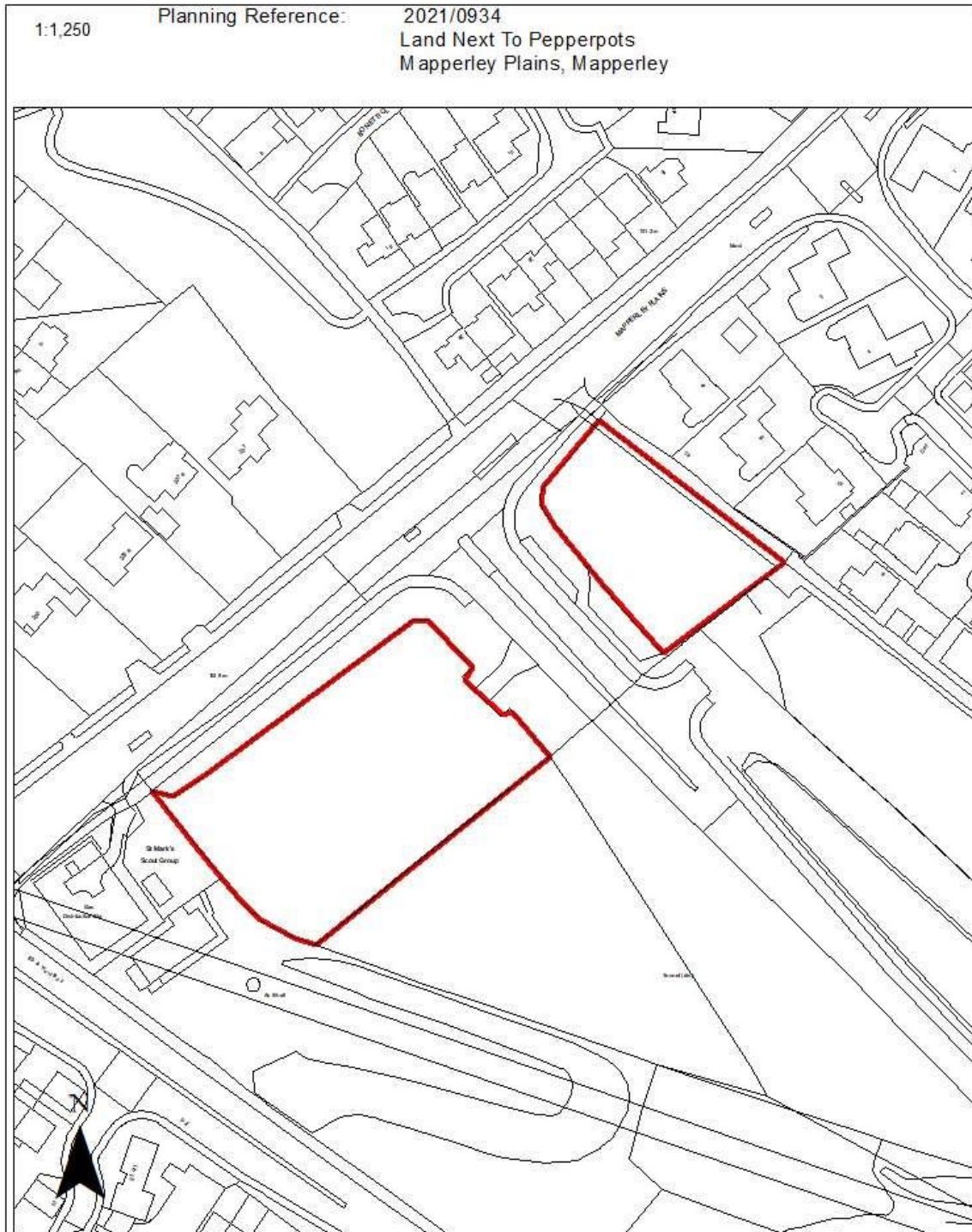




Planning Report for 2021/0934



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:	2021/0934
Location:	Land Next to Pepperpots, Mapperley Plains, Mapperley
Proposal:	Erection of 8 detached dwellings and 3 apartment buildings (comprising 29 flats).
Applicant:	Killarney Homes
Agent:	Halsall Lloyd Partnership
Case Officer:	Nigel Bryan

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 approximately 0.677 hectares and is located off Mapperley Plains and is dissected by the recently opened Colliery Way. As a result the application forms two distinct and separate parcels of land, one of which is bordered by Mapperley Plains, the 3rd Woodthorpe Scout Hut and Colliery Way and the second is bordered by Mapperley Plains, Colliery Way and a former vehicular access to Chase Farm, with dwellings on Clementine Drive beyond.
- 1.2 The two parcels of land are currently vacant with elements of hardstanding and low level vegetation/grass. There is a gradual but noticeable change of levels through the site with the land dropping away as you head from Mapperley Plains along Colliery Way. Both parcels of land have vehicular entrance points into them from Colliery Way. Around the parcel of land closest to Clementine Drive an acoustic timber fence has been erected around the site. Both sites are bound by vacant land to the south. Some landscaping associated with Colliery Way has been planted within the highway verge between the application site and adjacent roads.

2.0 Relevant Planning History

- 2.1 2018/0394 – an application for a 'Certificate of Appropriate Alternative Development' was granted on the 13th July 2018, having been determined at Planning Committee and established that the site would be suitable for residential development.

3.0 Proposed Development

- 3.1 The application is submitted in full and is for the erection of 37 dwellings in total, which would comprise 8 detached dwellings and 29 apartments. On the western parcel of land this would comprise 5 detached dwellings accessed off a private drive from Mapperley Plains, with egress from the private drive to Mapperley Plains being restricted to a left turn only. Two blocks of flats (A and B) would also be erected, comprising 11 units in block A and 12 units in block B, with 22 two-bed flats and one one-bed flat. Access to these buildings would be from Colliery Way.
- 3.2 On the eastern part of the site, adjacent to Clementine Drive, there would be 3 detached dwellings and building C, comprising 6 flats, all of which would be one-bed and both the flats and dwellings would be accessed from Colliery Way.
- 3.3. A total of 12 affordable dwellings are proposed, which would comprise 4 first homes in building C, all of which would be one-bed and 8 affordable rent in building B, all of which would be two-bed.
- 3.4 In terms of design, the detached dwellings would respect the character of the area being two-storey in scale with red brick predominate and one of the house types having render on the first floor. The flat developments would have accommodation over three floors with the upper floor largely in the roof space; however, the blocks would be taller than the detached dwellings. Materials for the flats would be more mixed including red brick, tile and cladding.
- 3.5 As part of the application it is also proposed to remove part of the acoustic fencing adjacent to Colliery Way around the smaller parcel of land close to Clementine Drive, although it is intended to be re-sited on the eastern edge of the site.

4.0 Consultations

- 4.1 Highway Authority – following receipt of amended plans they raise no objection to the application subject to the imposition of conditions in respect of securing access improvements and parking provision.
- 4.2 Environment Agency – raise no objection to the application, noting that the application site falls within zone 1 and therefore they raise no fluvial risk concerns.
- 4.3 Environmental Health – note that the phase 1 contamination report is 5 years old and should be updated, which can be secured via a condition. A Construction Emission Management Plan (CEMP) would be required as well as the need to secure EV charging points for the development. In respect of noise, they raise no objection to the application subject to securing mitigation identified in the submitted noise report.
- 4.4 Nottinghamshire Wildlife Trust – note that additional information has been submitted that reflects recent development in the locality, most notably the

construction of Colliery Way. There would be a need to ensure that protected species are protected and, to this end, during site clearance an ecologist should be onsite to ensure any disturbed hedgehogs are re-located; ensure no badgers are on-site and look to achieve a suitable landscaping scheme.

- 4.5 Primary Care Trust (PCT) – based on the erection of 37 dwellings, the PCT would seek a contribution of £20,049.37 toward increasing capacity at either the Plains View, West Oak or Unity Surgeries.
- 4.6 Secondary Care Trust (Nottingham University Hospital) – have requested a contribution of £23,018.00 toward secondary care provision e.g. City Hospital and the Queens Medical Centre.
- 4.7 Local Education Authority (LEA) – based on the erection of 30 units that could have children (7 of the units would be one bedroom and therefore not have children) the development would generate 6 primary, 5 secondary and 1 post-16 place. There is no capacity to absorb the spaces generated and therefore a contribution of £113,442 is sought toward primary spaces in the Mapperley planning area. Similarly, there is no capacity for the secondary or post-16 places and therefore a contribution of £131,270 is sought toward such provision in the Mapperley planning area.
- 4.8 Lead Flood Authority – following submission of additional information in respect of drainage, notably an updated Flood Risk Assessment and Drainage Strategy, they raise no objection to the application.
- 4.9 Parks and Street Care – based on the number of dwellings and site area, along with the fact that no wider public open space is to be provided on-site, a contribution of £79,066.04 is sought, which breaks down as £55,608.04 for play equipment and £23,458.00 for its future maintenance for a period of 10 years.
- 4.10 Strategic Housing Manager – notes that 30% of the units would need to be affordable, as has been secured and the mix of units provided, which would be 12 units, 8 affordable rent and four first homes, is acceptable.
- 4.11 Gedling Borough Council Arborist – notes that trees to the periphery of the site, particularly toward the highway verge, are far enough away from the built form so as to not impact on their longevity; therefore, raise no objection to the application.
- 4.12 NCC Archaeology – note that an Archaeology Watching Brief has been submitted in support of the application. Having reviewed the information and fact that some works have been undertaken in the area associated with Colliery Way, they raise no objection to the application, subject to the imposition of a condition requiring additional exploratory works.
- 4.13 Waste and recycling – note that adequate access would need to be provided to service the collection of bins, which is currently difficult at the nearby Scout Hut of 3rd Woodthorpe.

4.13 3rd Woodthorpe Scout Group - raise concern about access to the site and how it could affect access to their own site and highway safety; will trees on their site be detrimentally impacted; what boundary treatment is proposed; the safety of their site could be compromised allowing greater access to it from adjacent land e.g. safeguarding; it is unclear how the scheme has changed through the planning process.

4.12 A site notice was displayed near to the application site, a notice placed in the press and consultation letters sent to local residents. Following receipt of amended plans, which reduced the number and scale of units proposed to be erected a further consultation was undertaken. A third consultation was undertaken when the level of affordable housing on site was confirmed. As a result of consultation undertaken a total of 30 responses have been received; 12 responses received to the original consultation, 4 to the second re-consult and 14 to the third. A summary of the objections are reproduced below;

- The scale of built form is out of character with the area and should only be two rather than three-storey;
- The area is characterised by detached dwellings and the flats would be out of character with the area;
- The density of development is far too high;
- The number of dwellings proposed is over and above that identified on the previous permission on site;
- A greener environment, particularly along the Mapperley Plains frontage. should be secured
- What level of affordable provision is proposed and is this the right location for that type of tenure?
- The acoustic fencing should be retained as without it noise from Colliery Way will be detrimental to the amenity of local residents;
- The development will cause safety concerns for the adjacent Scout group given its proximity to their site/hut, through safeguarding concerns and overlooking;
- Trees to the edge of the site, including on the scout group site, could be undermined;
- Access to the site will not be safe given its proximity to the junction of Colliery Way and Mapperley Road;
- Highway safety will be compromised;
- Parking provision is inadequate, particularly for building C, and any overspill should not be absorbed on the nearby roads;
- The development will increase stress on existing services e.g. schools, dentists and doctors
- The site is home to some protected species and should not be developed;
- Trees planted as part of Colliery Way will be detrimentally impacted;
- The dwellings are too large and should be reduced in scale so as to reduce overbearing impacts;
- Overlooking would increase to the detriment of existing occupiers;
- Observations made in the applicants planning statement are mis-leading;
- The relationship between existing and proposed dwellings is not clear;
- What boundary treatments are proposed?;
- Vibration from the development could impact existing properties;

- Parking and turning should be moved away from existing properties to alleviate possible disturbance to neighbours;
- The development will not provide economic, social or environmental benefits and is therefore contrary to the NPPF;
- Construction of Colliery Way has been harmful to amenity through noise and dust, this development will prolong the disturbance;
- Views from Mapperely Plains to Gedling Country Park should be protected;
- There is no tipping on the site, rather it is home to wildlife

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
- LPD5 – Managing Water Quality
- LPD7 – Contaminated Land
- LPD11 – Air quality
- LPD18 – Protecting and Enhancing Biodiversity
- LPD19 – Landscape and Character and Visual Impact
- LPD21 – Provision of New Open Space
- LPD30 – Archaeology
- 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

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' (2001); 'Low Carbon Planning Guidance for Gedling Borough (May 2021)' and the Gedling Borough Council 'Interim Planning Policy Statement: First Homes' (2022).

6.0 Planning Considerations

Principle of development

- 6.1 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. The application site falls with the main urban area of the Borough where there are no overriding policy restrictions to residential development. Furthermore, whilst accepting that the grant of application 2018/0394 for a 'Certificate of Appropriate Alternative Development' has now expired, there has been no significant change in policy or circumstance, save that on the ground Colliery Way has now been completed.
- 6.2 Therefore, 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 forms two distinct areas, one to the west of the Colliery Way and the other to the east, each with a front to Mapperley Plains. It is proposed to have two access points from Colliery Way and one from Mapperley Plains. The site would comprise a mixture of house types and tenure with 8 detached dwelling houses, 5 of which would be accessed from Mapperley Plains, adjacent to the 3rd Woodthorpe Scout Hut and 3 to the east of Colliery Way. The area is typically characterised by detached properties, some in larger plots on Mapperley Plains and typically smaller plots adjacent to the site on Clementine Way. It is also proposed to erect three blocks of flats, two would be in prominent locations on either side of the entrance to Colliery Way and fronting Mapperley Plains. The third block of flats would be on the larger site to the west of Colliery Way but in a less prominent location. All of the flat accommodation would be spread over three floors.
- 6.4 The detached properties are typical of the area in that the layout and form of development is similar to those that surround it with rear gardens, associated parking and a residential curtilage. There are limited flat developments in the immediate area although some are on the Chase Farm site and on the opposite side of Arnold Lane; however, a mix of housing types are encouraged and the scale of built form is considered to be appropriate in that the scale of development has reduced from four storey as originally proposed

to three. The flats would be taller than the proposed houses and more prominent; however, to have a focal building on a prominent corner such as this is what one might expect and it is not considered that the development would be at odds with wider character of the area and, whilst incorporating flats, the design of the built form is considered to be acceptable.

- 6.5 The application would provide a total of 12 affordable dwellings, of which 4 would be First Homes and 8 affordable rent. All of the First homes would be one-bed whereas the affordable rent would all be two-bed; the affordable housing mix would be acceptable and the Strategic Housing Manger raises no objection to the dwellings to be secured as affordable housing, which are identified on the proposed drawings and would be secured through planning obligations. The wider housing mix is also considered to be acceptable comprising a mixture of conventional family housing and flats. Whilst the density of development is high at approximately 54 per hectare, largely to the flats to be erected, this would be considered acceptable in a sustainable location and the built form is not considered to be out of character with the area. As a result the application is deemed to comply with policies, LPD36, LPD37 and the 'Interim Planning Policy Statement: First Homes'.
- 6.6 In respect of impacts on amenity, it is apparent that primary views from the proposed dwellings would be across their own curtilages or in the case of the flats across the public domain or parking areas. The nearest existing residential properties to the site are at Clementine Drive; however, a protected private right of way to the former Chase Farm on the site is identified which means the distance between the nearest existing residential property, 6 Clementine Drive, and the block of flats comprising 6 units is approximately 21m. Only one secondary kitchen window is proposed in the second floor side elevation of the flats but given the separation distance between the flats and existing dwelling this is considered to be acceptable. The separation distance between the proposed built form and 8 and 10 Clementine Drive would be not less than 21m and up to 28m. As a result it is considered that the built form would not result in an overlooking or overbearing impact that would be detrimental to the amenity of existing or proposed occupiers.
- 6.7 A key consideration for the application is also considered to the impact on amenity of existing and proposed occupiers from noise that is generated from adjacent roads, most notably Colliery Way. It is apparent that when permission was granted for Colliery Way (2015/1033) it was granted subject to a condition that an acoustic barrier would be erected between the road and existing occupiers. The details for the acoustic fence was approved under discharge of condition application 2019/0904DOC and is currently in situ. A noise survey has been submitted in support of this application and indicates that to protect the amenity of the proposed occupiers there would be a need to have special noise protection measures on the front elevation of the units that front on to Mapperley Plains and Colliery Way, whilst noise levels would still be high in the nearest proposed properties it would not reach a significant observed adverse effect level. This mitigation can be secured via condition and would ensure that the amenity of proposed occupiers would be acceptable. In respect of existing occupiers on Clementine Drive it is proposed to re-locate the acoustic fence to the boundary of the site between the retained vehicular access to Chase Farm. Through a combination of the

built form that would act as a noise barrier, along with the replacement of the fencing, the impact on properties on Clementine Drive would be acceptable from noise that would be generated, and is likely to be less than is currently experienced. As a result the application is deemed to comply with policy LPD32(d) in respect of noise that would be generated

- 6.8 Having regard to the above, it is considered that the scheme as amended would respect the character of the area as well as residential amenity. As a result the application is deemed to comply with policies LPD19, LPD21, LPD32, LPD33, LPD35, LPD36 LPD37, and ACS10.

Highway matters

- 6.9 There would be three access points to the site, two of which would be from Colliery Way and are in situ. The third would be from Mapperley Plains where significant road improvements have been made to the junction of Arnold Lane, Gedling Road and Mapperley Plains. Given the width of the road at where the new access from Mapperley Plains is proposed, it is intended for vehicles exiting the site to be restricted to a left turn only, as has been at Bailey Drive in close proximity to this application site. Furthermore, access to the site will only be possible when heading along Mapperley Plains towards the City of Nottingham, due to the road layout it will not be possible to access the 5 dwellings when heading in an easterly direction. There would be a need to make improvements to the existing access points along Colliery Way but the Highway Authority are content that, subject to conditions, all 3 access points to the site will not be detrimental to highway safety. As a result, the application is deemed to comply with policy LPD61.
- 6.10 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 indicates that 2 and 3-bed dwellings require two off-street parking spaces and the 4+bed dwellings 3 spaces. For flats there would be a need for 0.8 spaces per flat, if the spaces are unallocated, as is the case with this application. In total 30 spaces are provided for the 29 flats. For the detached properties, each would need to have 3 parking spaces available to them, which has been identified on approved drawings. Therefore, the scheme as amended is deemed to comply with the Supplementary Planning Document and LPD57.

Other considerations

- 6.11 A condition would be required in respect of contamination to ensure that an updated phase 1 desk study is undertaken prior to the commencement of development. A Construction Emission Management Plan (CEMP) should be sought, along with Electric vehicle charging points, which would increase the sustainability of the development, with such conditions supported by relevant policy guidance. Having regard to the above the application is deemed to comply with policies LPD7 and LPD11.

- 6.12 Updated information has been submitted in support of the application in respect of ecological impacts, which reflects the recent works and investigation undertaken to construct Colliery Way. The additional information indicates that the site is not home to protected species. However, during site clearance there would be a need to ensure that hedgehogs are not impacted and an ecologist is on site whilst such works are underway. There would be a need to ensure that additional planting is secured, preferably native species, so that there are ecological enhancements to the scheme. Therefore, subject to additional planting through a landscaping scheme, the impacts of the development on local wildlife would be acceptable and comply with policy LPD18.
- 6.13 Additional information has been submitted in respect of impacts on trees, which identifies that beyond an apple tree that is proposed to be removed from the site, there are no specimens of note nor any worthy of a Tree Preservation Order (TPO). The additional information has also clarified that given the location of the development from trees at the 3rd Woodthorpe Scout site, it would not have a detrimental impact on their growth or longevity. Having reviewed the additional information the Council Arborist is content that the development can proceed without impairment to the longevity of trees in the locality, including those recently planted in the highway verge linked to Colliery Way. Therefore, subject to the submission and approval of a detailed landscape scheme, which should look to utilise native species, the proposal is deemed to comply with policy LPD18 and LPD19.
- 6.14 In respect of drainage, an updated Flood Risk Assessment and Drainage Strategy has been submitted in support of the application and identifies that both surface and foul water will be pumped in a northerly direction to Mapperley Plains where both will thereafter drain through gravity to an existing public surface water sewer and public foul sewer respectively, which is on Wembley Road. To controls surface water flow, which would be restricted to 2.5l/s, it is intended to have some on-site storage, which can store 249.5m³ of water. There is not considered to be any wider flood risk issues with the application site located within Flood zone 1. 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, LPD4 and LPD5.
- 6.15 An Archaeological Desk Based Assessment has been submitted in support of the application and identifies that there is the potential for some findings in the locality. Subject to a condition requiring additional exploratory works, which can be secured via a condition, the impacts on Archaeology would be acceptable and deemed to comply with policy LPD30.
- 6.16 A condition requiring boundary treatments to be approved is recommended to ensure that the amenity of neighbouring properties and character of the area is respected. Concern has been raised by the adjacent Scout Group over security; however, there is nothing to indicate that the proposal would have a detrimental impact on security for the site, particularly if a secure boundary treatment is in situ.

- 6.17 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. EV charging points are proposed, which will help to reduce the impact of the development on the environment and assist in reducing climate change.

Planning Obligations

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

- Affordable housing – based on the erection of 37 dwellings, 12 affordable dwellings comprising, 8 affordable rent and 4 First Homes, would be an appropriate level of provision and tenure split to comply with the adopted ‘Interim Planning Policy Statement: First Homes’, as well as comply with policy LPD36. First homes is relatively 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;
- Education - a financial contribution of £244,712 is sought toward education, which would break down as £113,442 is toward primary spaces. Similarly, there is no capacity for the secondary or post-16 places and therefore a contribution of £131,270 is sought toward such provision, both of which would be in the Mapperley planning area.
- Primary Care Trust – seek a contribution of £20,049.37 toward increasing capacity as the Plains View, West Oak or Unity Surgeries.
- Parks and Street Care - note that the threshold for Public Open Space (POS) has been met but given the location of the site and provision of smaller units within the flats, it is considered that a financial contribution in-lieu of such provision is acceptable. As a result a contribution of £79,066.04 is sought for the provision of play equipment (£55,608.04) and its maintenance (£23,458.00) within 2km of the site, which is supported by policy LPD21 and the Supplementary Planning Guidance for Open Space Provision;
- 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 to comply with policy LPD48.

- 6.19 There is a requirement for contributions sought to comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL Regulations) which identifies the tests required to seek a planning obligation. Paragraph 57 of the NPPF also identifies three tests that would need to be complied with; firstly, necessary to make the development acceptable in planning terms; secondly, directly related to the development and; thirdly, fairly and reasonably related in scale and kind to the development. Policy ACS19 is also pertinent.

- 6.20 These planning obligations would need to be secured by way of a Section 106 Agreement which shall be completed prior to determination of the planning application.
- 6.21 It is noted in paragraph 4.6 of this report that the secondary care trust seek a contribution of £23,018 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 financial contribution should be secured as a planning obligation as it would not meet the tests set out in the CIL Regulations.

7.0 **Conclusion**

- 7.1 Having regard to the above it is considered that the principle of development is supported in that the site is in a sustainable location with no overriding policy restriction to its development. 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, providing a full policy complaint scheme.

As a result the application is deemed to comply with policies LPD3, LPD4, LPD 5, LPD7, LPD11, LPD18, LPD19, LPD 21, LPD 30, LPD32, LPD33, LPD35, LPD36, LPD37, LPD48, LPD57, and LPD61 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'; the Low Carbon Planning Guidance for Gedling Borough; Interim Planning Policy Statement: First Homes, the Supplementary Planning Guidance for Open Space Provision and guidance within the NPPF.

- 8.0 **Recommendation: GRANT PLANNING PERMISSION: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as Education Authority to secure a local labour agreement, affordable housing and financial contributions towards education, primary care , public open space and maintenance of the same and monitoring fees; and subject to the conditions listed for the reasons set out in the report.**

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:

N1538_127_L_ PROPOSED siteplan / roofplan
N1538_128_G_ PROPOSED ground floor (west)
N1538_129_K_ PROPOSED ground floor (east)
N1538_130_E_ PROPOSED Building B Elevations
N1538_132_E_ PROPOSED Building A Elevations
N1538_133_C_ PROPOSED Building A Ground floor plan
N1538_134_C_ PROPOSED Building A First floor plan
N1538_135_C_ PROPOSED Building A Second floor plan
N1538_136_C_ PROPOSED Building A Roof plan
N1538_137_E_ PROPOSED Building B Ground floor plan
N1538_138_E_ PROPOSED Building B First floor plan
N1538_138_E_ PROPOSED Building B First floor plan
N1538_139_D_ PROPOSED Building B Second floor plan
N1538_141_D_ PROPOSED Building B Roof plan
N1538_142_E_ PROPOSED Building C Ground floor plan
N1538_143_E_ PROPOSED Building C Upper floor plans
N1538_144_D_ PROPOSED Building C Elevations
N1538_145_E_ PROPOSED Long Street Elevations
N1538_146_E_ PROPOSED First floor house plans
N1538_147_C_ PROPOSED Sections through site
N1538_149_A_ Location Plan

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. No development shall be brought into use on any part of the application site unless or until junctions to the West/East of Colliery Way and access off Mapperley Plains have been provided as shown for indicative purposes only on the attached plan reference no. N1538-127-L.
5. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan reference no. N1538-127-L. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles
6. None of the five dwellings to be accessed off Mapperley Plains shall be occupied until a Traffic Regulation Order banning right hand turning on exiting the site as shown for indicative purposes only on drawing ref TP2250549/40 has been processed. The scheme to prevent the right hand turn shall then be implemented in accordance with the approved details prior to first occupation.
7. No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle facilities shall be located near to the main entrance to the development, be covered, lockable and secure and that area shall not thereafter be used for any purpose other than the parking of cycles.

8. 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.

9. 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.
10. 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.
11. 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 be undertaken in accordance with the approved CEMP.

12. The noise mitigation identified in the noise report submitted in support of the application (ref: 784-B038289, dated May 2022), contained in section 6.0, shall be completed prior to occupation of any properties identified as being affected.
13. Prior to above grounds works commencing, the acoustic fence shown to be re-located to the eastern edge of the site, as identified on drawing N1538-127-L, shall be in-situ.
14. A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
15. No part of the development hereby approved shall commence until a detailed surface and foul water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and drainage strategy dated 24 May 2023 (ref: MPNH-BSP-ZZ-XXRP-C 0001-P02_Flood_Risk_Assessment), has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
16. From the date of first occupation of plots 1-8 built on site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. 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

Prior to the occupation of building(s) A-C hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of a minimum of five (5) Electric Vehicle Recharging Points [minimum four EV points serving Buildings A and B (two at each) and minimum one to Building C]. Charge points must have a minimum power rating output of 7kW, 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.

17. The development hereby approved shall be completed in accordance with the mitigation identified in para 6.2 of the updated ecological report (dated April 2023 ref TS 2023/03/700), namely a qualified ecologist shall be on-site during site clearance.
18. Prior to the commencement of development, a scheme of landscaping 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.
19. No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details.
20. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

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 ACS10.

4. In the interests of highway safety and to comply with policy LPD61.
5. In the interests of highway safety and to provide adequate parking and comply with policies LPD57 and LPD61.
6. In the interests of highway safety and to comply with policy LPD61.
7. To encourage sustainable means of transport and comply with guidance within the NPPF.
8. 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 of the Councils Local Plan.
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 of the Councils Local Plan.
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 of the Councils Local Plan.
11. 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 of the Councils Local Plan.
12. To ensure that residential amenity is respected and to comply with policy LPD32.
13. To ensure that residential amenity is respected and to comply with policy LPD32.
14. To ensure compliance with policy LPD30.
15. To ensure that the site is suitably drained and to comply with policies LPD3 and LPD4.
16. 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 of the Councils Local Plan.
17. To ensure that any protected species are not harmed and to comply with policy LPD18
18. To ensure the character of the area is respected and biodiversity duly considered, and to comply with policies LPD18 and LPD19.
19. To ensure that the character of the area and residential amenity is respected and to comply with policies LPD32 and ASC10.

20. To ensure that the character of the area and residential amenity is respected and to comply with policies LPD32 and ASC10.

Notes to Applicant

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) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

The applicant should note that notwithstanding any planning permission that any development serving 5 dwellings, or more is subject to the Advance Payments Code under the highways Act 1980 (as amended). All private roads will need to be maintained under a management company and a s106 agreement will need to be entered into which should include how the roads are to be managed and maintained. Once the landowner has completed the roads 'fit for purpose' and the above completed the landowner can then be exempted from the APC.

a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code. It is recommended that the developer contact the Highway Authority as early as possible.

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. To undertake the works, you will need to enter into an agreement under Section 278 of the Act.

Correspondence with the Highway Authority should be addressed to:-
hdc.south@nottscc.go.uk