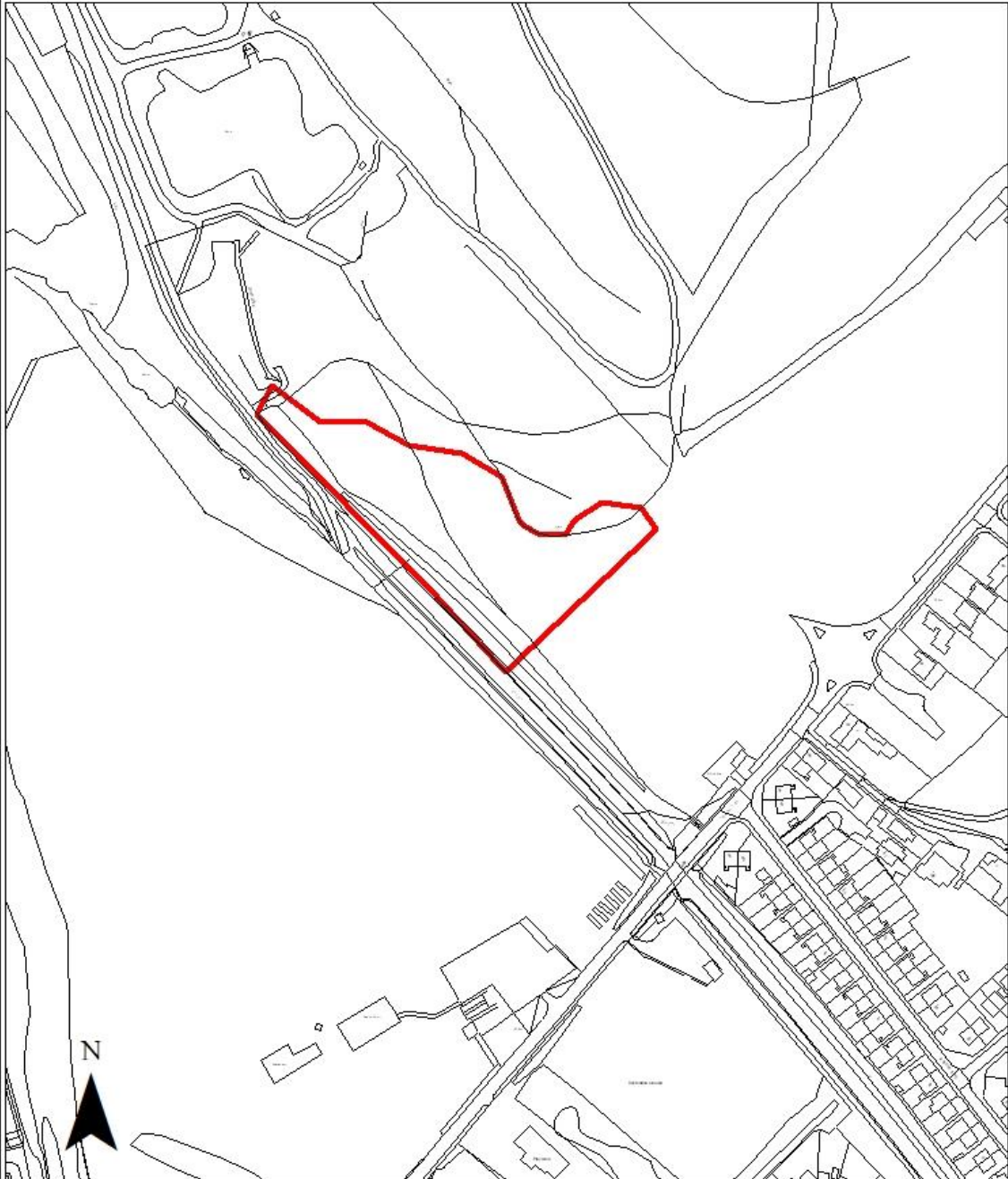




## Planning Report for 2022/0200

1:2,500

Planning Reference: 2022/0200  
Land On Lambley Lane  
Gedling



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

<b>Application Number:</b>	<b>2022/0200</b>
<b>Location:</b>	<b>Land at Lambley Lane Gedling</b>
<b>Proposal:</b>	<b>Erection of 24 dwellings with associated access and landscaping</b>
<b>Applicant:</b>	<b>Keepmoat Homes</b>
<b>Agent:</b>	<b>Tetra Tech</b>
<b>Case Officer:</b>	<b>Nigel Bryan</b>

**The application is referred to Planning Committee to comply with the Council's constitution as the development proposes more than 9 dwellings.**

### **1.0 Site Description**

- 1.1 The application site covers an area of 0.84 hectares and is currently vacant save for some tree and hedging to the site periphery, particularly along the western boundary. There is a change of levels through the application site with the land dropping away as you head away from Lambley Lane, the change of levels is in the region of 10m, although the degree of change increases significantly when heading toward the northern part of the site.
- 1.2 Neighbouring land uses include a vacant parcel of land to the south-east, which currently benefits from outline permission and reserved matters approval (references: 2015/1376 and 2021/1294) for the erection of some 33 dwellings. To the north is the recently opened Colliery Way and to the west is Lambley Lane Recreation Ground.
- 1.3 All of the application site is allocated for residential development under policy LPD64.

### **2.0 Relevant Planning History**

- 2.1 The below planning history outlines some of the key planning applications on the larger Chase Farm site; however, there is no planning history directly related to the application site.
- 2.2 On the 3<sup>rd</sup> March 2017 conditional planning permission was granted for the "Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings

(2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road.” app ref: 2015/1376.

- 2.3 Reserved matters approval for the erection of some 433 dwellings, reference 2021/1294, which included the erection of some 33 dwellings on land to the immediate south, and through which the current application site would be accessed.

### **3.0 Proposed Development**

- 3.1 The application is a standalone full planning application and is for the erection of some 24 dwellings. It would include a range of two, three and four bedroom properties, which would all be two or two and 1/2-stories in scale. A range of dwellings including detached, semi's and terraces are proposed to be erected. Five of the properties are identified as being affordable including 2 first homes and 3 affordable rent, all of which would be 2-bed properties. To the northern edge of the site a drainage feature has been identified that includes a 1m depression, which it is indicated will only be wet in terms of large rainfall.
- 3.2 Vehicular access to the site would be from land to the immediate south, which benefits from permission for the erection of 33 dwellings, with the main access coming from the spur between Colliery Way and Lambley Lane. Both parcels of land are under the same ownership and it is understood that it is intended for the two sites to be built out as one development, which is reflected in a number of similar housetypes across the two sites.

### **4.0 Consultations**

- 4.1 Highway Authority – raise no objection to the application subject to a condition and informatives. They would also seek a contribution of £12,050 toward bus stops improvements on Lambley Lane.
- 4.2 Environment Agency – have made no observations on the application.
- 4.3 Environmental Health – raise no objection to the application subject to the imposition of conditions in respect of contamination, EV charging points and a Construction Emission Management Plan (CEMP).
- 4.4 Nottinghamshire Wildlife Trust – have made no observations on the application.
- 4.5 Primary Care Trust – does not request a contribution.
- 4.6 Secondary Care Trust (or Nottingham University Hospital (NUH)) - request a contribution of £25,210.
- 4.7 Local Education Authority (LEA) - note that there are adequate spaces in the locality for the projected increase in demand for primary education. However,

there is insufficient space for secondary and post 16 education. As a result, the LEA seeks a contribution of £121,255, which is broken down as a secondary education contribution of £97,004 (based on 4 pupils x £24,251 per place) and a post 16 education contribution of £24,251 (based on 1 pupil x £24,251 per place), to be expended within the Carlton secondary planning area.

- 4.8 Lead Flood Authority - raise no objection to the application subject to a condition requiring the submission of a detailed drainage strategy that complies with the submitted Flood Risk Assessment.
- 4.9 Parks and Street Care – Question whether or not the drainage feature could reasonably be described as public open space given its primary purpose is considered to be as a drainage feature rather than tangible or usable public open space. As a result request a contribution of £89,750.64 toward a shortfall of public open space, play equipment and future maintenance of the same, which should be spent at Lambley Lane Recreation Ground. The figures breakdown as £47,332.32 toward playground/play space with £21,537.60 for 10 year maintenance of the same, and £15,790.32 for amenity/open space and £5,090.40 for 10 year maintenance of the same.
- 4.10 Tree Officer – raises no objection to the application and development should proceed in accordance with the submitted Arboricultural Assessment.
- 4.11 A site notice was displayed near to the application site, neighbouring occupiers consulted by letter and a notice posted in the press. As a result of consultation undertaken 1 letter of objection has been received and feel that local residents have had their amenity disturbed for years by the construction of the GAR (now Colliery Way) and this development will continue the disruption. Highway safety would be compromised given the increase in vehicle movements. Their view toward Gedling Country Park will be lost. More trees and greenery should be planned rather than new housing erected.

## **5.0 Relevant Planning Policy**

5.1 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The most pertinent policies to the determination of this application are as follows:

- LPD3 – Managing Flood Risk
- LPD4 – Surface water management
- LPD7 – Contaminated Land
- LPD11 – Air quality
- LPD18 – Protecting and Enhancing Biodiversity
- LPD19 – Landscape and Character and Visual Impact
- LPD21 – Provision of New Open Space
- LPD32 – amenity
- LPD33 – Residential density
- LPD35 – Safe, accessible and inclusive development
- LPD36 - Affordable Housing

- LPD37 - Housing type, size and tenure
- LPD48 – Local Labour Agreements
- LPD57 – Parking standards
- LPD61 – Highway safety
- LPD64 – Housing allocations – Urban area and edge of Hucknall

5.2 The Aligned Core Strategy was Adopted in September 2014, the following policies are considered most pertinent to the determination of the application; A: Presumption in favour of sustainable development; 1: Climate change; 2: The Spatial Strategy; 8: Housing size mix and choice; 10: Design and Enhancing Local Identity and 19 – Developer Contributions

5.3 With respect of the National Planning Policy Framework 2021 (NPPF) the following chapters are considered to be most pertinent to the determination of the application; 2 – achieving sustainable development; 4 – decision making; 5 – Delivering a sufficient supply of homes; 6 – building a strong, competitive economy; 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.

5.4 Other policy guidance of note includes: ‘Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document’ (2022); ‘Affordable Housing Supplementary Planning Document (2009)’ ‘New Housing Development Supplementary Planning Guidance for Open Space Provision’; ‘Low Carbon Planning Guidance for Gedling Borough (May 2021)’ and the Planning Practice Guidance in respect of First Homes.

## 6.0 **Planning Considerations**

### Principle of development

6.1 The application site is allocated for residential development under policy LPD64, which indicates the larger Chase Farm site will deliver in the region of 1,050 dwellings. Section 38(6) of the Town and Country Planning Act indicates that development shall be determined in accordance with the development plan, unless other material considerations indicate otherwise, with the Local Planning Document forming part of the development plan. Therefore, the principle of development is supported and the proposal deemed to comply with policy LPD64 and guidance within the NPPF.

6.2 Whilst the principle of development is supported there would be a need to consider a wide range of other planning matters including whether or not the character of the area is respected, residential amenity, highway considerations, flooding matters, drainage, ecology, and more, which are all explored later in this report.

### Impact on the character of the area and residential amenity

6.3 The site layout is designed around the main spine road, which will be adopted and pass through the adjacent site recently granted permission. Dwellings will largely face on to this main spine road, save for a small number of units

accessed off private drives at the wider part of the site to its south. There will be a mixture of frontage parking, integral garages and some to the side of units with detached garages. The housing mix will be 11 x 3-bed, 8 x 4-bed and 5 x 2-bed, with the 5 affordable units the 2-bed properties. 24 dwellings are proposed to be erected across the site, which would result in a density of development just below 30 per hectare, which is considered to be appropriate in this instance given that the layout and character of the area is respected, and is deemed to comply with policy LPD33.

- 6.4 Streetscene elevations have been submitted in support of the application and show an attractive streetscape that is reflective of other parts of the Chase Farm development with double fronted properties on key corner plots. Materials will be a mixture of red and buff brick under grey tiled roofs. Visually the design of the scheme is considered to be acceptable and would respect the wider character of the area.
- 6.5 A drainage feature has been identified in the northern part of the site; however, it is not considered that it could reasonably be described as public open space given that it could at times be wet and not serve as functional recreational space. However, given the proximity of Lambley Lane Recreation Ground and Gedling Country Park it is considered that payment in lieu of such provision would be acceptable in this instance. As a result the application is deemed to comply with policy LPD20.
- 6.6 In respect of residential amenity, rear gardens will be in the region of 10m in depth and views from properties will be across their own rear gardens, to ensure that the amenity of proposed occupiers will be respected. No existing occupiers will be impacted in that the nearest dwellings are on the opposite side of Lambley Lane. Properties that are proposed to be erected to the south of the site will also have suitable separation distances to ensure that residential amenity will be respected.
- 6.7 Having regard to the above it is considered that the development would result in a scheme that would respect the character of the area and residential amenity as well have an appropriate density of development. As a result the application is deemed to comply with policies LPD19, LPD21, LPD32, LPD33, LPD35, LPD36 and LPD37.

#### Highway matters

- 6.8 Vehicular access to the site will be through land to the south of the site recently granted reserved matters approval for 33 dwellings. The vast majority of the properties will be accessible from an adopted highway, with an appropriately designed turning head toward the end of the cul-de-sac, with only a small number of the properties accessed off private drives. The access as approved under the previous permission is considered to be acceptable and can accommodate the increase in vehicle movements and will ultimately serve 57 dwellings. The Highway Authority have raised no objection to the application, subject to conditions, with the access acceptable and deemed to comply with policy LPD61.

- 6.9 With regard to parking provision policy LPD57 is pertinent to the determination of the application, along with the recently adopted 'Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document'. The document outlines the level of parking provision required for each type of unit dependent on the number of bedrooms and a plan highlighting the parking provision for the site, titled 'car parking strategy plan', has been submitted in support of the application. Each of the 2 and 3-bed dwellings are proposed to have two off-street parking spaces and the 4-bed dwellings would have 3 spaces available, including either integral or detached garages. Therefore, having regard to the above, the level of car parking provision complies with the Supplementary Planning Document and LPD57.

#### Affordable housing

- 6.10 By way of background in respect of the affordable housing sought, it should be noted that the Council would, as outlined in the Council's Affordable Housing Supplementary Planning Document, normally seek 70% of the affordable units to be social rent and 30% intermediate housing. However, there is now a requirement to secure not less than 25% of affordable housing as first homes. First homes is a new form of affordable housing as identified in a written ministerial statement of 24 May 2021 and is fully explored within the Planning Practice Guidance. The guidance identifies that such homes should be secured through a S106 legal agreement and should be sold at not less than 30% against market value. There is an eligibility criteria to qualify for a first home, including being a first time buyer, that occupiers would need to meet. To secure the homes as affordable in the long-term subsequent sale of the house would also need to be by a minimum of 30% against the market value and there will be a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer and after the discount has been applied, the first sale must be at a price no higher than £250,000. The current application provides 20% affordable homes, which would include 2 first homes and 3 affordable rent properties, all of which would be 2-bed properties. The level of provision is considered to acceptable and comply with policy LPD36, Affordable Housing Supplementary Planning Document and the aforementioned recent guidance from central government in respect of first homes.

#### Other considerations

- 6.11 It is understood from a phase 1 desk study that parts of the site may have been used for spoil in association with Gedling Colliery and also may have had a pond on it at some time too. Therefore, as identified by the Environmental Health Officer (EHO), there is a need to undertake additional works to fully explore possible contaminates that may be on the site, which can be secured via a suitable worded condition, although previous uses would not prohibit the site from residential development. The EHO has also requested a condition to secure electric vehicle charging points, which would increase the sustainability of the development, and is an approach that is supported by relevant policy guidance. Having regard to the above the application is deemed to comply with policies LPD7 and LPD11.

- 6.12 An ecological report has been submitted in support of the application and notes that given recent works that have been undertaken in the area, notably the GAR, the site is unlikely to have protected species including reptiles, bats or badger. The majority of trees on the site are to be removed and the report identifies that native planting should be used to mitigate this loss. Furthermore, bat boxes should be installed on a number of dwellings as further mitigation. All of the above can be secured via suitably worded conditions and the application is deemed to comply with policy LPD18.
- 6.13 A noise survey has been submitted in support of the application and has modelled the likely noise impacts to proposed occupiers from adjacent roads, notably Colliery Way. The report identifies all properties would require double glazing to have acceptable noise levels, but given that this would be expected as standard, it is not considered necessary to add any additional conditions in this respect.
- 6.14 An Arboricultural Survey has been submitted in support of the application and identifies that a number of trees along the western edge of the site, adjacent to Lambley Lane Recreation Ground, would need to be removed to facilitate the development. None of the trees are protected with a Tree Preservation Order (TPO) and to mitigate this loss it is intended to add a condition requiring details of a landscaping scheme to be approved by the Local Planning Authority so that a green boundary treatment can be supplied along this edge of the site. Subject to this mitigation it is considered that the impact on trees would be acceptable and is deemed to comply with policy LPD18.
- 6.15 In respect of drainage, a flood risk assessment and drainage strategy has been submitted in support of the application and identifies that the site falls within flood zone 1 so is at a low risk of flooding. In the area there are surface and foul water sewers that the development can link to and the foul water will be pumped to the existing network along Lambley Lane. Surface water is intended to be disposed of utilising a culverted watercourse, to the western boundary of the site, which will dispose of water at green field rates. To ensure that flows to the water course are suitably controlled the public open space to the northern edge of the site will also function as a holding area for surface water in terms of high water volume. The approach identified is considered to be acceptable and subject to conditions, as identified by the Lead Flood Authority, the drainage strategy as outlined is considered to be acceptable and comply with policies LPD3 and LPD4.
- 6.16 With the development meeting the threshold identified in policy LP48, a Local Labour Agreement will also be sought in the Planning Obligation
- 6.17 The observations of the letter of objection are noted; however, there is no right to a view and it is not considered that the amenity of existing occupiers would be compromised given the distance of the site to properties on Lambley Lane. Furthermore, the highway network has capacity to absorb the vehicle movements that would be created and the land is allocated for residential development.
- 6.18 In accordance with the Low Carbon Planning Guidance for Gedling Borough Supplementary Planning Document it is noted that there would be a need to



encourage a development that would lessen the impacts of climate change. The dwellings will not have conventional fossil fuel heating, rather they would have air source heat pumps and solar panels. This would comply with part L of the building regulations, which is over and above the building regulations minimum. EV charging points are also proposed on the units to encourage electric car usage, all of which will help to reduce the impact of the development on the environment and assist in reducing climate change.

### Planning Obligations

6.19 The application meets the trigger for a number of contributions to make the development acceptable in planning terms. To this end, the contributions sought from various statutory consultees are summarised below:

- Affordable housing – a total of 20% of the units would need to be affordable, this is 5 units, of which 3 would be affordable rent and 2 first homes. This level of provision has been indicated on the submitted drawings and is something that would need to be secured through the Section 106 Legal Agreement.
- Transport and travel – a developer contribution of £12,050 for improvements toward bus stop provision is sought. The bus stops that are identified as requiring improvement are on Lambley Lane (GEO543 and GEO542) and will be spent on real time display features and raised kerbing.
- Education - a contribution of £121,255 is sought toward secondary education given a lack of capacity within the relevant catchment area for the site. This would break down as £97,004 toward secondary education and £24,251 toward post 16 education.
- Public open space - In respect of public open space there would be a need to seek a contribution toward off site provision given the drainage feature is not considered to double as POS. The contribution sought is £89,750.64.
- Details of a management company would also need to be secured in respect of the drainage feature and associated landscaping to ensure that land not within a property curtilage is appropriately managed in the long-term.
- A monitoring fee for the planning obligations is sought and in line with Council's Section 106 and Unilateral Undertaking Monitoring Fee Policy Statement, which calculates a figure based on the number of relevant triggers. The monitoring fee is subject to annual indexation, therefore, the final sum will be determined at such time as the legal agreement is in an agreed form and ready to be completed.
- Local Labour Agreement – A local labour agreement would be required.

6.20 There is a requirement for contributions sought to comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) which identifies the tests required to seek a planning obligation and guidance as outlined in paragraph 57 of the NPPF and ACS19. All of the above contributions are considered to comply with relevant guidance in respect of being pertinent to the application under consideration.

- 6.21 It is noted in paragraph 4.6 of this report that the secondary care trust seek a contribution of £25,201 toward provision for Nottingham University Hospitals. However, the request is not considered to be directly related to the development in question in that it is the primary care trust who fulfil the local requirement e.g. funding toward local doctors services, and, therefore, it is not considered that the secondary care trust should be secured as planning obligation. It does not meet the statutory test set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

## **7.0 Conclusion**

- 7.1 Having regard to the above it is noted that the principle of the development is supported by policy LPD64. The layout, scale and appearance of the development as proposed would respect the character of the area and residential amenity. The impact on the highway network would be acceptable and adequate parking would be provided. Affordable housing provision would be acceptable and the other planning obligations sought directly relate to the development in question. As a result the application is deemed to comply with policies LPD3, LPD4, LPD7, LPD11, LPD18, LPD19, LPD32, LPD33, LPD35, LPD36, LPD37, LPD48, LPD57, LPD61 and LPD64 of the Local Planning Document; policies A, 1, 2, 8, 10 and 19 of the Aligned Core Strategy, Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document'; Affordable Housing Supplementary Planning Document and the Low Carbon Planning Guidance for Gedling Borough and guidance within the NPPF.

- 8.0 Recommendation: GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, education contributions, payment in lieu of public open space, bus stop improvements, management company details and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.**

### **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 application form and following list of approved drawings:

P22-0949 - P100 (Site Plan) Rev E

P22-0949 - P101 (Location Plan)

P22-0949 - P102 (Materials Plan)

P22-0949 - P104 (Car Park Strategy Plan)

P22-0949 - P105 (Storey Height Plan)

P22-0949 - P106 (Site Sections)

P22-0949 - P107 (Street Scenes)

P22-0949 - P120 (Abbey House Type)

P22-0949 - P121 (Bamburgh House Type)

P22-0949 - P122 (Belmont House Type)

P22-0949 - P123 (Burton House Type Floor Plans)

P22-0949 - P124 (Burton House Type Elevations)

P22-0949 - P125 (Clifton House Type)

P22-0949 - P126 (Rothway House Type)

P22-0949 - P127 (Staveley House Type)

P22-0949 - P128 (Windsor House Type)

P22-0949 - P129 (Belmont House Type - Plot 949 Only)

18Core 9050 rev 1 – single garage

P22-0949 - DAS.doc

Revised Tree Report

FPCR 6674 AA Rev B

Additional Balancing Lagoon Drawings

Lagoon Sections KM Harworth 01

Lagoon Layout KM Harworth 02

Swept Path Analysis

20560 - 508 - Swept Path Analysis

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

3. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and

approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.

4. Notwithstanding details previously submitted and prior to above ground works commencing, a scheme of landscaping and boundary treatments, showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
5. No part of the development hereby permitted shall be brought into use until the access arrangement from its junction with Lambley Lane connects to the south eastern site boundary and is provided in accordance with layout plan P100 rev E.
6. No part of the development hereby approved shall commence until a details surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy R-FRA-20560-01-C, January 2020, JPP Consulting Ltd, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details approved prior to the competition of the development.
7. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.  
All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
8. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall, thereafter, be undertaken in accordance with the approved CEMP.
9. Prior to the commencement of development, the following shall be complied with:

Site Characterisation

An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

#### Submission of Remediation Scheme

Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

10. 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.
11. 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.
12. Notwithstanding details submitted, prior to above ground works commencing details of boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The details as submitted shall be in situ prior to each unit being occupied.
13. Prior to above ground works commencing, a drawing showing the location and design of bat boxes to be installed on site shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed prior to the pertinent units being occupied and shall be thereafter be retained in perpetuity.

## **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the character of the area is respected and to comply with policy ASC10.
4. To ensure that the character of the area is respected and to comply with policy LPD19.
5. To ensure that a safe and direct access is available to the highway network and to comply with policy LPD61.
6. To ensure that the site is adequately drained and to comply with policy LPD4.
7. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11.
8. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11.
9. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
10. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
11. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
12. To ensure that the character of the area is respected and to comply with policy LPD19.
13. To ensure that impacts on wildlife are duly considered and to comply with policy LPD18.

## **Notes to Applicant**

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payments 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 regarding 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 and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing and appropriate agreements are entered into before any highway work commences on site.

Please contact the Highway Authority for details [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk).

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal:  
[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

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).

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 developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing 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).

In respect of details to be approved for surface water drainage, the scheme to be submitted shall:

Demonstrate that the development will use SUDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

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 rate for the developable area

Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA.

Provide detailed design (plans, network details and calculations) in support of and 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 duration inclusive of the 1 in 1 year, 1 in 2 year, 1 in 3 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

As part of the landscape and boundary treatment detail the Council would expect to see a green boundary treatment along the western edge of the site where existing trees are to be removed. Furthermore, there would be a need to ensure that trees that fall on or close to the boundary of the application site are not detrimentally impacted, as identified in the Arboricultural Assessment.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.