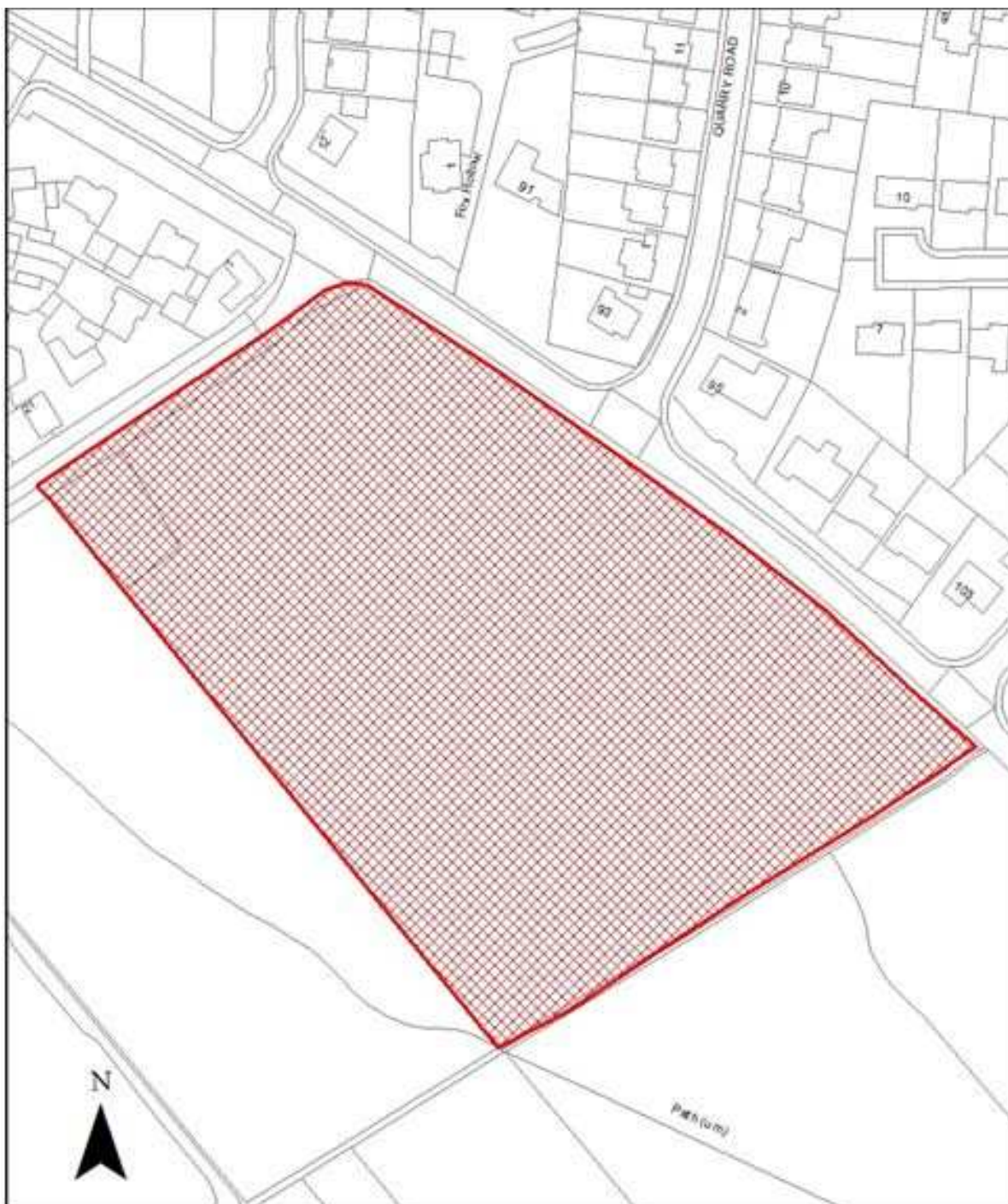


**Application Number:** 2013/0836  
**Location:** Land at Cornwater Fields, Longdale Lane, Ravenshead



**NOTE:**  
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## **Report to Planning Committee**

<b>Application Number:</b>	2013/0836
<b>Location:</b>	Land Cornwater Fields Longdale Lane Ravenshead Nottinghamshire
<b>Proposal:</b>	Residential development of up to 70 dwellings including access equipped play area and open space
<b>Applicant:</b>	Cutts & Lane
<b>Agent:</b>	Mr Ben Hunt

### **Site Description**

The application site comprises approximately 2.3 hectares of semi-improved grassland and scattered scrub, falling gently from south-west to north-east, where the site boundary adjoins Longdale Lane. The access road to the Ravenshead Leisure Centre runs along the north-west boundary of the site, beyond which lies the recent housing development on Swallow Crescent.

Directly to the south-west is a further area of semi-improved grassland and scrub, comprising approximately 1.36 hectares, which rises towards the Leisure Centre playing fields to the south-west.

To the south-east of the site is a mature woodland (Trumper's Wood), which is subject to a Tree Preservation Order, and heathland. Both the wood and heathland are designated as a Local Wildlife Site. The site frontage to Longdale Lane is marked by a planted woodland strip, predominantly consisting of Scot's Pine and Silver Birch.

There is existing residential development within the Ravenshead village envelope on the opposite side of Longdale Lane.

The application site is identified as 'Safeguarded Land' under Policy ENV31 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Proposed Development**

Outline planning permission is sought for residential development, with all matters apart from access reserved for subsequent approval.

The application is accompanied by an Illustrative Masterplan, which indicates the

application site as Phase 1 and the adjacent smaller parcel of land to the south-west as Phase 2, which would be accessed through Phase 1. The proposals are for up to 70 residential units accessed from Longdale Lane, and including a play area and open space (0.6 ha).

The originally submitted Illustrative Masterplan suggests that 40 units would be retirement homes and the remaining 30 houses with 2-5 bedrooms, or vice versa. On 20<sup>th</sup> December 2013 this was revised through the submission of a Framework Layout Plan for the development for 21 bungalows and 49 other dwellings. The agents have indicated that all of the bungalows would be for the retired.

Nine of the bungalows for the elderly would be made available at a social/affordable rent through a Housing Association. These would have at least 2 bedrooms and a garden and be built to Lifetime Homes Standards. The Council would retain nomination rights for the occupancy of these units.

The application is accompanied by

- Topographical Survey.
- Archaeological Report.
- Arboricultural Report.
- Ecological Report.
- Landscape Visual Impact Assessment. (LVIA)
- Flood Risk Assessment and Drainage Strategy.
- Transport Assessment.
- Statement of Community Involvement.
- Contamination Desktop Study.

#### Revised Plans & Additional Information

1. An amended Flood Risk Assessment was received October 2013 drawing 13884-C-SA-92-001 included as figure 7 of the FRA (ie the drainage strategy plan to meet the latest masterplan layout).
2. Amended plans were submitted on 7th February 2014 showing the provision of a pavement on the western side of Longdale Lane, extending the full width of the site's frontage.

#### Consultations

##### Ravenshead Parish Council (RPC)

Comments on the original plans are summarised as follows

Aware that the proposed site has been determined as White Land which was safeguarded from inappropriate development by the Gedling Replacement Local Plan 2005. However, the Applicant's Planning Supporting Statement – para 3.4 on page 6, correctly states that "The Plan proposed that the safeguarded land was to be treated as if it were Green Belt, unless a Local Development Document had been adopted putting it forward for development." RPC is not aware of any such Document existing. The Applicant's Planning Supporting Statement also confirms at para 4.17 page

11 that “The relevant policies for this site (ENV26, ENV28 and ENV29) are quite clear that permission would not be granted for comprehensive development of this site.”

The Greater Nottingham Aligned Core Strategy has been published for consultation, an inspector appointed and the consultation process has just started. The Applicant seems to be unaware that GBC has appointed URS Consultants to assist in identifying sites for development which are most likely to be acceptable to existing residents. So it would be inappropriate to determine this application at this time and that they should delay any deliberation in this regard until both the URS Consultants and the Aligned Core Strategy consultations have been concluded.

RPC are opposed to the suggested 330 House Proposal, but are realistic enough to accept that some extra housing will be required in this next round. We believe that our local facilities will reach breaking point if more than 100 extra houses are agreed (as well as the 116 units with pre-established planning permission). And, since 3 or 4 Ravenshead SHLAA sites have been identified as possible locations, it would be wrong to identify Cornwater as the chosen site at this early stage.

RPC does not want a repetition of the Taylor Wimpey development (i.e. flats)

This application delivers an overall plan for the Cornwater site although the applicants have control only of Phase 1, the REDLINE, and that no agreement has been reached with the Phase 2 land owners. So, if this Application is approved the Phase 2 land owners will have no road access to their site except that independently and previously determined by Phase 1 owners. The Planning Supporting Statement surprises us on page 1 by stating that “the Masterplan helps to demonstrate that the development of the application (Phase 1) area alone would not prejudice the future development of Phase 2.”?

During early discussions RPC expressed concern that the main internal road was not a complete circle, but one which necessarily required a turning circle for vehicles, which we felt was inadequate and unnecessary. The Masterplan has ignored our concern. The Application indicates that the road width will be 5.5 metres and pavements 2 metres, but the Masterplan does not make clear where the pavements will be laid or whether they will be on both sides of this main internal road.

Concerned that there seemed to be insufficient garage and parking space allocation. The Planning Support Statement says that “As the application is in outline form...the precise parking requirements cannot be determined.” (Page 21 – para 5.21). However, the Transport assessment on page 12 identifies GBC minimum parking requirements and recognises that under-provision can result in conversion of front gardens to parking areas. Unfortunately, the Masterplan shows very few front gardens, with buildings actually fronting onto the street; many but not all properties with single garages and second car parking actually in the space which should be the

front garden. RPC holds the view that the Developer must be more explicit about parking provision, even at this Outline Planning stage. It is also concerning to note that the Transport Assessment document on page 12 reiterates the statement that on-street parking can be accommodated as long as it does not have impact on traffic flow. We earnestly hope that this is not part of the plan.

The village needs accommodation for asset-rich down-sizing Ravenshead older people and this is actually highlighted in several areas of the Application. However, we see that the Masterplan has allocated about 10% of the site to contain 30/40 units of retirement living accommodation and 90% of the site to accommodate 30/40 houses. RPC takes the view that it is unacceptable that no detail has been provided on this important issue. Page 19 of the Planning Supporting Statement says that "...the precise nature of the residential units has not yet been confirmed". RPC is of the strong view that more information, precise or not, must be provided at this stage and not at the detailed submission stage, as suggested by the Applicant. (Officer Comment – Further to these comments a Framework Layout Plan has been submitted proposing 21 bungalows and 49 other dwellings.)

There seems to be confusion in the documentation concerning Open Space, Public Open Space and Private Open Space. The Planning Supporting Statement that whereas there is a planning requirement to provide Public Open Space across Phase 1 and 2 of the site of 0.36 Ha, the actual delivery of Open Space is proposed as 0.80 Ha. This is commendable; except that it is unclear how much of this Open Space is actually Public Open Space and how, and by whom this 0.80Ha of space will be maintained long term in an acceptable condition. Much of this open space seems to be in the back gardens of intended property owners. There are also tracts of open space not linked to back gardens, together with the line of trees being retained adjacent to the Longdale Lane boundary, with no indication of who will maintain these areas. The final question therefore is whether 10% of actual Public Open Space will be delivered by this Planning Application and is there adequate provision for its long-term maintenance.

The net density is 38.9 dwellings per hectare for Phase 1 and 27.3 per Phase 2, which is massively excessive in relation to our maximum expectation of not greater than 30 houses per hectare. This results in inadequate parking provision and the lack of front gardens.

We are unhappy with the prospect of housing, as depicted in the Masterplan, being sited immediately adjacent to street pavements – untypical of the Ravenshead scenario - except for the Taylor Wimpey Development on the other Cornwall site (which we abhor).

The normal police secured by design approach is to limit access with defensible boundaries which contains criminal activity and gives residents greater assurance in the protection of their private property. Concerns therefore are raised in respect of the path across the middle of the site, running from half-way up the Leisure Centre drive to the narrow walkway on

the north eastern boundary, adjacent to a private wood. Non-resident Dog walkers are unlikely to use such a facility.

RPC largely agrees in with the Affordable Housing statement and is pleased to hear that this identified mismatch will indeed be managed. However as this application is only in Outline form, it represents an important template which will constrain future Developers, whoever they turn out to be, and we trust that GBC Planners will take note of RPC concerns as expressed in this response.

Ravenshead already suffers flooding problems on Longdale Lane, largely due to run-off from adjacent areas during heavy downfalls. This development, if approved, is likely to increase this problem unless adequate systems of water containment are built into the site.

Concerned about the impact of the extra traffic movements the site will generate and the underlying road safety risks thereby generated. The easterly location for the site entrance is the worst choice, when a westerly entrance would give greater visibility to exiting drivers and hence improved road safety.

### NCC Archaeology

Summary of points raised;

No archaeological features have been recorded within the proposed development site

A scheme of investigation has been proposed in order to ascertain the presence or absence of buried remains along the north eastern boundary of the site as this road may well represent part of an ancient parish boundary and possibly part of the boundary of the Newstead Abbey Estate wastelands.

Recommend that if planning permission is to be granted this should be conditional upon the applicants submitting an archaeological scheme of treatment of the site and the subsequent implementation of that scheme to your satisfaction.

A 'strip, map and sample' exercise should be undertaken at this site whereby the topsoil is stripped under archaeological supervision and any archaeological features are identified, recorded and sampled accordingly.

### NCC Education

The primary and secondary schools that serve Ravenshead are at capacity and would be unable to accommodate any additional pupils without additional education provision.

Based on a development of 70 dwellings this would yield an additional 15 primary and 11 secondary aged places, generating an education contribution requirement of £171,825 and £189,860 respectively.

We note that the application refers to up to 30 of the dwellings suitable for retirement living but does not specify the type of accommodation. The formulae used by the

County Council to calculate the number of pupils is based on mixed housing developments, which includes dwellings not suitable for families

The County Council does not discount 2 bed accommodation as families live in this type of property. In fact the PSS refers to the 2 bed accommodation being suitable for smaller families.

It should also be noted that the Statement refers to 'a need in the village for accommodation suitable for people of retirement age, so that they can down-size from some of the larger properties elsewhere in Ravenshead'. The vacated properties may then attract more families into the village.

Based on the information available, a full education contribution would be required (stated above).

Officer comment – the amended details make it clear that a proportion of the dwellings will be retirement units to which an education contribution will not be applicable. Accordingly the education contribution should be expressed as a requirement per non retirement dwelling.

### NCC Highways

The design of the proposed access junction is a formal T junction onto Longdale Lane, with 6.00m radius kerbs, a 5.5m carriageway and the provision of one 2.00m footway on the northern side of the proposed access road. The proposals also include a pedestrian refuge and shows the provision of a 2.4m x 43m visibility splay at the junction. The splay provision shown is below standard. Longdale Lane at this location has a 40mph speed limit, which requires a visibility splay of 65m from a point of 2.4m setback into the proposed access.

We require the provision of an additional 2.00m footway on the southern side of the proposed access road, continuing around the radius kerb at the junction with Longdale Lane. This is requested to allow, at some time in the future, if the land between this application site and Kighill Lane is developed, a 2.00m footway to be constructed between this site and Kighill Lane. These amendments to the visibility splay and footway can be dealt with by way of condition.

The master plan shows an indicative layout for the site and the planning statement maintains that the layout will accord with the County Councils Highway Design Guide the 6Cs DG, which is welcomed. In addition a contribution towards integrated sustainable transport measures, in line with the County Council, Planning Contributions Strategy of £128000 will be gifted. It should be noted that this contribution will be discounted by the costs of the proposed sustainable transport measures being incorporated into the design, i.e. the pedestrian refuge and the proposed measures to be incorporated into a Travel Plan which is welcomed. In addition a contribution towards integrated sustainable transport measures, in line with the County Council, Planning Contributions Strategy of £128000 will be gifted. It should be noted that this contribution will be discounted by the costs of the proposed sustainable transport measures being incorporated into the design, i.e. the

pedestrian refuge and the proposed measures to be incorporated into a Travel Plan

Recommend that planning permission be granted subject to conditions, including provision of pedestrian crossing facility, visibility splays, and submission of Travel Plan.

#### NCC Highways (amended response dated 14/10)

Further to our previous TP52 comments dated 17/09/13, we can confirm that the speed limit on Longdale Lane is actually 30mph as stated by the applicant originally and therefore a visibility splay of 2.4 x 43m is required rather than 2.4 x 65m as requested in our above mentioned report.

Drawing number CRN10522 shows the visibility at 2.4 x 43m and is acceptable to the Highway Authority in this respect. I can also confirm that the provision for the 2.00m footway on the southern side of the proposed access road is still required.

Officer Note- amended plans showing the provision of the footway on Longdale Lane, were received on 7<sup>th</sup> February 2014

#### NCC Nature Conservation

The application will result in the loss of c.3.5ha of species-poor semi-improved grassland. This grassland is not considered to be a significant impact

A 'small population' of common lizards has been found on the site although numbers may have been under-recorded. Passive displacement is proposed as a method for removing reptiles from the site, however it is not clear where reptiles would be displaced to; land to the south/south-east (as indicated) is woodland (unsuitable for common lizards), and an area of heathland/acid grassland which is currently subject to regular ploughing.

A lighting scheme will be required to ensure that areas currently used by foraging bats are left unlit. Details of the landscaping scheme will be required using native species appropriate to the local area and of native genetic origin. This should include measures to remove Grey Alder from the existing planted areas, as this is a non-native (and rather invasive) species. Details will be required of measures to control access into Trumpers Wood Park Local Wildlife Site. (LWS) Bat boxes/bat bricks should be incorporated into the fabric of the proposed buildings, along with nest boxes for house sparrows, starlings and swifts, and details to this effect should be provided

#### Urban Design

The layout is fine & the frontage development is welcome. The position of the retirement project is as suggested and the rest of the family housing works well. The retention of the footpath link is also welcome, but it is noted that a few houses



appear to have drives off the footpath, but this can be resolved at the detailed stage.

The play space is central to this and the adjacent site, which is good and links to the footways.

The Design & Access Statement is very good & comprehensive & concludes with a Building For Life 12 assessment, which has been scored highly.

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press.

3 objections received making the following summarised points.

Object to the building of a 30 - 40 unit retirement block in the North West corner of the plot.

The South - South / East boundary would be a better alternative for such a building.

Will be too imposing and is not in keeping with the immediate surroundings nor anything else within Ravenshead.

Understand the needs for such accommodation in Ravenshead, but it's positioning fronting Longdale Lane does not take into account the 'view lines' from neighbour's homes.

Do not believe that any additional planting of trees would limit it's impact.

The corner of the site should be designed to mirror the Swallow Crescent development, i.e. a number of houses.

Who will be responsible for the long term maintenance and upkeep of the 15m wide green space between the houses and existing preserved woodland?

This could become a problem area and eyesore in the future.

Nothing higher than 2 storey should be built, and ideally one storey opposite the existing houses.

There should be landscaping between the new houses and road to the leisure centre.

### **Planning Considerations**

The main issue in relation to the determination of this application is whether the site should be brought forward for development;

The benefits of the development are provision of new housing to meet an identified shortfall, including new single storey dwellings in a village where there is an identified need for them, and the provision of new affordable housing.

Outside of planning policy consideration the specific impacts that need to be considered are:-

- Biodiversity
- Highways
- Design/density
- Drainage

These impacts will be considered latter within this report and consideration will be given to whether they are significant enough to outweigh benefits.

### **Planning Policy**

## Planning Policy - Background

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. The following core planning principles of the NPPF are relevant to this planning application:

NPPF Section 1: Building a strong, competitive economy (paragraphs 18-22)  
NPPF Section 4: Promoting sustainable transport (paragraphs 29-41)  
NPPF Section 6: Delivering a wide choice of high quality homes (paragraphs 47-55)  
NPPF Section 7: Requiring good design (paragraphs 56-68)  
NPPF Section 11: Conserving & enhancing the natural environment (paragraphs 109-125)  
NPPF Section 12: Conserving and enhancing the historic environment (paragraphs 126-141)  
NPPF: Ensuring viability and deliverability (paragraphs 173-177)  
NPPF: Planning conditions and obligations (paragraphs 203-206)

On 6<sup>th</sup> March 2014 central government published the National Planning Practice Guidance (NPPG). This accompanies the NPPF and is a suite of documents of which the following are relevant:

Planning Obligations  
Rural Housing  
Design  
Travel plans, transport assessments and statements in decision-taking

The Gedling Borough Replacement Local Plan (RLP) is the adopted development plan for the area with relevant policies “saved” by way of a Direction (dated July 2008) made under paragraph 1(3) Schedule 8 to the Planning and Compulsory Purchase Act 2004. The following RLP policies are relevant:

RLP Policy H2: Distribution of Residential Development  
RLP Policy H8: Residential Density  
RLP Policy H15 (Comprehensive Development);  
RLP Policy H16: Design of Residential Development  
RLP Policy R3: Provision of Open Space with New Residential Development  
RLP Policy ENV1: Development Criteria  
RLP Policy ENV 31: Safeguarded Land  
RLP Policy ENV36: Local Nature Conservation Designations  
RLP Policy T10: Highway Design and Parking Guidelines

Additionally, the following Supplementary Planning Documents are relevant:

Affordable Housing SPD (2009)  
Parking Provision SPD (2012)  
6C's Design Guide (November 2011, last amended January 2013)

In February 2013 Gedling Borough Council approved the Gedling Borough Aligned Core Strategy Submission Documents (ACS). Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies

contained in the Aligned Core Strategy Submission Documents than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given).

The following emerging planning policies are relevant to this planning application:

- ACS Policy 1. Climate Change
- ACS Policy 2 (The Spatial Strategy);
- ACS Policy 8 (Housing Size, Mix and Choice);
- ACS Policy 10 (Design and Enhancing Local Identity);
- ACS Policy 17 (Biodiversity)
- ACS Policy 16 (Green Infrastructure, Parks & Open Space).
- ACSSD Policy 17: Biodiversity
- ACSSD Policy 18: Infrastructure

### Principle of Development

The application site is designated as safeguarded land, Policy ENV31 indicates that such land is safeguarded from inappropriate development until a future local development document is adopted that proposes it for development. Policy ENV31 also states that the appropriateness for development will be established by considering proposals as if they were in the Green Belt.

The issue of whether it is appropriate to bring forward this site for development at this time needs to be given consideration.

As members are aware modifications for the Aligned Core Strategy have been prepared and consultation is being carried out. The Aligned Core Strategy will set the overall housing target and will also allocate strategic sites (those sites over 500 dwellings), the Local Planning Document will allocate the sites below this threshold. It is anticipated that the first stage consultation on the Local Planning Document will take place in Oct/Nov 2013.

Even though Policy ENV31 suggests that this site should not be brought forward for development at this current time, changes to interpretation of planning policy brought in through the National Planning Policy Framework and in relation to recent appeal decisions, in my opinion indicate that other factors need to be given consideration.

The recent Binfield decision, indicates that policies which restrict or direct residential development should be given limited weight, where local planning authorities cannot demonstrate a five year supply of deliverable housing sites. Policy ENV31 when applied in relation to the determination of this application for housing would give rise to restricting residential development. Members may also be aware that there is currently only a 3.32 year supply of deliverable housing sites within the Borough.

The five year housing land assessment looks at the five year housing land supply against the East Midlands Regional Plan, although this document was revoked by Central Government on 12 April 2013 it was the last plan to set out the housing requirement for the Borough and as such has been used by Gedling Borough Council as the most robust means to determine housing land supply until it is replaced by a new housing target in the Aligned Core Strategy (when adopted).

On the basis that there is not currently a five year housing land supply, Policy ENV31 should be given limited weight, in terms of safeguarded land only being brought

forward through a development plan document.

Whilst Policy ENV31 also states that safeguarded land should be treated as Green Belt, it is not Green Belt land and therefore the site, in a planning policy context, is not subject to the recent Ministerial Statement (1<sup>st</sup> July 2013) which stated that Green Belt release should only take place through Local Plan reviews unless there are more very special circumstances other than the demand for housing that indicate that land should be released.

Policy ENV31 makes reference to considering development by considering proposals by applying policy ENV26 (the other policies are not relevant in this instance given the form of development proposed).

Policy ENV26 sets out the development that is acceptable in the Green Belt, it is only in the sub text to the policy that it indicates how development outside of the categories should be assessed. Development falling outside of that considered appropriate should from Policy ENV26 perspective only take place where there are very special circumstances. However there is no test of very special circumstances required to release safeguarded land for development in the NPPF. Therefore in my opinion considering the site as if it were Green Belt land and setting a test of very special circumstances is inconsistent with the NPPF and therefore ENV31 policy tests in relation to safeguarded land should be set aside.

The accepted method for developing safeguarded land as set out in the NPPF would be through the preparation of a development plan document. Paragraph 17 of 'The Planning System: General Principles' (which has not been revoked by the NPPF) identifies that it may be justifiable to refuse planning permission on the grounds of prematurity where a DPD is being prepared or is under review but has not yet been adopted. The document goes on to identify that refusal on prematurity grounds may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about scale, location and phasing of new development which are being addressed in the policy in the DPD. A proposal that has an impact on only a small area would rarely come into this category.

The proposal is for 70 dwellings, and as such it would not be classified as a strategic site. No Environmental Statement has been required to accompany this application because the impact of this proposal would be localised. For these reasons I consider that the proposal would not fall into the category of one which would require its scale, location and phasing to be considered through policy. The suitability of this location for development, its scale and phasing can instead be considered through the assessment of an outline planning application and any subsequent reserved matters application. Therefore in this instance I do not consider that this application can be refused on prematurity grounds.

Another factor that needs to be given consideration is that the NPPF states that where policies are considered to be out of date which is the case in relation to ENV31, that applications for residential development should be considered in the context of the presumption in favour of sustainable development. The presumption in favour of sustainable development requires that, permission be granted unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or

Specific policies in the NPPF indicate development should be restricted

The impacts of this proposal will be considered below. If the impacts of the development are such that they outweigh the benefits of bringing this development

forward then this in my view would be a reason for refusing this application. However, subject to assessing the potential impacts of the development it is considered that the principle of developing this site is acceptable.

#### Proposed phasing of the development

This application is made in regards of the Phase 1 element only, as the adjacent land (Phase 2) is in separate ownership. It would have been preferable if the site were developed comprehensively in accordance with Policy H15 of the Replacement Local Plan, but differing ownership prevents this. The application has at its heart a masterplan has been submitted showing the development of the entire site (both Phase 1 and Phase 2). The proposed form of development of Phase 1 will not prejudice the comprehensive development of the entire site.

#### Whether it provides an effective and efficient use of land

Policy H8 of the Replacement Local Plan sets out the Borough Councils requirements for residential density. The application site is 2.3ha in size and will include 70 dwellings. This results in a density of 30.4dpa which meets the density required by Policy H8.

#### Proposed mix of housing

The Affordable Housing SPD sets differential requirements for affordable housing depending on the sub-market the site is within. This site is within the Gedling Rural North sub-market and as such 30% of the dwellings should be affordable. This application proposes up to 70 dwellings (that being the maximum that can be provided of a single vehicular entrance point). The affordable percentage would therefore equate to 21 affordable dwellings being provided. This approach is in accordance with the affordable housing elements of ACS Policy 8. In this particular case the applicant is proposing 9 affordable units on the site, in the form of 2 bedroom bungalows for the elderly. In addition a financial contribution will be made towards 12 units of new affordable housing provision elsewhere in the Borough.

The amended details also propose the construction of 12 bungalows on the site for sale on the open market. Both market and affordable bungalows would meet the need for retirement accommodation which was been evidenced by the Ravenshead Housing Needs Survey (2009) and accepted by the Borough Council.

The proposal therefore accords with Policy 8 of the Aligned Core Strategy on housing size, mix and choice.

#### Design and form of development

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 58 of the NPPF states, amongst other things, that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including the incorporation of green and other public space as part of developments) and support local facilities and transport networks.

Paragraph 61 of the NPPF states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

The relevant local planning policy that need to be considered in relation to design and layout is set out in Policy 10 of the ACSSD which requires, amongst other things, that all new development should be designed to make a positive contribution to the public realm and sense of place and to create an attractive, safe, inclusive and healthy environment.

In my opinion, the proposed development, as detailed by the agents would function well and add to the overall quality of the area. It also has the potential to establish a strong sense of place and optimise the potential of the site to accommodate development. It would also support local facilities in the area. With all matters being reserved for subsequent approval, except for access arrangements, an assessment of design cannot be undertaken at this outline stage but such considerations will be fully assessed during any subsequent future detailed applications. These must comply with national residential design policy, the latest urban design and sustainability standards, and local plan policy. Incidentally the applicants have indicated that 21 dwellings would be single storey.

As such, I am satisfied that the proposed development would broadly accord with the aims of Policy 10 of the ACSSD and Section 7 of the NPPF

#### Amenity Considerations

The relevant planning policies that need to be considered in relation to residential amenity are set out in Policy ENV1 of the RLP, Policy 10 of the ACSSD and Section 11 of the NPPF.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. This is reflected more broadly in Policy 10 of the ACSSD which states, amongst other things, that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents and occupiers.

Paragraph 123 of the NPPF states, amongst other things, that planning decisions should aim to avoid any adverse noise impacts as a result of new development.

Whilst there would be increased traffic activity generated in the area, both during the construction period and afterwards, I am satisfied that the proposal would not have a significant adverse impact on nearby properties due to the level of activities on the site or the level of traffic generated. For the same reason, I do not consider that the proposed development would give rise to any adverse noise impacts.

The capacity of the local road network to accommodate the proposed development has been considered in the highway section.

I do not consider that there would be a significantly adverse loss of amenity to the nearest residential properties in terms of overlooking, overshadowing or overbearing issues, given the distance of the proposed development from these, especially because of the screening which would be provided by the existing belt of trees on Langdale Lane.

In my opinion, the proposed development would not have an unduly detrimental impact on the amenity of nearby residents in accordance with the aims of Policy ENV1 of the RLP, Policy 10 of the ACSSD and Section 11 of the NPPF.

#### Visual impact

The relevant planning policies which need to be considered in relation to landscape and arboricultural matters are set out in Policies 10 and 16 of the ACSSD and Section 11 of the NPPF.

Policy ENV43 of the RLP states that prior to granting planning permission for development within the Greenwood Community Forest area, the Council will seek to negotiate with developers to secure new tree or woodland planting as part of the development.

Policy 10 of the ACSSD states, amongst other things, that new development will be assessed with regard to its potential impact on important landscape views and vistas and that, outside settlements, new development should protect, conserve or where appropriate, enhance landscape character. In broad terms, this also reflects the aims of Section 11 of the NPPF. Paragraph 109 of the NPPF states, amongst other things, that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

I note the County Council is satisfied that the tree survey details are a factual representation of the trees on the site and offers appropriate methodology for ensuring safe and satisfactory tree protection of those trees which would be retained

A Landscape Visual Impact Assessment has been carried out. The site lies within the Sherwood visual character area which constitutes a rolling mosaic of woodlands, with arable geometric fields, plus heath with low hedges, scattered villages and farms. The site also lies within the Papplewick Wooded Estate lands, which are defined as having geometric arable fields, with a well-managed and maintained landscape with well integrated settlements. Its sensitivity to change is categorised as medium. Beyond the site to the North is the Ravenshead Special Character Area.

The development of this site for residential development is considered to result in a

slightly adverse to low level of change. No key characteristics in the landscape would be lost, and the visual impact would be mainly limited to effects on approach along Longdale Lane. Views for the east would be affected but could be ameliorated by boundary screening and new planting.

I note that the County Council has no objections and considers the proposals to be generally consistent with the landscape policy for the area, I am satisfied that the relevant issues highlighted by consultees and detailed in the submission can be secured by the imposition of appropriate conditions, if Members resolve to support the grant of outline planning permission.

I am satisfied, therefore, that with regard to landscape considerations, the proposed development would accord with the aims of Policies 10 and 16 of the ACSSD and Section 11 of the NPPF.

#### Highway considerations

The relevant planning policies that need to be considered in relation to highway matters are set out in Policies ENV1 and T10 of the RLP. Highway contributions have been considered separately under Planning Obligations below.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development if it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated and that development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and that, in this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

Policy T10 of the RLP refers to highway design and parking guidelines and states, amongst other things, that developers will not be required to provide more parking spaces than they consider necessary unless failure to provide enough off-street parking would harm road safety or prejudice the flow and management of traffic on nearby streets. In addition, Policy T10 requires that special attention will be paid to providing parking spaces reserved for disabled people in all non-residential development.

Detailed approval is sought as part of this application to establish the location and design of the principal vehicular access points into the site. These have been considered by the Highway Authority, which has no objections subject to a number of off-site requirements at the detailed design stage, which would be dealt with under separate highway powers.

Longdale Lane is single carriageway with a footway and street lighting only on one side, opposite the application site. The speed limit past the site is 30mph. No vehicular access from the road to the leisure centre on the northern boundary is proposed, but there would be pedestrian access.

The access into the site would be from Longdale Lane, created by felling 7-10 of the trees on that boundary. These trees were planted in the 1960's and provide a landscape feature in the local area. The trees are mainly conifers and are tall and



narrow, being sited less than 1m apart.

The plans also include provision of a pavement on this side of Langdale Lane, behind the tree belt on the frontage, across the entire site frontage.

Provisions for the safe and convenient access and circulation of pedestrians and vehicles would be assessed at the reserved matters stage.

Detailed parking arrangements would also be considered at the reserved matters stage, but would be required to comply with the requirements of the Borough Council's Parking Provision for Residential Development SPD (May 2012). Parking provision for non-residential uses would be required to comply with the requirements of the 6C's Design Guide.

It is considered, therefore, that the proposed development would provide access, parking and turning arrangements in accordance with Policies ENV1 and T10 of the RLP, the Parking Provision for Residential Development SPD and the 6C's Design Guide.

#### Public transport

The Transport Assessment recognises the need for connectivity to existing bus services if site users are to rely on these as a viable means of transport. The site lies on a route served by the community bus which travels around the village on Tuesdays and Thursdays. Three other bus routes stop within 900m.

The developer has agreed to provide each new resident provided with a Sustainable Travel pack including a 3 month bus pass, in order to encourage use of public transport from the outset.

These issues mean that the development is accessible by public transport and would satisfy Policies H5, C2 of the RLP and Policy 18 of the ACSSD.

#### Drainage and FRA

The site lies within a groundwater source protection zone, and is underlain by a principal aquifer. The site lies within Flood Zone 1 and is not therefore at risk of flooding and contains no water courses.

The plans indicate that surface water will be accommodated by soakaways including a cellular storm water storage facility. Sustainable urban Drainage (SuDs) techniques are also proposed, and details will be provided at Reserved Matters stage

#### Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The relevant planning policies that need to be considered in relation to ecological matters are set out in Policy ENV36 of the RLP, Policy 17 of the ACSSD and Section 11 of the NPPF.

Policy ENV36 states, amongst other things, that in evaluating proposals which may

have an adverse effect upon a Local Nature Reserve (LNR), consideration will be given to the impact on the long-term ecological viability of the habitat; measures taken to minimise damage and disturbance to the habitat and wildlife; and the nature, layout and density of the development proposed. Where development is permitted, a balance will be struck between the needs of the development and the ecological interest of the site. Any damage to the ecological interest of the site will, as far as possible, be kept to a minimum. Where appropriate this will require the provision of mitigation and/or compensatory measures which may be secured by conditions and/or planning obligations.

Policy 17 of the ACSSD seeks, amongst other things, to ensure that biodiversity will be increased over the Core Strategies period by:

a) Protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including areas and networks of habitats and species listed in the UK and Nottinghamshire Biodiversity Action Plans;

b) Ensuring that fragmentation of the Green Infrastructure network is avoided wherever appropriate and improvements to the network benefit biodiversity through the incorporation of existing habitats and the creation of new habitats.

c) Seeking to ensure that new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate;

d) Supporting the need for the appropriate management and maintenance of existing and created habitats through the use of planning conditions, planning obligations and management agreements; and

e) Ensuring that where harm to biodiversity is unavoidable, and it has been demonstrated that no alternative sites or scheme designs are suitable, development should as a minimum mitigate or compensate at a level equivalent to the biodiversity value of the habitat lost.

Policy 17 of the ACSSD goes on to state that development on or affecting non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

Paragraph 118 of the NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

An Ecological Appraisal supports the application and Nottinghamshire Wildlife Trust raise no objections to the proposed development. The Ecological Appraisal has identified the key habitats present on the site and is followed with good recommendations for the retention and enhancement of biodiversity assets within the

site masterplan to achieve a clear net gain for biodiversity with a strong green infrastructure focus running through the site. The provision of wildlife corridors and sanctuary areas are particularly important where a previously undeveloped site is proposed for development. The submitted masterplan provides substantial areas of green space within the development as open space and in the form of a linear park with the site's southern extent.

All areas of retained habitat, including hedgerows, mature trees, scrub and ponds should be protected from damage during the site preparation/clearance by the erection of adequate temporary protective fencing.

The site presently has a heathland appearance and is used for grazing. This locally unusual heathland reflects the fact that the site is underlain by an outcrop of Sherwood Sandstone.

An ecological appraisal of the site has been carried out, as the adjoining site to the South/South East is known as Trumpers Wood and is a Local Wildlife Site. It is an area of mixed woodland and acid grassland. The survey of the site indicates that it is mainly species poor grassland with two shallow dry ditches, and includes a variety of trees mainly in small distinct groups.

The applicant's survey work indicates that the site has some suitability for Great Crested Newts, but there are no ponds on the site or within 500m. Accordingly it is considered that the presence of this protected wildlife species is unlikely.

There are potential habitats suitable for badgers within and 30m beyond the site, but survey work found no sign or evidence or records of badgers, and the site is considered to have limited foraging potential. Accordingly it is considered that the presence of this protected wildlife species is unlikely.

Bat surveys show that bats fly over the site and use it for foraging, particularly along the South East Boundary. However the site is not used for roosting, so the development is not likely to result in significant loss of local bat populations.

The adjacent wood has a low potential for reptiles, whilst the site has some potential. Survey work identified 2 common lizards on the site. Accordingly it is considered that the presence of protected reptiles is unlikely. Only common and widespread wild bird species have been identified on the site.

The surrounding area has been identified as a potential Special Protection Area (SPA) for nightjar and woodlarks. No suitable habitats for those bird species exists on the site.

In order to retain and improve biodiversity interest on the site a variety of measures are proposed, which can be controlled by planning conditions. These would include.

- Fencing to protect Trumpers Wood during the construction period.

- Preventing external light spill from the frontage trees and beyond the southern boundary.

- Displacement of common lizards during late March- October, prior to

commencement of any part of the development including land clearance.  
Provision of bat boxes on trees.  
Removal of vegetation outside the period March-August.

I note that the relevant consultees agree that the site itself is of relatively limited nature conservation value and that the application is supported by up-to-date, and fairly comprehensive, ecological information, and that the ecological impacts have been assessed correctly,

It is recommended that the range of mitigation measures proposed be secured by the imposition of appropriate conditions, if Members resolve to support the grant of outline planning permission.

The site does not lie within proposed Special Protection Area for Nightjar and woodlarks. Although the Wildlife trust indicate that the development should contribute funding for off-site improvements of other sites for the benefit of nightjar and woodlark, this matter is at a County wide discussion stage at present. It is not considered to represent a reasonable requirement in respect of this site at this present time.

I am satisfied, therefore, that after taking into account the mitigation measures proposed, that the proposed development would:

Protect and expand existing areas of biodiversity interest.

Avoid fragmentation of the Green Infrastructure network and improve biodiversity through the incorporation of existing habitats and the creation of new habitats.

Provide new biodiversity features

Support the management and maintenance of created habitat through the use of planning conditions, planning obligations and management agreements.

As such, I consider that the proposed development would accord with the aims of Policy ENV36 of the RLP, Policy 17 of the ACSSD and Section 11 of the NPPF.

#### Aboricultural

The boundary trees on Longdale Lane have a moderate quality, but due to their important visual; role in the local landscape and as a screening feature, their retention is required. The plans show retention of that tree belt, other than as required to create a gap for vehicular access, In order to secure long term retention a Tree Preservation Order has been recommended.

Up to 10 trees would be removed from the Longdale Lane line of conifers to create the vehicular access. In addition those closest to the proposed junction would; require crown lifting. This is considered acceptable.

The trees and hedge on the site's South eastern boundary are 80% native species.

Within the site there are various trees and small tree groups. Only 2 trees would be removed to facilitate development with the remainder retained.

The plans include provision of a 15 m wide buffer strip of landscaping along the South Eastern boundary; and creation of a green corridor (with planting) across the site, separating phases one and phase 2.

### Public Open Space

Local Plan Policy R3 requires that residential development should provide at least 10% local open space to serve the development, whilst the more up to date Supplementary Planning Document (SPD) requires 10% of the gross site area to be provided as Public Open Spaces (or 20 sq. m. per house) Of this area the ratio of 2:3 for play area; amenity space is required.

The Planning Statement identifies that 0.6ha of open space will be provided in Phase 1 against a requirement of 0.23ha.

The plans include a landscaped buffer strip to the South east part of the site. In addition 0.5 hectare of open space (including play area) is proposed. The play area was originally planned to be equipped, but as there are imminent plans for a larger equipped play area on the adjacent leisure centre site, it would be preferable to direct the financial costs of providing and maintaining a play area on the site to the larger adjacent new provision.

Immediately adjacent to the site is the leisure centre and its outdoor sports pitches.

### Planning Obligations

The relevant planning policies that need to be considered in relation to S106 planning obligations are set out in Policy C2 of the RLP, Policies 18 and 19 and paragraphs 203-205 of NPPF in relation to decision- taking.

Policy C2 of the RLP states that in considering applications for new development, the Borough Council will have regard to the need for the provision of community facilities arising from the proposal. Planning obligations will be sought in order to secure appropriate community facilities or financial contributions thereto, reasonably related to the scale and kind of development proposed.

Similarly, Policy 18 of the ACSSD requires new development to be supported by the required infrastructure (including any necessary community facilities) and that contributions will be sought from developers for infrastructure needed to support the development. This is in line with the planning obligations tests set out in paragraph 204 of the NPPF.

Policy 19 of the ACSSD states that all development will be expected to:

Meet the reasonable cost of new infrastructure required as a consequence of the proposal;

Where appropriate, contribute to the delivery of necessary infrastructure to

enable the cumulative impacts of developments to be managed, including identified transport infrastructure requirements; and  
Provide for the future maintenance of facilities provided as a result of the development.

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

Necessary to make the development acceptable in planning terms;  
Directly related to the development; and  
Fairly and reasonably related in scale and kind to the development.

The current position in relation to the Heads of Terms for the following obligations between the applicant and the Borough Council (which incorporate the requirements of the County and City Councils) is outlined below:

Affordable Housing  
Public Open Space  
Education  
Drainage

Affordable Housing - Extensive negotiations have resulted in the applicant agreeing to provide 9 affordable 2 bedroom bungalows and paying a commuted sum for the provision of 12 affordable units elsewhere in the borough

Public Open Space- The provision of public open space and a commuted sum for its maintenance, has been agreed with the applicant. In terms of existing facilities, the site adjoins the existing Ravenshead leisure centre which provide a range of sport and leisure facilities. I am satisfied, therefore, that this proposal would not give rise to the need for specific additional off-site sports provision and that any requests for contributions would not meet the tests set out in paragraph 204 of the NPPF

Education - The County Council is obliged to provide a place for each child in the normal area school. The County Council identifies the net capacity of schools based on the current number on roll. The requirement for financial contributions towards education provision is based on the net capacity and current number on roll as well as projected pupil numbers over the next five years. The level of contribution required is determined using multipliers provided by the Department for Education which are based on their analysis of building costs per pupil adjusted to reflect regional variations in costs. An Education contribution per non retirement dwelling is applicable

Drainage - a 100 year management and maintenance plan in respect of the on-site sustainable drainage features.

In relation to NHS Primary Health Care provision , notwithstanding officers attempts no response has been received from the NHS regarding potential implications of the development on demands arising on local health care provision. Accordingly no financial contribution can be requested.

As discussed earlier in this report a financial contribution towards off site improvements for Nightjar and Woodlark bird species is not considered appropriate

as it is not directly required as a result of the proposed development

### **Conclusions**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where 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. As the determination of this planning application is a determination to be made under the Planning Acts the starting point must be the Development Plan and then other material consideration must be considered.

The application has been considered in accordance with the development plan, the NPPF is a material consideration and reference has also been made to the ACS where appropriate.

The principal thrust of the NPPF is for sustainable development. Ravenshead offers a variety of facilities and services, and allows access to a wider range by means other than the private car. Accordingly it represents sustainable development.

Ravenshead is also identified as a 'key settlement for growth' in Policy 2 of the Aligned Core Strategy. It is considered that the proposal accords with the Aligned Core Strategy. It is not considered that any of the other policies in the NPPF indicate that residential development should be resisted on this site. The site is not Green Belt nor protected by any other designation.

Approval of this application will assist in contributing to regaining a five-year supply of deliverable housing sites within the Borough. The Five Year Housing Land Supply Assessment (March 2012) identifies that there is only a 3.23 year supply of deliverable housing sites within the Borough. As relevant policies relating to the supply of housing in the RLP are out of date, the principle of the proposal should be considered against the presumption in favour of sustainable development and the policies in the NPPF.

The site is a large greenfield site with few environmental and physical constraints and could be brought forward for development within a reasonably short timeframe. As such the development could contribute to the Borough Council's five-year housing land supply requirements. The development would be likely to provide a significant amount of affordable housing on the site to help meet clearly identified affordable housing needs in the area.

The development of this site will also make efficient use of the land, would contribute to meeting the overall housing requirement providing up to 70 new dwellings, of which 9 would be affordable bungalows, in a sustainable location and where a satisfactory access to the highway can be provided.

From a highways point of view, the site is in a sustainable location and is accessible to a variety of modes of transport. In the context of Paragraph 32 of the NPPF the development will have an impact on the existing highway network in terms of

additional traffic, however, the Highway Authority advises that the proposals are acceptable and not lead to substantial harm to the operation of the adjacent local highway network in terms of capacity. The impact of development would not be considered severe and therefore an objection on highway and transportation grounds could not be sustained.

In terms of environmental impact, the proposed development would be unlikely to have any significantly harmful visual impacts on the landscape or landscape character of the area, subject to careful planning and design of the layout of the development at reserved matters stage. The development would provide for a sizeable area of public open space, to which the public would have formal access rights which would make a significant enhancement to the provision of facilities to support existing residents.

There are no unresolved issues in relation to the principle of development, scale and character, amenity considerations, ecological considerations, drainage, public rights of way, heritage, pollution, contamination, land stability, archaeological or crime prevention issues and as such the proposal is therefore in accordance with the NPPF and the saved policies of the Gedling Borough Local Plan.

Approval is therefore recommended.

### **Recommendation:**

**That the Borough Council supports the GRANT OF OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority for the provision of, or financial contributions towards:**

Provision of Public Open Space in accordance with the Council's Supplementary Planning Documents and Recreational Open Space.

Nine of the units to be affordable 2 bedroom bungalows.

Commuted sum for the provision of 12 affordable units.

Public transport.

Educational Facilities.

### **Conditions**

1. Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
2. Details of appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
3. The development hereby permitted shall begin no later than two years from



the date of approval of the last reserved matters to be approved.

4. The development shall be carried out in accordance with the Framework Layout Plan received on 20th December 2013, unless otherwise agreed in writing by the Local Planning Authority.
5. The detailed plans and particulars to be submitted as reserved matters in relation to layout and scale shall include plans showing existing and proposed ground levels of the site, sections across the site and in relation to existing dwellings adjacent to the site and details of the finished slab level for every property. The development shall be carried out in accordance with the approved details.
6. The detailed plans and particulars to be submitted as reserved matters in relation to layout and landscaping shall demonstrate how the site layout and its landscaping have been devised to achieve the following objectives (1) meeting County Council highway design guidance, (2) providing adequate car parking provision for residents and their visitors taking into account the Borough Council's adopted car parking standards, (3) meeting the needs of different users of the public realm, (4) discouraging anti-social behaviour and (5) creating attractive street scenes.
7. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) a plan showing the existing trees/hedges to be retained as part of the proposed development; (b) details of any proposed topping or lopping of any tree/hedge proposed to be retained, or of any tree on land adjacent to the site; (c) details of any proposed alterations in existing ground levels and any excavation within the root protection area of any hedge/tree to be retained on site or of any tree on land adjacent to the site; (d) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree/hedge from damage before or during the course of development ;(e) proposed and existing functional services above and below ground. (f) details of the size, species, positions and density of all trees and shrubs to be planted; (g) details of the boundary treatments, including those to individual plot boundaries; (h) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors; (i) a programme of implementation(j) details of species mixes, establishment methods and maintenance regimes, ensuring that native species appropriate to the local area are used in informal landscaping areas. Particular attention should be given to the landscape strip along the southern boundary of the site and its development as an area suitable for common lizards, to include the creation of hibernaculae. (k) a landscape management plan to guide ongoing management of landscaped/green infrastructure areas. (l) measures to remove Grey Alder from the site, as this is a non native species. The development shall be carried out in accordance with the approved details, unless otherwise by prior agreement in writing by the Local Planning Authority.

8. The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings, and provision of bird and bat boxes within the fabric of the proposed buildings. The development shall be carried out in accordance with the approved details, unless otherwise by prior agreement in writing by the Local Planning Authority.
9. No part of the development hereby permitted shall take place until details of the new roads have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, proposed structural works and a proposed programme of works. The development shall be implemented in accordance with these details.
10. No part of the development hereby permitted shall commence, including site clearance, until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no debris is discharged or carried onto the public highway.
11. No part of the development hereby permitted shall take place until drainage plans for the disposal of foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the first dwelling, unless otherwise by prior agreement in writing by the Local Planning Authority.
12. No part of the development hereby permitted shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate: (a) The utilisation of holding sustainable drainage techniques; (b) The limitation of surface water run-off to equivalent greenfield rates; (c) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (d) Responsibility for the future maintenance of drainage features.
13. The fencing and any other proposed measures proposed to protect existing trees/hedges to be retained on site shall be erected in accordance with the approved details prior to the commencement of development and retained in situ until the development has been completed.
14. 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, unless the Local Planning Authority gives its written consent to any variation.

15. No development shall commence on any part of the application site until an archaeological scheme of treatment of the site has been submitted for the approval of the Local Planning Authority. This should preferably comprise a 'strip, map and sample' exercise whereby the topsoil is stripped under archaeological supervision and any archaeological features are identified, recorded and sampled accordingly. The scheme shall subsequently be implemented in accordance with the approved details before the development is commenced.
16. No development shall commence on any part of the application site unless or until a suitable major / minor T junction, with pedestrian crossing facilities has been provided onto Longdale Lane as shown for indicative purposes only on drawing number CRN10522 to the satisfaction of the Local Planning Authority.
17. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
18. No part of the development hereby permitted shall be brought into use until a 2.0m wide footway on the southern side of the proposed access road and on Langdale Lane between the site entrance and the site's frontage boundary.
19. The formal written approval of the Local Planning Authority is required prior to commencement of any development within the site curtilage with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage (hereinafter referred to as reserved matters.)
20. All details submitted to the Local Planning Authority for approval shall comply with the County Council current Highway Design and Parking Guides and shall be implemented as approved.
21. Prior to the commencement of development on the site, including site clearance) a biodiversity method statement shall be submitted to the Local Planning Authority, and the approved details complied with throughout implementation of the development. The method statement shall include:(a) Passive displacement of common lizards prior to development, to the open space along the southern boundary of the site offered as replacement habitat. In order for this to work, the habitat into which the reptiles are expected to be displaced will need to have been created in advance of development.(b) Details of the creation and provision of the habitat strip along the southern

part of the site.(c) No ground works can take place on the site until the habitat strip along the southern part of the site has been established, and that this is subsequently protected from development. (d) boundary treatments especially along the southern edge of the development to restrict access to Trumpers Wood

22. No part of the development hereby permitted shall commence, until details of lighting scheme have been submitted to the Local Planning Authority, which shall minimise light spill around the development during the construction as inappropriate lighting could have an adverse impact on nocturnal species such as bats. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
23. There shall be no clearance or works to trees on the site within the wildbird nesting season, unless otherwise agreed in writing by the Local Planning Authority.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
3. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
4. To ensure that the outline permission hereby granted is constrained to the amount parameter specified within the design and access statement accompanying the outline application so that any future decisions relating to this outline permission are consistent with the submitted statement, and to ensure that the development accords with Policy ENV1 and H8 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
5. To ensure that the positioning of dwellings in the design produced at reserved matters stage in relation to layout and scale would accord with Policy ENV1 and H7 of the of the Gedling Borough Replacement Local Plan (saved policies) 2008.
6. To ensure that the means of vehicular access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
7. To ensure that the landscaping of the development as proposed at reserved matters stage provides sufficient detail to ensure that the trees and hedges to be retained on site will be safeguarded in to meet the landscape principles specified within the design and access statement, and so that any future

decisions relating to this outline permission are consistent with the submitted statement, and to ensure that the design of the site takes into account the recommendations made in the arboricultural statement submitted with the application, in order that the development accords with Policy ENV2 and H16 of the Gedling Borough Replacement Local Plan (saved policies) 2008.

8. To ensure that the appearance of the development as proposed at reserved matters stage has regard to the appearance of the area and makes adequate alternative provision is made for bats and nesting birds; as required by Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
9. To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008
10. To prevent mud being deposited onto the highway during construction of the development.
11. To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution.
12. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water management features.
13. To ensure that the trees and hedges to be retained as part of the development are protected during the construction of the development.
14. To accord with Policy ENV2 of the Gedling Borough Replacement Local Plan.
15. To ensure that any matters of archaeological interest are investigated and recorded.
16. To ensure that the means of vehicular and pedestrian access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
17. To ensure that the means of vehicular access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
18. To ensure that the means of vehicular and pedestrian access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
19. To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling

Borough Replacement Local Plan (saved policies) 2008.

20. To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
21. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.
22. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.
23. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the adopted Local Plan and Emerging Aligned Core Strategy, where appropriate. In the opinion of the Borough Council the proposed development accords with the relevant policies of these frameworks and plans.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.

### **Notes to Applicant**

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority for details.

The 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](http://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](http://www.groundstability.com).

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative above ground sustainable drainage should be used.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible

Approval under Section 19 of the Nottinghamshire County Council Act 1985 is required and where new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works. If any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current design guidance and specification for roadworks. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. and Section 38 requirements with which compliance will be needed in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved in writing by the County Council in writing before any works commence.

In order to carry out the off-site works, work will need to be undertaken in the public highway which is land subject to the provisions of the Highway Act 1980 (as amended) and therefore land over which you have no control. In order to undertake any works within the highway you will need to enter into an agreement under section 278 of the Act. Please contact the Highway Authority for details.

The Environment Agency would also like to see the percolation test details to confirm that they conformed to BRE365 Guidance.

The proposed development could involve building or undertaking works up to or close to, the boundary of the site. If access to neighbouring land in another ownership is required to facilitate construction you are advised to obtain permission from the owner of that land for such access before beginning your development. Planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights to light, etc.).

The Council would encourage the developers of the site to continue the community engagement already undertaken in the preparation of the reserved matters submission so that the consultation objectives specified in section 2.2 of the Statement of Community Engagement can be achieved in respect of any reserved matters submission made in respect of this outline planning permission.