2020/0726) and, therefore, the principle of residential development is supported and deemed to comply with policies LPD66 and G1 of the CNP.

Layout, scale and appearance

- 7.4 The site area is 2.75 hectares and the number of dwellings proposed to be erected is 82, the site is identified as being suitable for approximately 60 dwelling under policy LPD66; however, when the outline permission was granted it was identified that up to 84 dwellings could be erected. This application considers layout, scale, appearance and landscaping where the suitability of the design of the development can be assessed, including its density and whether or not that would respect the character of the area and residential amenity. As currently submitted the density of development would be 30.54 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 this requirement.
- 7.5 The layout has largely been guided by the long narrow nature of the plot and the surrounding character of the area, notably the dwellings recently erected on the opposite side of Flatts Lane. Properties facing direct onto Flatts Lane have shallow front gardens, typically with parking to the side, and sit reasonably close to the highway, similar to those opposite. Those on the western edge of the site, overlooking open countryside, which is allocated for residential development, or the William Lee memorial Park, have slightly larger front gardens with parking to the front. The rear gardens of the properties abut one another with there being four distinct blocks of residential development, the southern edge of which is at a slightly higher density and incorporates some of the affordable housing. The layout as proposed is considered to respect the character of the area in that it is similar in form to the development opposite and is outward facing, providing overlooking to the streetscape and notably the public open space to the north. The layout is also considered to comply with the design ethos identified in the Design and Access Statement submitted in support of the outline application (2018/1143), and whilst no overall masterplan has been submitted for the larger allocated site this parcel of land forms a small part of it and the layout is considered to respect the character and layout that has been previously granted on the

northeast quadrant, most notably permission 2020/0020, that was for the erection of some 351 dwellings.

- 7.6 With regard to scale, all of the dwellings will either be two-storey or two and a-half; with two-storey predominate. The larger properties are typically located at focal points within the site e.g. plots 5 and 6, a view termination at the end of Flatts Lane when heading toward the site in a northerly direction. No bungalows are to be provided; however, amended plans have been provided that alter six house types to comply with section M4(2) of the Building Regulations, which identifies that they 'meet the needs of occupants with differing needs, including some older or disabled people, and b) to allow adaption of the dwelling to meet the changing needs of occupants over time'. Policy G5 of the CNP identifies that applications would need to provide for bungalows or houses suitable for elderly and disabled people, which the application does. As a result the housing mix is considered to be appropriate and complies with policy G5 of the CNP and LPD37.
- 7.7 The appearance of the units is considered to be acceptable in that materials are indicated as being brick and tile with detailing around the windows. The mix of house type is appropriate in that there are double fronted properties to step around corners and, as noted above, larger properties are at focal points and along Flatts Lane. Samples of materials would need to be secured via condition but the external appearance of the dwellings would be appropriate in this area.
- 7.8 In respect of affordable housing provision, a total of 16 dwellings are to be provided, the housing mix of which would be 8 two-bedroom, 6 three-bedroom and 2 four-bedroom dwellings. In terms of tenure, there would be 5 shared ownership and 11 affordable rented properties. The planning obligations secured through a s106 agreement against the outline permission identify that 20% affordable dwellings would need to be provided with 70% affordable rent and 30% intermediate ownership; the application as submitted complies with the s106 agreement. Furthermore, the affordable dwellings would be in 2 groups of 8 toward the southern edge of the site, closer to facilities within Calverton, which is considered to be acceptable. The application is, therefore, deemed to comply with LPD36.
- 7.9 Having regard to the above, it is considered that the layout, scale and appearance is acceptable with the housing mix and affordable housing provision appropriate too. As a result the application is deemed to comply with policies 8 and 10 of the Aligned Core Strategy; policies G1 and BE1 of the CNP and guidance within the NPPF.

Landscaping

- 7.10 It is noted that a number of trees would be removed to the south of the site and an updated arboricultural assessment has been approved under application 2020-0726, which included the removal of a number of Poplar trees to the south of the site. In total 31 trees are proposed to be removed; 44 specimens are proposed to be planted in the public open space to the north.

Hedgerows to the western edge of the site are identified as being trimmed but retained and native planting is proposed between the dwellings and public open space, which will provide an attractive green edge to the site. To facilitate the development planting along the Flatts Lane frontage would need to be removed.

- 7.11 Indicative landscaping is shown on the layout plan, which looks acceptable, in respect of planting to the front of the dwellings; however, no planting schedule has been supplied and this would need to be secured via condition. A full planting schedule has been supplied for the Public Open Space (POS). The POS will have Local Equipped Area of Play (LEAP), covered later in this report, and will have trees sporadically located within it, as well as being largely grassed.
- 7.12 Overall, the landscaping scheme has, where possible, utilised existing vegetation and looked to replace features that need to be removed. Within the main residential areas additional planting is also proposed to break up the built form and the Public Open Space will be largely grassed with trees interspersed. Having regard to the above it is considered that the landscaping scheme is acceptable and complies with policy LPD18 and guidance within the NPPF.

Other considerations

- 7.13 For the avoidance of doubt, there are a number of other topics that were covered when the outline application was determined. Notably, a Section 106 Legal Agreement secured planning obligations in respect of affordable housing, a local labour agreement and maintenance of the Public Open Space and financial contributions towards health care, education and bus stop improvements. This should mitigate infrastructure concerns relating to the development. Other matters covered by condition on the outline permission include archaeology, drainage, possible contamination, a Construction Method Statement and EV charging points. Furthermore, there is no reason to consider that the application would act as a deterrent to public transport accessing this part of Calverton. Nor is there reason to consider that the application would have a material impact on parking in the town centre or access to doctors, with a financial contribution secured toward health care. Ecological matters were considered at the outline stage and the grant of planning permission would not override other legislation e.g. The Wildlife and Countryside Act.
- 7.14 With regard to residential amenity it is noted that the layout is largely based around a block structure so gardens are typically back to back and properties fronting onto Flatts Lane are opposite dwellings on the other side of the road. Garden depths are in the region of 10m in depth and given that existing and proposed dwellings fronting Flatts Lane are opposite each other across the public domain it is not considered that the amenity of existing or proposed dwellings will be compromised. Furthermore, concern has been expressed about the loss of a view; however, there is no right to a view. Therefore, it is considered that the impact on the amenity is acceptable and complies with policy LPD32.
- 7.15 In respect of play provision updated drawings have been supplied and a Local Equipped Area of Play (LEAP) has been provided to the north of the site. It

will comprise 5 pieces of equipment, which will be constructed of metal so as to be more durable and be appropriately fenced. As a result this aspect of the development is considered to be acceptable and comply with guidance within the Supplementary Planning Guidance for Public Open Space Provision.

- 7.16 Each dwelling will have off street parking provision and conditions are attached to the outline permission to ensure that these are in situ prior to each dwelling being occupied. The highway authority have raised no objection to the application and each property will have at least two off-street parking spaces; some dwellings, including the four bedroom properties, will have a garage, integral or external, along with two external parking spaces. As a result the parking provision complies with guidance contained in policy LPD57 and Appendix D – requirement for parking in residential and non-residential development.

8.0 Conclusion

- 8.1 The principle of the development has been established following the grant of outline application 2020/0726 and fact that the site is allocated for residential development in the Local Planning Document. Access has already been approved with the internal access arrangements also now considered to be acceptable. The density of development is acceptable and the layout considered to respect the character of the area. The design of the dwellings is acceptable with a mixture of materials and scale of properties, with public open space overlooked and residential amenity respected. Having regard to the above it is considered that the application complies with policies A, 8 and 10 of the Aligned Core Strategy; policies 18, 19, 21, 32, 35, 48, 57 and 61 of the Local Planning Document; policies G1, G5, ISF1, ISF2, ISF3, BE1, BE2, NE3, NE4 and NE5 of the Calverton Neighbourhood Plan and guidance within the NPPF.

Recommendation: Grant reserved matters approval, subject to the following conditions:

1. This permission shall be read in accordance with the application form and following list of approved drawings:

S0000/100/01/PLC Rev C Planning Layout Colour
S0000/100/01/PLC rev C Planning Layout black and White
House Type Pack
P20-0044_202 01 Lacemaker (3 bed) House type floor plans
P20-0044_202 02 Lacemaker (3 bed) House type elevations
P20-0044_201 01 Silversmith AS (4 Bed) House type floor plans/elevations
P20-0044_201 02 Silversmith OPP (4 Bed) House type floor plans/elevations
GL1320 01B Leap Proposals
Arboricultural Assessment by FPCR October 2020
Access Note 075666-CUR-00-XX-RP-TP-001-V02

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

2. No above ground works shall commence until samples of external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
3. Prior to the commencement of development, a planting schedule for planting to the front of the residential plots shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved, along with planting shown in the public open space, shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
4. Prior to above ground works commencing details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Prior to first occupation of each dwelling, the walls (including retaining walls), fences, gates or other means of enclosure for that particular unit shall be in situ.

Reasons

1. For the avoidance of doubt.
2. To ensure that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.
3. To ensure that the development assimilate within the green environment and to comply with guidance within the NPPF.
4. To ensure that the development wold respect the character of the area and to assimilate within the green environment and to comply with guidance within the NPPF.

Informatives

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil