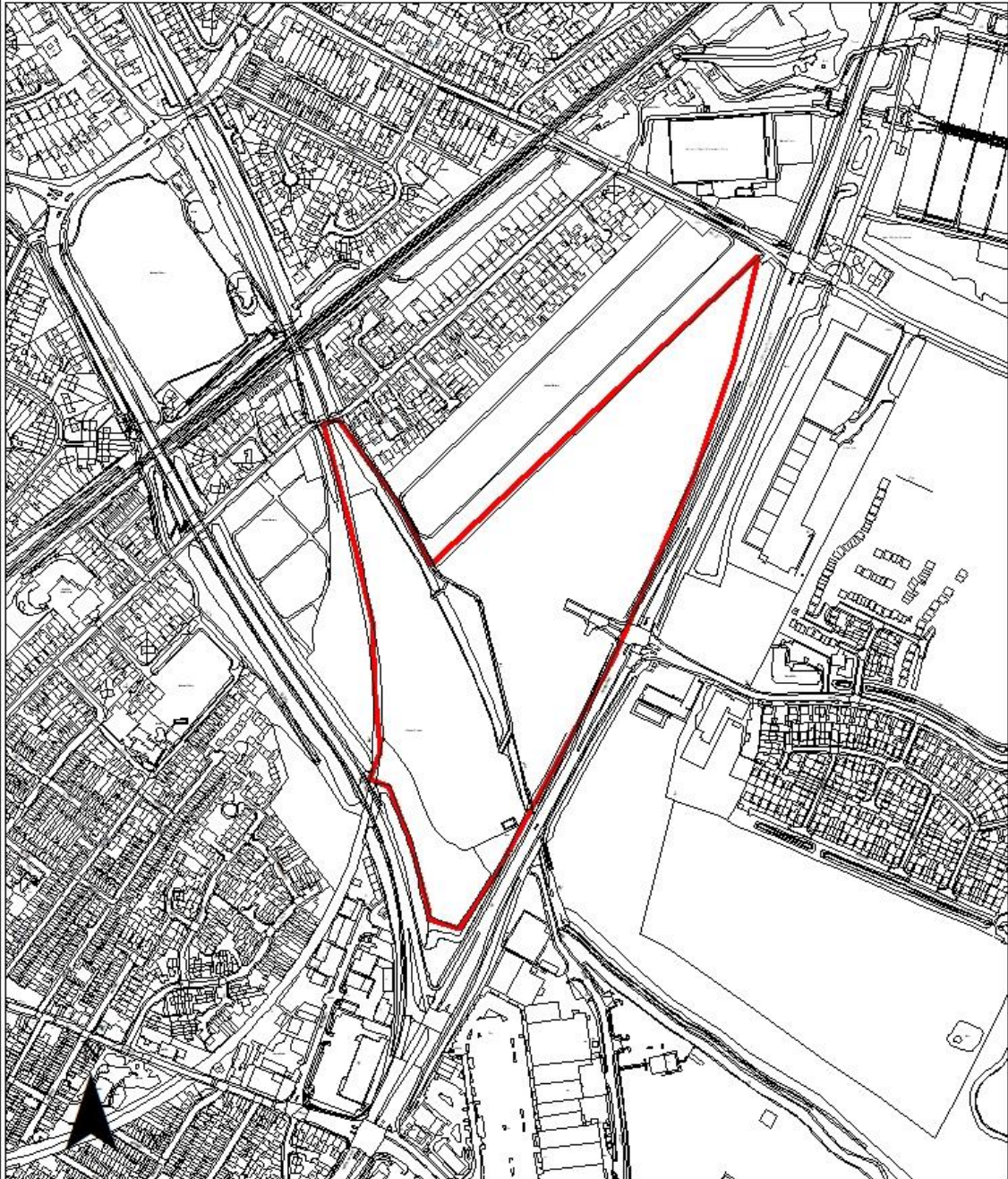




Planning Report for 2019/0560

1:5,760

Planning Reference: 2019/0560
Land At Teal Close
Netherfield



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

Application Number:	2019/0560
Location:	Land off Teal Close Netherfield Nottinghamshire
Proposal:	Reserved Matters Application for the erection of 255no. dwellings (C3), including 13 affordable units and associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999 (Phase 3).
Applicant:	Persimmon Homes (Nottingham)
Agent:	
Case Officer:	Kevin Cartwright

This application has been referred to the Planning Committee in accordance with the Council's Constitution as the development proposes more than 9 dwellings.

1.0 Site Description

- 1.1 The site is the Teal Close development site which has outline planning permission reference 2013/0546 as varied by planning permission 2017/0999 for residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures. Various approvals have been granted pursuant to this permission. The full planning history is detailed below.
- 1.2 To date approximately 200 dwellings, primary school and a care home have been completed and work has commenced on a significant number of other dwellings. A number of the commercial units are also complete.
- 1.3 It is approximately 26 hectares in overall site area split into two parcels of land which straddle the Colwick Loop Road.
- 1.4 This particular reserved matters application relates to the parcel of land approximately 8 hectares in area to the west of the Colwick Loop Road.

2.0 Relevant Planning History

2013/0546 - Outline planning application comprising residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures approved and is subject to a S106 agreement. Approved 30th June 2014.

2017/0999 - Variation of Conditions 32, 33 & 35 and removal of Condition 34 attached to outline planning application No. 2013/0546 comprising residential development (up to 830 units), employment uses (use classes B1, B2, B8) a community hub (use classes A1-A5 and D1) primary school, hotel (use class C1), care home (use class C2) playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures. Approved 28th February 2018.

2017/0800 - Reserved Matters Application for the erection of 199 dwellings (C3), including 2017/0800 10 affordable units, and the associated infrastructure including landscaping, community uses/changing rooms (D2), playing pitches, a NEAP and public open space and an ecological park. Approved 2nd March 2018. 2018/0951 - Variation of conditions 32 (highway works), 33 (highway works) & 35 (footway/cycleway works) on outline planning permission reference 2017/0999 – Approved 2nd March 2018.

2017/1092 - Discharge of Conditions 3 (Phasing), 8 (Topographical), 25 (Geophysical), 28 (Main Site Access), 30, 31, 32, 33 & 35 of Outline Planning Approval: 2017/0999. Approved.

2018/1189NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999. – Approved

2019/0060NMA - Non Material Amendment to reserved matters approval 2017/0800 - mid-terraced Yarm house type replaced with Bickleigh house type and end terrace Bickleigh house type replaced with Yarm house type, changes to feature plots and amendments to road layouts – Approved

2019/0208NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999 – Pending

2019/0131 - Reserved matters application for the erection of a 1-form entry primary school with a 26 place nursery with associated external play areas, car parking and associated landscaping and infrastructure pursuant to outline planning permission 2017/0999 – Approved 8th April 2020.

2019/0529 - Formation of access and enabling works including drainage and earthworks in relation to the local centre and employment uses – Granted Permission 18th September 2019.

2019/0613 - Approval of reserved matters in relation to access, appearance, landscaping, layout and scale of the Local Centre comprising of Public House, Commercial/Retail Terrace and Children's Day Nursery pursuant to outline planning permission 2017/0999- Approved 21st May 2021.

2019/0614 - Approval of reserved matters in relation to appearance, landscaping, layout and scale of the trade park and unit 1 of the employment area pursuant to outline planning permission 2017/0999 – Granted Planning Permission 8th November 2019.

2019/0615 - Approval of reserved matters in relation to appearance, landscaping, layout and scale for the development of the employment area (6no. employment units) pursuant to outline planning permission 2017/0999 – Granted Planning Permission 24th June 2021.

2019/1191 – Erection of a three Storey Sixty Six Bedroom Residential Care Home for Older People (Use Class C2) with associated access, parking and landscaping. Granted Planning Permission 11th March 2020.

2019/0152 - Reserved matters application for the erection of 353no. dwellings (C3), including 18 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999. (Phase 2) – Approved 22nd June 2020.

2020/1292 - Erection of a retail store (Class E) with associated car parking, landscaping and other infrastructure. Granted Planning Permission on 21st May 2021.

2019/0374 – Variation of Conditions 2 (approved plans), 7 (parameters plan written statement), 10 (flood risk), 28 (highway works), 30 (highway works), 31 (highway works), 32 (highway works), 33 (highway works) and 35 (footway/cycleway) on planning permission reference 2017/0999 – Granted Planning Permission on 13th June 2022.

3.0 Proposed Development

- 3.1 The proposal relates to the construction of 255no. dwellings of which there would be 13 affordable units. It is a reserved matters application pursuant to outline planning permission 2013/0546 as varied by permission 2017/0999 and seeks approval of scale, layout, appearance and landscaping.
- 3.2 The site would be accessed from the western arm of the newly constructed traffic lighted junction off the Colwick Loop Road. The eastern arm being Magenta Way which serves the remainder of the Teal Close development.
- 3.2 The accommodation schedule proposed is as follows:

No. of Bedrooms	Number of units
2	44
3	61
4	115
5	35
Total	255

3.3 The overall density of the development would be 31 dwellings per hectare.

4.0 **Consultations**

4.1 Nottinghamshire County Council Local Lead Flood Authority – object on the basis of no flood risk assessment.

4.2 Environment Agency – The documents submitted as part of this Reserved Matters applications show the development outside of the modelled floodplain of the Ouse Dyke, (the Ouse Dyke floodplain shown in the Flood Risk Assessment accompanying the original 2013 application). This is in accordance with condition 15 of application 2017/0999.

4.3 Nottinghamshire County Council Highway Authority – no objection subject to a number of conditions in relation to bin store areas, surfacing of the driveways and parking areas, details of wheel washing facilities and specification of the roads including any street furniture.

4.4 Stoke Bardolph Parish Council – No comments received.

4.5 Scientific Officer (Air Quality) - No objection subject to the provision of EV charging points, Construction Emissions Management Plan and Low Emissions Travel Plan.

4.6 Nottinghamshire Wildlife Trust – No comments received. Any comments will be reported verbally at the meeting.

4.7 Nottinghamshire County Council Transport and Travel Services – requested a condition requiring the installation of 2no. bus stops on Colwick Loop Road adjacent to the development.

4.8 Members of the Public

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

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

6.0 Development Plan Policies

6.1 National Planning Policy Framework (NPPF) 2021

Section 2 – Achieving sustainable development - Para 11 – presumption in favour of sustainable development

Section 4 – Decision-making - Paragraph 47 of the NPPF states that planning law requires applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Section 8 – Promoting healthy and safe communities. Paragraph 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places. Paragraph 134 states that permission should be refused for development of poor design.

Section 14 – Meeting the challenge of climate change, flooding and coastal change - Paragraph 166 - states a site specific flood risk assessment is required. The applicant has submitted a flood risk assessment.

Section 15 – Conserving and enhancing the natural environment - Paragraph 174. Planning policies and decisions should contribute to and enhance the natural and local environment.

6.2 Gedling Borough Aligned Core Strategy (ACS) (2014)

Policy A – Presumption in Favour of Sustainable Development

Policy 1: Climate Change - Parts 1, 2 and 3 set out sustainability criteria.

Policy 10: Design and Enhancing Local Identity - General design criteria

6.3 Gedling Borough Local Planning Document (LPD) (2018)

LPD 11 - Air Quality - states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD 32 – Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33 - Residential Density – supports residential densities more than 30 dwellings per hectare to ensure effective use of land. This scheme would have a density of approximately 31 dwellings per hectare and accords with this policy.

LPD 35 – Safe, Accessible and Inclusive Development – supports well designed schemes and the creation of safe and sustainable places.

LPD 57 – Parking Standards – Planning Permission will be granted for residential development where proposals meet the requirement for parking provision set out in Appendix D, or otherwise agreed by the local planning authority.

LPD 61 – Highway Safety – Planning Permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of people.

6.4 Other Guidance

Parking Provision for Residential and Non-Residential Developments SPD – (2022)

Air Quality and Emissions Mitigation (2019)

Low carbon planning guidance for Gedling Borough (May 2021)

7.0 **Planning Considerations**

Principle of Development

7.1 The principle of development on this site for residential development has been established by outline application 2013/0546 and the subsequent Section 73 application 2017/0999. Accordingly, the matters for consideration as part of this current application relate to appearance, layout, scale and landscaping of the proposed residential development.

7.2 Access to the site would be via the newly constructed traffic lighted junction off the A612. This was approved by the aforementioned outline permission. This single vehicle access point into the site accords with the masterplan as varied by planning application 2019/0374.

Appearance

- 7.3 There would be a mix of different house types throughout the site that would meet the needs of the different groups in the community. The appearance and design of the proposed dwellings is considered to be acceptable within the context of the surrounding area and, as the application is made by the same house builder as that constructing units under the Phase 1 and Phase 2 reserved matters approval, there will be a consistency in the house types and materials.
- 7.4 There would be a mix of facing bricks, predominantly reds, with a number of dwellings in key locations finished in render. There would be a mix of brown, grey and terracotta roof tiles.

Layout

- 7.4 The layout of the proposed dwellings is driven by the requirement to comply with the approved masterplan. This has resulted in a layout that incorporates a centrally located Locally Equipped Area of Play (LEAP) within a green corridor and the dwellings arranged around strong perimeter blocks which promotes good permeability and movement within the site.
- 7.5 There is an identified road hierarchy with the majority of the roads being adopted with the exception of private drives that serve a limited number of properties around the periphery of the development.
- 7.6 The overall number of dwellings on the site is capped at 830 by the outline planning permission. Phase 1 will deliver 199 units, Phase 2, 353 units and Phase 255 units. This gives an overall total of 807 which accords with the outline permission.
- 7.7 The density of this reserved application would be approximately 31 dwellings per hectare and, taking the Teal Close development as a whole, all three phases would have an average overall density of 35 dwellings per hectare.
- 7.8 It is considered that the proposal is in compliance with the approved masterplan and Aligned Core Strategy Policy 10 and LPD32, LPD33 and LPD 35.

Scale

- 7.9 The scale and massing of the buildings sits well with the Phase 1 which is currently under construction and phase 2 that was approved by planning permission 2019/0152. The dwellings are predominantly two and two and a half storey with rooms in the roof. This is in keeping with the previously approved phases and will give continuity to the development as a whole.
- 7.10 There are varied building heights within the development, particularly at key locations to provide both focal points and end stops to street views and vistas. This provides legibility within the development.

- 7.11 It is considered that the proposal is in compliance with the approved masterplan and Aligned Core Strategy Policy 10 and LPD32.

Landscaping

- 7.12 In accordance with the approved masterplan the landscaping of the development is predominantly through the green corridor that runs north south through the site adjacent to the equipped play area.
- 7.13 There would be a green corridor running through the centre of the scheme which includes the equipped play area (LEAP). This would provide a focal point, a publically accessible equipped open space and encourage pedestrian permeability. Additionally there would be native tree planting within the landscaping area adjacent to the Colwick Loop Road.
- 7.14 There would be additional landscaping within each plot including boundary hedgerows and in prominent locations within the street scene.
- 7.15 The proposal therefore complies with the objectives of the National Planning Policy Framework and Aligned Core Strategy Policy 10 and Policy LPD 35.

Other Matters - Air Quality

- 7.16 The application site falls within the wider Teal Close development site which has an approval for residential development, a school, local centre and commercial uses. The outline permission secured a financial contribution towards air quality monitoring. The principle and quantum of development has already been established by the outline consent and it would not be permissible to request further information in this regards. Similarly it would not be permissible to require the implementation of a travel plan and the provision of EV charging points as this is a reserved matters application in relation to appearance, landscaping, layout and scale only.
- 7.17 Noting the request from our Scientific Officer for a condition in relation to the submission of a Construction Emissions Management Plan (CEMP). It should be noted that condition 24 of outline planning permission 2017/0999 requires, prior to the commencement of each phase, the submission and approval of a CEMP. As this application is a reserved matters approval pursuant to this outline it is not necessary to duplicate this condition. As such the proposal complies with LPD 11.
- 7.18 Whilst noting the document Low Carbon Planning Guidance for Gedling, as this application is a reserved matters submission pursuant to a somewhat historical outline planning permission which was originally consented in 2014 it is not possible to require this scheme to incorporate sustainable design and construction techniques and methodologies. The developer would however be at liberty to install measures such as EV charging points, ground floor air source heat pumps and technology to harvest rainwater which would be fully supported by the guidance.

Highway Safety and Capacity

- 7.19 It should be noted that the principle of this development and that of wider site is established by the grant of outline planning permission 2013/0456 and subsequent section 73 application 2017/0999. This included assessment of the impact that the development of the site as a whole, including up to 830 dwellings, would have on the wider transport network and established the approved access to the site off the A612 Colwick Loop via what is now known as Magenta Way. As this is a reserved matters application for 255 of the 830 units, it is the matters of scale, layout, appearance and landscaping that are the subject of this application. The principle of residential development and the wider highway matters are not for consideration.
- 7.20 It should be noted that the internal road layout and associated infrastructure that is the subject of this reserved matters application has been assessed by the Highway Authority who has raised no objection subject to a number of conditions.
- 7.21 Each of the five bed properties would have 4 spaces, the four bed properties would have either 4 or 3 spaces, the three bed properties would have 3 or 2 spaces and the two bed properties would have 2 spaces. 173 dwellings would include integral and detached garages and the remaining 82 dwellings would have parking spaces only. Of the dwellings with garages, the garage lengths and openings are less than that prescribed by the Supplementary Planning Document as such the garages cannot be regarded as usable spaces for all vehicles. There would however be the ability to park a vehicle on the highway outside of each property.
- 7.22 Having regard to the above and noting no objection from the Highway Authority it is considered that the provision complies with LPD 57 and Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document.
- 7.23 In relation to the request for wheel washing facilities, Condition 24 of the outline planning permission to which this reserved matters application is pursuant requires compliance with an approved Construction Environmental Management Plan which includes wheel washing facilities. As such the matter is already addressed and a further condition would be duplication.
- 7.24 The request for road specifications including street furniture are matters that are the subject of the County Council's road adoption process. As such a condition requiring these details would be duplication and not necessary.
- 7.25 The request from Nottinghamshire County Council Transport and Travel Services in relation to new bus stop provision on the Colwick Loop Road is noted. The S106 legal agreement associated with the outline planning permission secures a contribution of £450,000 to the County Council to improve and extend the contracted bus services to the site. As this is a reserved matters application a further condition requiring the construction of the bus stops cannot be requested as the matter was considered and addressed at outline stage.

- 7.26 In light of the above matters it is considered that the proposal would not be harmful to highway safety or the surrounding road network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework and Local Planning Document LPD 57, 61 and Parking Provision for Residential Developments – Supplementary Planning Document.

Drainage Matters

- 7.27 The comments of the Local Lead Flood Authority are noted. However as this is a reserved matters application the conditions on the outline planning permission pertaining to drainage must be adhered to in relation to this development. Specifically, condition 10 Flood Prevention, Condition 11 Flood Resilience, Condition 16 Surface Water Drainage and Condition 17 Foul Water Drainage. It is not necessary to duplicate these conditions on any approval of reserved matters applications. It should also be noted that the Environment Agency has no objection.

8.0 Conclusion

- 8.1 The proposed development would be of a scale, layout and appearance that would be appropriate in the context of the surrounding area and would not have an adverse impact upon visual amenity, residential amenity or highway safety. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies, A, 10 Local Planning Document Policies 11, 32, 33, 35, 57, and 61.

9.0 RECOMMENDATION: Grant Approval of Reserved Matters subject to the following conditions:

Conditions

- 1 This permission shall be read in accordance with the following plans:
- Ph3 Planning Layout Drawing No. TGDP/TCGN/PH3-PL1
 - Charter Plan (materials and boundary treatments) RG3/CP/01 Sheet 1 of 2
 - Charter Plan (materials and boundary treatments) RG3/CP/02 Sheet 2 of 2
 - Details of Soft landscaping 9039-L-01 Rev F Sheet 1
 - Details of Soft landscaping 9039-L-02 Rev F Sheet 2
 - Details of Soft landscaping 9039-L-03 Rev F Sheet 3
 - Details of Soft landscaping 9039-L-04 Rev F Sheet 4
 - Details of Soft landscaping 9039-L-05 Rev F Sheet 5
 - Details of Soft landscaping 9039-L-06 Rev F Sheet 6
 - Details of Soft landscaping 9039-L-07 Rev F Sheet 7
 - Details of Soft landscaping 9039-L-08 Rev F Sheet 8
 - Details of Soft landscaping 9039-L-09 Rev F Sheet 9
 - Affordable Housing TGDP/TCGN/PH3-PL1 – Affordable Housing Location
 - Pumping Station Details Dwg No. PR10422-001
 - Pumping Station Details Dwg No. PR10422-002
 - Pumping Station Details Dwg No. PR10422-003
 - Pumping Station Details Dwg No. PR10422-004

Pumping Station Details Dwg No. PR10422-005
Pumping Station Details Dwg No. PR10422-006
Pumping Station Details Dwg No. PR10422-007
Pumping Station Details Dwg No. PR10422-008
Pumping Station Details Dwg No. PR10422-009
Pumping Station Details Dwg No. PR10422-0010

Housetypes

Clayton Corner – CAA-WD16
Bickleigh – ST-WD10
Hatfield – HT-WD16
Yarm – YM-WD10
Piccadily – PY-WD10
Moseley –MS-WD10
Hanbury – HB-WD
The Alnwick AN-WD10
Oxford OX-WD10
Regent –RT-WD10
Bond -BD –WD10
Fenchurch FH-WD10
Edlingham (Village) EL-WD16
Harley HY-WD10 – RevQ
Corfe CF-WD16
Mayfair MY-WD10 Rev J
Strand ST – WD10 Rev L
Winster WS-WD16
Chedworth CD-WD16
Knightsbridge KB-WD10 Rev G
Kendall Village KL-WD10 Rev H
Downing DG-WD10 Rev J
Leicester LR-WD16
Roseberry RS-WD16
Whitehall WH-WD10 Rev G

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

- 2 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 3 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reasons

- 1** To define the permission and for the avoidance of doubt.
- 2** To reduce the possibility of deleterious material being deposited on the public highway.
- 3** To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019).