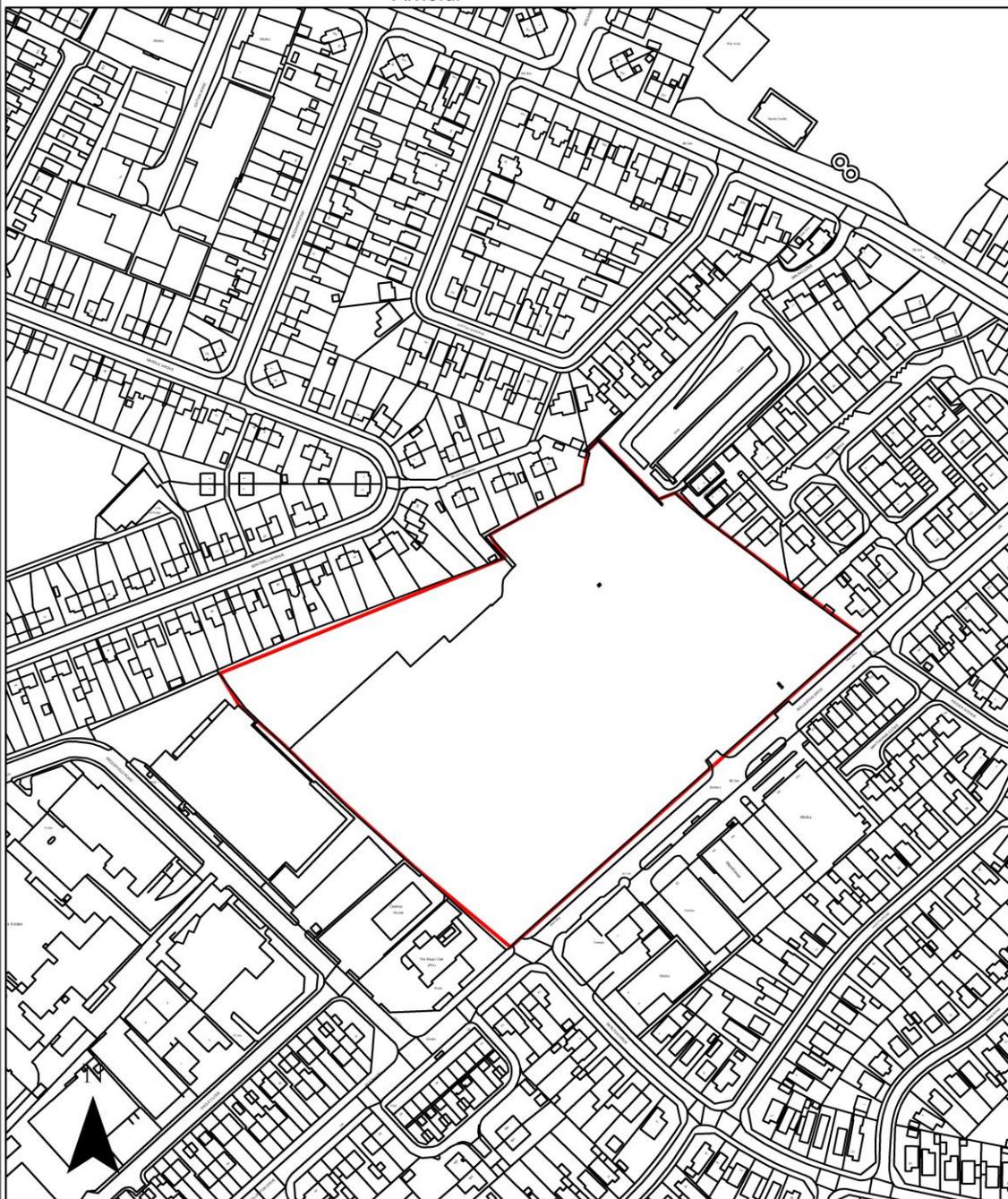




Planning Report for 2020/1054

1:2,500

Planning Reference: 2020/1054
Land at Rolleston Drive
Arnold



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

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| Application Number: | 2020/1054 |
| Location: | Land At Rolleston Drive Arnold |
| Proposal: | Proposed residential development and associated development including means of access and parking, drainage attenuation, landscaping and amenity space. |
| Applicant: | Ilke Homes Limited. |
| Agent: | Planning and Design Group (UK) Limited |
| Case Officer: | Bev Pearson |

The application is referred to Planning Committee to accord with the Constitution as more than 9 dwellings are proposed.

1.0 Site Description

- 1.1 The application site comprises 3.63 hectares of brownfield land formerly the Nottinghamshire County Council Depot including vehicle workshops, offices, storage and a training centre which has been cleared of all buildings and is currently vacant. It is located to the south east of Arnold Town Centre and is accessed from Rolleston Drive. The land slopes down from Rolleston Drive towards the northern boundary
- 1.2 A number of trees remain on the site, some of which to the south western corner are protected by TPO 000111 Rolleston Drive.
- 1.3 To the south east of the site on the opposite side of Rolleston Drive are a number of commercial properties. To the south west it is adjoined by a public house and further commercial units whilst to the north east and north west there are two storey residential properties on Bentwell Avenue, Brook Gardens and Brook Avenue. A stream runs along the north western boundary.
- 1.4 The site is currently bounded by palisade fencing.
- 1.5 The application site is allocated as housing site H1 Rolleston Drive for the delivery of circa 140 homes in Local Planning Document (Part 2 Local Plan) Policy 64 (Housing Allocations – Urban Area edge of Hucknall) and Gedling Borough Council has also produced a Rolleston Drive Development Guidance (August 2019) to guide the overall development.

2.0 Relevant Planning History

- 2.1 There have been a number of applications received and approved for development on the site in relation to the Nottinghamshire County Council depot/workshops/offices. The site is now cleared and there is no relevant planning history

3.0 Proposed Development

- 3.1 Planning permission is sought for the erection of 131 affordable two and three storey dwellings of modular construction comprising 45no. two bedroom, 73no. three bedroom and 13no. four bedroom properties of the following house types:-

Cardinham – a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Holt T1, T2 – a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Holt T3 - a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 7m;

Dalby T1 and T2 – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Dalby T3 – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Weston – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Rockingham – a four bedroom three storey dwelling with maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 8.5mm and a ridge height of 11m;

- 3.2 The two bedroom properties would be provided with 2 no. off street parking spaces, the three bedroom properties would be provided with 2 no. off street parking spaces and the four bedroom properties would be provided with 3 no. off street parking spaces. 43 visitor spaces would also be provided.

- 3.3 The dwellings are modular in construction and are constructed off site.

- 3.4 The application is accompanied by the following documents:-
Flood Risk Assessment; Noise Impact Assessment; Planning Statement, Design and Access Statement; Sustainability Statement; Air Quality Assessment; revised Arboricultural Assessment and Tree Schedule; revised Construction Emissions Management Plan; revised Part 1 and 2 Geo

Environmental Assessment; revised Travel Plan and revised Travel Assessment.

4.0 Consultations

- 4.1 Neighbouring properties were consulted and a series of site notices was placed around the site on 11th November 2020. Following this consultation 3 representations were received summarised as follows:-
- Surface water runoff and exacerbation of existing flooding and drainage issues;
 - Loss of trees and impact on health
 - It is requested that existing metal fencing is continued along the shared boundary with properties on Bentwell Avenue prior to works commencing to safeguard security.
- 4.2 Following re-consultation with neighbouring properties in February 2021 a further representation was received which reiterated previous concerns with regards to flooding.
- 4.3 Nottinghamshire County Council Highways Authority – note that the streetscene is dominated by parking but is in accordance with the parking supplementary planning document (SPD). Following detailed discussions with the agent particularly regarding the layout of the development in terms of road and footway widths, speed reduction measures, surfacing, parking and visibility splays and the submission of a revised site layout plan layout plan (rev PL03 Rev G) and revised junction visibility splay plan (drg no. 003 P02) the Highway Authority raise no objections subject to conditions in relation to the surfacing of the driveways and the discharge of surface water run-off, the closing off of redundant vehicular access points and the implementation of the TRO to extend the double yellow lines at the access prior to occupation of any dwelling. A contribution of £5,000 is also requested to be secured by the S106 towards requests to remove indiscriminate parking within 3 years of the site being occupied. The Travel Plan and details provided by the submitted CEMP are acceptable.
- 4.4 Nottinghamshire County Council Transport and Travel – Planning Obligations are requested in respect of bus stop improvements at GE0383, GE0384 and GE0393 and GE0394. A contribution of £25,000 is requested to deliver these improvements. Sustainable travel measures as set out in the Travel Plan deposited with the application should be secured by condition.
- 4.5 Nottinghamshire County Council Lead Local Flood Authority – raise no objections subject to a condition requiring the submission and approval of a detailed surface water drainage scheme based on the principles within the Flood Risk Assessment prior to the commencement of any development.
- 4.6 Severn Trent – no comments received
- 4.7 Gedling Borough Council Housing Strategy and Development Officer – support the proposal as it would contribute significantly to meeting housing need in the Borough and is close to the Town Centre. The development meets the National

Technical Housing Space Standards. The proposed layout and types of properties are acceptable.

- 4.8 Gedling Borough Council Scientific Officer (Contamination) – confirms that the Construction Emissions Management is acceptable. Additional information has been submitted in respect of contamination. As the submitted contamination report concludes that more site investigation is required and a Remediation Strategy is needed a condition should be attached relating to the submission of a remediation method statement which should include verification of any remediation.
- 4.9 Gedling Borough Council Scientific Officer (Air Quality) – confirms that content and conclusions of the submitted Air Quality Assessment are satisfactory. It is requested that a final package of mitigation measures including the control of dust emissions during construction, the provision of EV charging be secured by condition.
- 4.10 Environment Agency – note that the revised Geo-environmental Assessment recommends that additional targeted site investigation is carried out, followed by the production of a site-specific remediation strategy. It is considered that this could be secured by condition requiring the submission of and approval of a remediation strategy prior to each phase of the development being commenced together with the submission of verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation.
- 4.11 Gedling Borough Council Environmental Health (Noise) – it is recommended that the glazing and ventilation strategy outlined in the noise report submitted as part of the application is secured by condition in order to minimise the noise impact on residents.
- 4.12 Gedling Borough Council Waste Management – No objections.
- 4.13 Arboricultural Consultant – Following the submission of a revised Tree Schedule and Arboriculture Assessment it is considered that the principle of the planting proposals to offset the loss of protected trees is acceptable. Concern is raised with the proximity of some tree planting close to the adopted highway and the potential future impact this would have in terms of root damage. Concern is also raised with regards to the proposed species of these trees and long term viability. A condition is therefore recommended requiring the submission of a full and precise planting specification to ensure satisfactory planting methodology and appropriate species.
- 4.14 Nottinghamshire County Council (Education) – the development would yield an additional 28 primary and 21 secondary aged pupils. In terms of primary aged pupils the development would not lead to a deficit in provision and therefore no contribution is required. With regards to secondary aged pupils there is projected to be insufficient places and therefore a contribution of £501,375 (21places x £23,875) to provide secondary provision within the Arnold planning area.

- 4.15 Gedling Borough Council Parks and Street Care – It is noted that a significant part of the open space would comprise SUDS balancing ponds/drainage elements – there is no details of any play element. It is therefore assumed that this would be an offsite contribution. Subsequent comments note that over provision of amenity open space is proposed and is therefore policy compliant with an off-site contribution in lieu of any on-site equipped play space. The offsite playground/play space contribution would equate to £133,431.36 for provision together with a 10 Year maintenance sum of £60,679.20 to enhance and maintain local facilities at Killisick Recreation Ground, Church Lane Recreation Ground, Arno Vale Recreation Ground and Thackery's Lane Recreation Ground.
- 4.16 NHS Nottingham and Nottinghamshire CCG – based on the number of dwellings proposed a contribution of £70,985.62 is sought to enhance the capacity/infrastructure at local practice as namely Highcroft Surgery, Stenhouse Medical Centre and Daybrook Medical Centre.
- 4.17 Economic Development – recommend that a condition be added in respect of a Local Labour Agreement

5.0 Assessment of Planning Consideration

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 national and local policies are relevant to the application.
- 6.2 National Planning Policy Framework (NPPF) (July 2019) At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Sections 5 (Delivering a wide choice of high quality homes), 6 (building a strong and competitive economy), 9, (promoting sustainable transport) 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (conserving and enhancing the natural environment) are particularly relevant to the consideration of this application
- 6.3 The Gedling Borough Council Aligned Core Strategy (ACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- Policy A: Presumption in Favour of Sustainable Development – provides that a positive approach will be taken when considering development proposals
 - Policy 1 Climate Change – states that all development proposals will be expected to mitigate against and adapt to climate change to contribute comply with national and local target on reduced carbon emissions and energy use

unless it can be demonstrated that compliance with the policy is not viable or feasible.

- 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 16 – Green Infrastructure, Parks and Open Space sets out the strategic approach to the delivery, protection and enhancement of Green Infrastructure
- Policy 18: Infrastructure – sets out that new development must be supported by required infrastructure at the appropriate stage and that contributions will be sought which give rise to the need for new infrastructure.
- Policy 19: Developer Contributions – set out the criteria for requiring planning obligations.

6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- LPD 3: Managing Flood Risk – identifies the thresholds whereby particular developments may be considered acceptable in a particular flood zone and mitigation that may be required in terms of a site specific flood information e.g. a flood risk assessment
- LPD 4: Surface Water Management - sets out the approach to surface water management.
- LPD 5: Managing water quality – identifies that planning permission will be granted for development that does not have an adverse effect on water quality through pollution of surface water.
- LPD 6: Aquifer protection – identifies that development will be granted for proposals that do not cause contamination of ground water aquifers.
- 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 21: Provision of New Open Space – sets out that new developments on sites of 0.4 ha and above should provide a minimum of 10% open space. This could be provided on site, a financial contribution on or off site or a financial contribution to enhance facilities nearby.
- 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 – requires that as the proposal is above the threshold of 15 dwellings contributions towards affordable housing would be required. The requirement is 20%. (See also Affordable Housing SPD).
- 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 threshold where a local labour agreement is 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 62: Comprehensive Development – sets out the provisions for the delivery of a comprehensive development and the [provision of supporting infrastructure in a timely manner.
- LPD 64: Housing Allocations – Urban Area and edge of Hucknall – sets out sites allocated for housing development. Of relevance is site H1- Rolleston Drive which expects the delivery of circa 140 homes (including circa 18 affordable units)

6.5 Supplementary Planning Documents and Guidance

- Gedling Borough Council's Supplementary Planning Document 'Parking Provision for Residential Development' 2012 sets the local parking standards for the Borough.
- Gedling Borough Councils Supplementary Planning Document 'Affordable Housing' (2009)

- Open Space Provision for New Housing Development Supplementary Planning Guidance (2001)
- Rolleston Drive Development Guidance (August 2019)
- Development brief for the three sites to the north east of Arnold (January 2019)

7.0 Planning Considerations

The main issues for consideration in relation to the proposal are the principle of the development, the impact upon the character of the area, housing mix and density, amenity, landscaping, flooding, contamination, affordable housing provision and viability.

The Principle of development

- 7.1 It is considered that the principle of residential development has been established on this site in its allocation for up to 140 dwellings (H1- Rolleston Drive) in Policy 64 of the LPD. The application site falls within the urban area of Arnold with good access to services and facilities and the public transport network.
- 7.2 The principle of residential development would therefore be entirely in accordance with the development plan and the objectives of the NPPF and is acceptable subject to the following material planning considerations:-

The impact on the character and appearance of the area

- 7.3 The character of the surrounding area is mixed, comprising commercial units, residential properties and a public house adjacent to the site of varying scales, designs and appearances.
- 7.4 The proposed development comprises a small number of detached properties with predominantly semi-detached and terraced dwellings within the site. These are largely two storey in height although there are some three storey dwellings scattered within the site along the western boundary and along a central cul de sac.
- 7.5 The dwellings are outward facing to create an active frontage with prominent corner plots having double fronted units to ensure that blank gables are not on prominent corners or frontages wherever possible and which provide a visual focal point.
- 7.6 A total of 5 different house types are proposed (3 of which have 3 variations in terms of materials and ridge heights) comprising 45 two bedroom, 73 three bedroom and 13 four bedroom properties.
- 7.7 An External Materials schedule has been provided with the application which identifies a mix of render and/or red brick with red and grey interlocking roof tiles and metrolite slate roofing materials. These are considered to be

acceptable given the diversity of external materials in the surrounding area. However should permission be granted, it is considered reasonable to secure samples of these materials by condition for final approval. It is considered that the mix of materials and ridge heights of the buildings would add some visual diversity to the site and the wider area. Furthermore the proposal would bring back into a viable use a currently unattractive cleared brown field site which has been vacant for some time to the benefit of the visual amenity of the immediate streetscene and the wider area.

- 7.8 The primary access to the development would be from Rolleston Drive which leads to internal roads and private shared drives which connect back to this main access road. Each dwelling would be served by either 2 or 3 parking spaces with 43 no. visitor spaces being provided. It is noted that this results in a very parking dominated streetscene. However a landscaped area is proposed to the frontage of the site and areas of landscaping are proposed within some of the plots to soften this impact. There is also a large area of open space provided to the rear of the site
- 7.9 The dwellings would predominately overlook parking areas either from their frontage or rear elevations. Dwellings to the rear of the site would front and provide surveillance of the public open space area.
- 7.10 The main area of Public Open Space comprises 4,457 sq.m of land to the north west of the site. There is also 325 sq.m provided to the front south western corner of the site.
- 7.11 The proposal is therefore considered to comply with Section 12 of the NPPF, Policy 10 of the ACS and Policy 35 of the LPD.

Housing Mix and Density

- 7.12 There is an acceptable mix of two, three and four bedroom properties which would be appropriate given the nature and context of the development.
- 7.13 The density of the development would equate to 36 dwellings per hectare. This would slightly exceed the requirement of Policy LPD 33 but would sit within the threshold of up to 50 dwellings per hectare outlined in the Rolleston Drive Guidance Document.
- 7.14 Taking this into account it is considered the proposal therefore accords with Policy 10 of the ACS, Policies 33, 35, 37 and 64 of the LPD and guidance within the NPPF.

Amenity and Noise

- 7.15 Given separation distances between facing elevations and relationships between the proposed dwellings and nearest adjoining residential properties it is not considered that the proposal would result in any significant overlooking, overshadowing or overbearing impact. The internal layout of properties has been designed so as to ensure that the separation distances between properties is adequate and overlooking is kept to a minimum.

- 7.15 Most dwellings have garden depths of circa 10m although some properties have reduced depths to a minimum of 6 or 7m. However this is not considered to be so minimal to result in a significant detrimental impact on the amenities of the occupiers of these properties particularly as there is accessible public open space within the site.
- 7.16 A Noise Impact Assessment has been deposited with the application. It is noted that the highest noise levels are along Rolleston Drove (16LAeq16hr daytime and 52 LAeq16hr nighttime) which fall into the medium risk category. The Impact Assessment recommends sound insulation be incorporated within the building fabric and glazing which would mitigate such noise. The Impact Assessment has been reviewed by Environmental Health officers and is found to be satisfactory. Noise mitigation measures outlined in the Noise Impact Assessment should be secured by condition.
- 7.17 Taking the above into account it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with policy 32, of the LPD.

The highway implications of the development including car parking

- 7.18 As noted above the vehicular access to the site would be from Rolleston Drive. Following the submission of the latest revised site layout plan (PL03 Rev G) and discussions with the Highway Authority, the Highway Authority are satisfied that previously raised issues noted in the consultations section of this report have now been resolved. No objections are now raised by the Highway authority subject to the requested conditions and informatives which are considered reasonable.
- 7.19 The latest Visibility Splay (drg. 003 P02) plans show a visibility splay of 2.4m x 47m and an increase in the length of the double yellow lines at the existing access junction on Rolleston Drive in line with Highway Authority advice to ensure that on street parking is moved further away from the access point and adequate splays can be achieved to the betterment to the existing access. The increase in the double yellow lines would require a Traffic Regulation Order to be approved by the Nottinghamshire County Council which would need to be implemented prior to the occupation of any dwelling constructed on site.
- 7.20 Each of the proposed dwellings are served by at least 2 no. parking spaces totalling 243 spaces and there are 43 visitor spaces provided. This accords with the Borough Council's Parking Provision for Residential Development SPD and LPD57.
- 7.21 A revised Travel Plan has been deposited in support of the application. This document proposes a series of measures and initiatives which seek to improve and encourage sustainable travel at the site and has been reviewed by the County Council and found to be acceptable. These measures include such matters as the appointment of a travel plan coordinator, production of welcome packs for occupiers of the new homes and undertaking initial travel surveys at first occupation and can be secured by condition.

- 7.22 It is noted that the site is in a sustainable location served by a regular bus route and close to local shops and open space. Given the above it is considered that the proposal would raise no highway safety or parking issues in this particular instance.
- 7.23 As such the proposal is therefore considered accords with Highways Standing Advice, Section 9 of the NPPF and Policies LPD 4, LPD 57 and LPD 61 of the LPD .

Landscaping and Impact on trees

- 7.24 It is noted that the level of off street parking provision results in a very parking dominated streetscene. However there is a large area of landscaped public open space to the north western boundary of the site, a further area of open space to the south-western corner and areas of landscaping situated throughout the site. Furthermore plots will benefit from some frontage grass. Such impact has to be placed in the planning balance and it is considered that it would not result in such a detrimental effect on the visual amenity of the site or the enjoyment of future occupiers of their properties to be fatal to the application and would not outweigh the public benefit in terms of the provision of a significant proportion of affordable housing within the Borough. Indicative details of landscaping to the open space and to individual plots have been submitted with the application but further details are required and this matter may be controlled by way of a planning condition.
- 7.25 With regards to trees, 8 no. existing trees in the south western corner of the site are protected by TPO 000111. 6no. of these are proposed to be removed. Replacement trees are proposed to this area which can be secured by condition to mitigate the loss. A condition can be attached which would ensure that the planting specification is acceptable and appropriate species and maturity would be provided. Of the other trees across the whole site circa 18 are proposed to be removed, mainly category U (Trees which are unsuitable for retention given their condition and lifespan) and C (low quality trees with limited lifespan) and 6 retained. A revised Arborecultural Assessment and Tree Schedule has been submitted following initial comments received from the Council's Arborecultural consultant. This provides a number of recommendations with regards to construction methods in relation to works close to trees and protection measures for trees to be retained on site together with mitigation planting. The replacement planting to mitigate the loss of trees would contribute to the visual amenity of the streetscene within the development and along Rolleston Drive and the wider setting. In order to ensure that appropriate replacement tree planting is provided, particularly in areas close to the public highway, it is considered reasonable to attach a condition requiring precise planting details as requested by the Arborecultural consultant. The comments received regarding loss of trees and impact on health are noted. The proposed replacement planting together with the proposed landscaping is considered to mitigate of this loss.
- 7.26 It is therefore considered that on balance the proposal accords with Sections 9 and 12 of the NPPF Policies 10 and 16 of the ACS and Policy 18 of the LPD.

Flooding and Drainage

- 7.27 A Drainage Strategy has been deposited with the application.
- 7.28 Comments received from local residents with regards to surface water runoff and flooding are noted.
- 7.29 The site falls within Flood Zone 1 so is not at risk of flooding. A Preliminary Drainage and Levels Strategy has been deposited with the application which identifies a surface water attenuation basin within the public open space and a control manhole within the public open space to provide betterment from existing brownfield run off together with French drains along the boundary with the rear gardens of properties on Bentwell Avenue.
- 7.30 The Lead Local Flood Authority has raised no objections to the proposals submitted subject to the requested conditions in relation to the submission of a detailed surface water drainage scheme based on the principles within the submitted Flood Risk Assessment in terms of limiting discharge rates, provision of water attenuation storage, provision of detailed design in support of any surface water drainage scheme including attenuation systems and outfall arrangements and for all exceedance to be contained within the site.
- 7.31 Notwithstanding the concerns raised by the public representations, having regard to the above it is considered that the site is at low risk of flooding and accords with the drainage strategy and incorporates measures which should ensure that the site and adjacent land will not be at risk of flooding. The application is, therefore, deemed to comply policies LPD3, LPD4, LPD5 and LPD6.

Contamination and Air Quality

- 7.32 Given the history of the site and its previous uses a Geoenvironmental Assessment has been submitted with the application. This concludes that additional site investigations are required particularly with regards to controlled waters together with a remediation strategy. Both the Environment Agency and the Councils Scientific officer have requested that this be secured by condition.
- 7.33 With regard to Air Quality the submitted Construction Emission Management plan is considered acceptable in principle and can be secured by condition. A condition is required in respect of achieving Electric Vehicle Charging points on site. This would increase the sustainability of the site and have benefits in terms of climate change and air pollution and is deemed to comply with policy LPD11, ACS 1 and the Air quality and Emissions mitigation guidance.

Affordable Housing

- 7.34 Policy LPD36 identifies that there is a shortage of affordable housing within the Borough and the thresholds whereby affordable housing can be secured on open market developments, which is 20% in Arnold. This proposal is for 131 (100%) affordable dwellings which significantly exceeds the aforementioned policy requirement set out in Policy LPD 36 and the 18 affordable units noted in the site allocation policy LPD64.

- 7.35 The tenure mix would comprise 46 no. shared ownership and 85no. affordable rented properties to be provided by a registered provider of affordable homes. This broadly meets the 70/30 housing tenure mix noted in the Affordable Housing SPD, but as detailed above, exceeds the policy requirement. The development meets the National Technical Housing Space Standards.
- 7.36 The Council's Strategic Housing team have reviewed and support the proposal as it would contribute significantly to meeting housing need in the Borough and is close to the Town Centre. The proposal is therefore considered to accord with Policies LPD36 and LPD64 of the LPD.

Viability of Development and Developer Contributions

7.37 The relevant planning policies which need to be considered in relation to planning obligations are set out in paragraphs 54 and 56 of the NPPF, and Policies 18 and 19 of the ACS.

7.38 The planning obligations required for policy compliance with the Development Plan are set out below:

- **Education - £501,375 (21 places x £23,875) to provide secondary provision within the Arnold planning area.**

In terms of primary education, the adopted Development brief for three sites to the north east of Arnold SPD identifies a need for a new One Form of Entry School at the North East of Arnold to meet the potential pupil demand that is forecast to arise from the development sites across the wider Arnold education planning area which includes this application site. However, in relation to the proposed development, the County Council has confirmed that the development would not lead to a deficit in provision and therefore no contribution is required.

- **Public Open Space to meet** with the requirements of the adopted Open Space Supplementary Planning Guidance and Policy LPD 21 of the Local Planning Document, as the site exceeds 0.4 hectare in area. The development would be expected to deliver a minimum of 10% open space which would equate to 3,663sq.m. It would actually deliver 4,457 sq.m which would exceed this policy requirement. A management company is proposed for the maintenance of the on-site open space which will be secured through the S106. The Open Space Supplementary Planning Guidance sets out that Local Areas of Play (LAP) should also be provided on developments of 10 dwellings or more. In this instance there would be no on site LAP Provision. The Parks and Street Care Team have therefore confirmed that an off-site contribution would be required towards the enhancement and maintenance of existing local facilities at Killisick Recreation Ground, Church Lane Recreation Ground, Arno Vale Recreation Ground and Thackery's Lane Recreation Ground. This would be:-

- Play area £133,431.36
- 10 year ongoing maintenance £60,679.20

- **Health - £70, 985.62** to enhance the capacity/infrastructure at local practice as namely Highcroft Surgery, Stenhouse Medical Centre and Daybrook Medical Centre

- **Transport - £25,000 towards** bus stop improvements at GE0383, GE0384 and GE0393 and GE0394. These bus stops are located in close proximity to the development and would reasonably be used by the occupants of the proposed dwellings.
- **Local Labour Agreement** - LPD Policy 48 requires the Local Planning Authority to seek to negotiate a local labour agreement as the proposal comprises more than 10 dwellings.
- These obligations would need to be secured by way of planning obligations to the Borough and County Councils, either by way of a section 106 agreement to unilateral undertaking. It is considered that all of the above obligations meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010 (as amended). The Highways Authority has sought £5,000 to be expended on dealing with indiscriminate parking within 3 years of the site being occupied and £7500 for Travel Plan monitoring. This request is not however considered to comply with the above regulations in terms of it being fairly and reasonably related in scale and kind to the development and is not, therefore, sought.

7.39 Paragraph 57 of the NPPF explains that: 'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.' In line with the requirements of the Viability Guidance Note of the NPPG and paragraph 57 of the revised NPPF the weight to be given to a viability assessment is a matter for the decision maker.

7.40 The applicant initially sought to challenge the level of developer contributions by way of the provision of 100% affordable housing on the basis that the level of other policy compliant contributions would render the development economically unviable and 2 scenarios have been put forward

- Scenario 1 – Policy compliant 30% affordable units with all other developer contributions of assuming a 20% developer profit which produces a negative land value of £830,688 which is considered unviable when compared to benchmark land value of £1,281,000.
- Scenario 2 – 100% affordable housing scheme with no policy compliant S.106 contributions. Assuming a developer's profit of 12.5% on cost, this produces a positive residual land value of £1,137,753 and is therefore considered viable, when compared to a benchmark land value of £1,281,000.

An independent viability assessment has been commissioned to determine whether the policy based contributions are viable and, if not, the level of contributions that can be delivered whilst maintaining economic viability. The independent assessor has assessed the two scenarios as outlined below and has concluded:

- Scenario 1: 30% affordable housing plus S106 contributions totalling £632,360. This shows a residual land value of £1,719,843. As this is above the benchmark land value of £1.28million this scenario is considered to be viable with the full planning policies applied
- Scenario 2: based on a 100% affordable housing scenario plus S106 contributions totalling £632,360. This shows a residual land value of £3,162,693. As this is significantly above the benchmark land value of £1.28million this scenario is considered to be viable with the full planning policies applied.

The independent assessment concludes the scheme is viable for in terms of the delivery of all planning obligations and financial contributions for both scenarios. The applicant has confirmed in writing that all of the above policy compliant obligations will be made and is therefore no longer seeking to reduce the level of contributions.

It is noted that the latest Open Space contribution figure is greater than originally assessed in the viability assessments. Although this would result in a combined contribution figure of £791,471.18 which would reduce the level of viability the applicant has confirmed that the full policy compliant contributions will be made.

Other Matters

- 7.41 Ecology – An ecological appraisal has been submitted with the application which concludes that that the cleared site is of low ecological value, two trees to be felled would have a low potential to support roosting bats and therefore should be soft felled and trees and scrub on site provide nesting opportunities for birds and therefore removal should be undertaken outside of bird breeding season. No other protected or notable species were found. The recommendations of the ecology survey together with ecological enhancements in terms of bat and bird nesting boxes will be secured by condition.
- 7.42 Waste – the application has been accompanied by a swept path analysis plan for refuse vehicles which has been confirmed as acceptable by the Highway Authority and the Councils Waste Services officer.
- 7.43 CIL - The site is located in a zero rated CIL residential charge zone and therefore no CIL is payable on this development.
- 7.44 Boundary Treatments - It is noted that plot boundary treatments have been provided. However a local resident has expressed concern with regards to the lack of detail in relation to proposed boundary treatments to the actual site boundaries and requests a metal fence be erected . Such details will be secured by condition to ensure that appropriate boundary treatments are secured

8.0 Conclusion

- 8.1 The proposal would make a significant contribution towards affordable housing need in the Borough. The development is on balance visually acceptable, results in no undue impact on the neighbouring properties or the area in general. There are no highway safety or parking issues arising as part of the proposal. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with Sections 5, 6, 9, 11, 12, 14 and 15 of the NPPF , Policies A, 1, 2, 8, 10, 16, 18 and 19 of the ACS and Policies 3, 4, 5, 6, 7, 11, 18, 21, 32, 33, 35, 36, 37, 48, 57, 61, 62 and 64 the Local Planning Document Part 2 Local Plan.

9.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the owner entering into a Section 106 planning obligations with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards education, public open space and its future maintenance, health, bus stop infrastructure, and a Local Labour Agreement and subject to the following conditions:

Conditions

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 2 This permission shall be read in accordance with the following plans:-deposited on the 20th October 2020:-
 - Housing Schedule;
 - Topographical Survey 1 of 3;
 - Topographical Survey 2 of 3;
 - Topographical Survey 3 of 3;
 - Tree Survey Plan drg. no. 9476-T-01;
 - Preliminary Drainage and Levels plan drg. no. PJS-15-001 Rev C;
 - Swept Path Analysis Fire Engines drg. no. PJS20-15-005;
 - Existing Plan drg. no PL02;
 - Proposed Boundaries Plan drg. no. PL04;
 - Proposed Master Plan drg. no. PL05;
 - Proposed Heights Plan drg. no. PL06;
 - Proposed Parking Plan drg. no PL07;
 - Proposed Site Sections drg. no PL11;Proposed Street Elevations drg. no PL12;
 - Cardinham Plans and Elevations drg. no. PL20;
 - Dalby T1 Plans and Elevations drg. no. PL21;
 - Dalby T2 Plans and Elevations drg. no. PL22;
 - Dalby T3 Plans and Elevations drg. no. PL23;
 - Holt T1 Plans and Elevations drg. no PL24;
 - Holt T2 Plans and Elevations drg. no PL25;
 - Holt T3 Plans and Elevations drg. no PL26;
 - Rockingham Plans and Elevations drg. no. PL27;
 - Weston Plans and Elevations drg. no. PL28;
 - Temporary Access Road drg. no. SCH500 deposited on the 18th February 2021;

Swept Path Analysis plots 67-69 drg no. PJS20-15-007 deposited on the 8th March 2021;

On Plot Landscape Proposals drg no L-02 Rev C;

Public Open Space Landscape Proposals drg. no. L-01 Rev F deposited on the 20th April 2021;

Revised site layout plan drg. no PL03 Rev G deposited on the 15th April 2021;

Revised Junction Visibility Splays drg. no. 0003 rev P02 deposited on the 15th April 2021;

Revised Refuse Vehicle Swept Path Analysis drg. no. 0001 rev P03 deposited on the 20th April 2021;

Standard Car Swept Path Analysis drg. no 0003 rev PO1 deposited on the 20th April 2021;

Standard Car Swept Path Analysis drg. no 0004 rev PO1 deposited on the 20th April 2021; and

the following supporting documents:-

Deposited 20th October 2020:Flood Risk Assessment produced by PJS Consulting Engineers;Noise Impact Assessment produced by Hodkinson dated September 2020; Supporting Planning Document ;Sustainability Statement produced by Ilke Homes; and Air Quality Statement Rev A produced by Ilke Homes deposited on the 5th November 2020; and Revised application form and deposited on the 5th January 2021; and Revised Tree Schedule deposited on the 18th February 2021; and Revised Construction Environmental Management Plan produced by Hodkinson deposited on the 26th February 2021; Revised Geoenvironmental Assessment Parts 1 and 2 produced by Geotechnical engineers deposited on the 26th February 2021 PJS; and Revised Arboricultural Assessment produced by fpcr dated March 2021 deposited on the 26th March 2021; and Revised Travel Plan dated 20th April 2021 and Transport Assessment dated 20th April 2021 produced by Hexa Consulting deposited on the 20th April 2021; and Updated Design and Access Statement deposited 23rd April 2021; and Tenure Split details deposited on the 24th April 2021. The development hereby permitted shall be undertaken in accordance with the submitted documents

- 3 Prior to above ground works commencing, samples of the materials to be used in the external elevation treatment of the building shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be used in the construction of the dwellings.
- 4 No above ground construction works shall commence until a full planting specification has been submitted to and approved in writing by the Local Planning Authority in relation to proposed tree planting for both the open space and individual plots which immediately abut the public highway footway. This shall include the following details
 - o species
 - o size of stock
 - o whether root balled or bare root
 - o the size and depth of planting pit
 - o type of irrigation system to be used
 - o type of support system to be used
 - o type, size and nature of root barrier/deflector to be used
 - o type and nature of surface mulch covering planting area
 - o type of stem guard to be used to avoid casual damage by grass cutting

- o watering regime
- o replacement planting clause to ensure trees survive the first 5 years after planting
- o initial time of planting i.e. between September and December
- o timing of support removal i.e. after first 3 years.

The development thereafter shall be carried out in accordance with the approved details. If within a period of five years beginning with the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub 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 or shrub of the same species and size as that originally planted shall be planted at the same place.

- 5 Prior to above ground works commencing details of proposed boundary treatments to the boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be implemented prior to the first occupation of dwelling(s) hereby approved and shall be retained for the lifetime of the development..
- 6 The boundary treatments to each plot shall be undertaken in accordance with the details shown on the Proposed Boundaries Plan (drg. PLo4) deposited on the 20th October 2020 hereby approved. The boundary treatments shall be erected in accordance with the approved details prior to the first occupation of the plot to which the boundary treatment relates and shall be retained for the lifetime of the application.
- 7 Prior to above ground works commencing details of the proposed hard surfacing of the access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 8 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 9 Occupation of the proposed dwellings shall not take place until the redundant vehicular access points as shown for indicative purposes on drawing 0001 revision P03 have been permanently closed and reinstated to footway (with the exception of the temporary access expressed as “redundant access to be reinstated to footway following construction” which will be in use up to the occupation of the final dwelling.)
- 10 No dwelling hereby approved shall be occupied until an application for a Traffic Regulation Order has been implemented to remove on-street parking as shown for indicative purposes on drawing 0003 revision P02.

- 11 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
- o Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area or as close to greenfield rates as practicable.
 - o Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
 - o Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the 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 and 1 in 100 year plus climate change return periods.
 - o For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
 - o Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
 - o Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term
- 12 The measures proposed in the Travel Plan produced by Hexa Consulting and deposited on the 20th April 2021 hereby approved shall be fully implemented in accordance with the approved details.
- 13 All works on site shall be undertaken in accordance with the approved Construction Environmental Management Plan produced by Hodkinson deposited on the 26th February 2021 unless otherwise agreed in writing by the Local Planning Authority.
- 14 The development shall be carried out in complete accordance with the mitigation measures contained within Section 7.4 of the Air Quality Assessment produced by econ associates deposited on the 5th November 2020.
- 15 Trees to be retained on site shall be protected in complete accordance with details contained within Section 7 (Tree Protection Measures) and Tree Retention Plan drg. no. 9476-T-02 C contained within the Arboricultural Assessment dated March 2021 and deposited on the 26th March 2021.
- 16 The development shall be undertaken in complete accordance with the recommendations and mitigation measures at stated at section 4 of the Ecology Appraisal produced by fpr dated 26th June 2020 deposited on the 20th October 2020.
- 17 In accordance with the Recommendations and Conclusions of the Geoenvironmental Assessment Parts 1 and 2 produced by PJS Geotechnical

Engineers Rev A deposited on the 26th February 20201 prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority: 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.

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.

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.

- 18 No development in respect of the erection of dwellings shall take place above damp proof course until details of Electric Vehicle charging points to be provided for each dwelling, to include their location and specification shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details. The charging points shall be provided prior to the occupation of the dwelling to which they serve.
- 19 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 20 The development shall be undertaken in complete accordance with the recommendations and mitigation measures as stated within the Noise Impact Assessment produced by Hodkinson dated September 2020.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory form of development and the interest of visual amenity.
- 4 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 5 To ensure a satisfactory form of development and the interest of visual amenity.
- 6 To ensure a satisfactory form of development and the interest of visual amenity.
- 7 To ensure a satisfactory form of development and the interest of visual amenity.
- 8 In the interest of highway safety.
- 9 In the interest of highway safety.
- 10 In the interest of highway safety.
- 11 To ensure that the development developments has sufficient surface water management, is not at increased risk of flooding and does not increase flood risk off-site.
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 13 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policyLPD11 of the Councils Local Plan.
- 14 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policyLPD11 of the Councils Local Plan
- 15 To ensure that retained trees are protected.
- 16 In the interests of biodiversity on the site.
- 17 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.

- 18 In the interest of sustainable travel.
- 19 In the interests of protecting ecological interests and amenity.
- 20 To ensure a satisfactory form of development.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

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 as the development type proposed is zero rated in this location.

Reference in any condition contained in this permission/refusal of permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.

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 for which there is a fee.a) 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. b) 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. Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]

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

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

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 proposed works referred to in condition 10 requires a Traffic Regulation Order which is governed by legislation separate to the planning process. The TRO can be made on behalf of the developer by Via East Midlands for which there is a fee. The developer should contact as a matter of priority the Improvements Team on 0300 500 8080 for details.