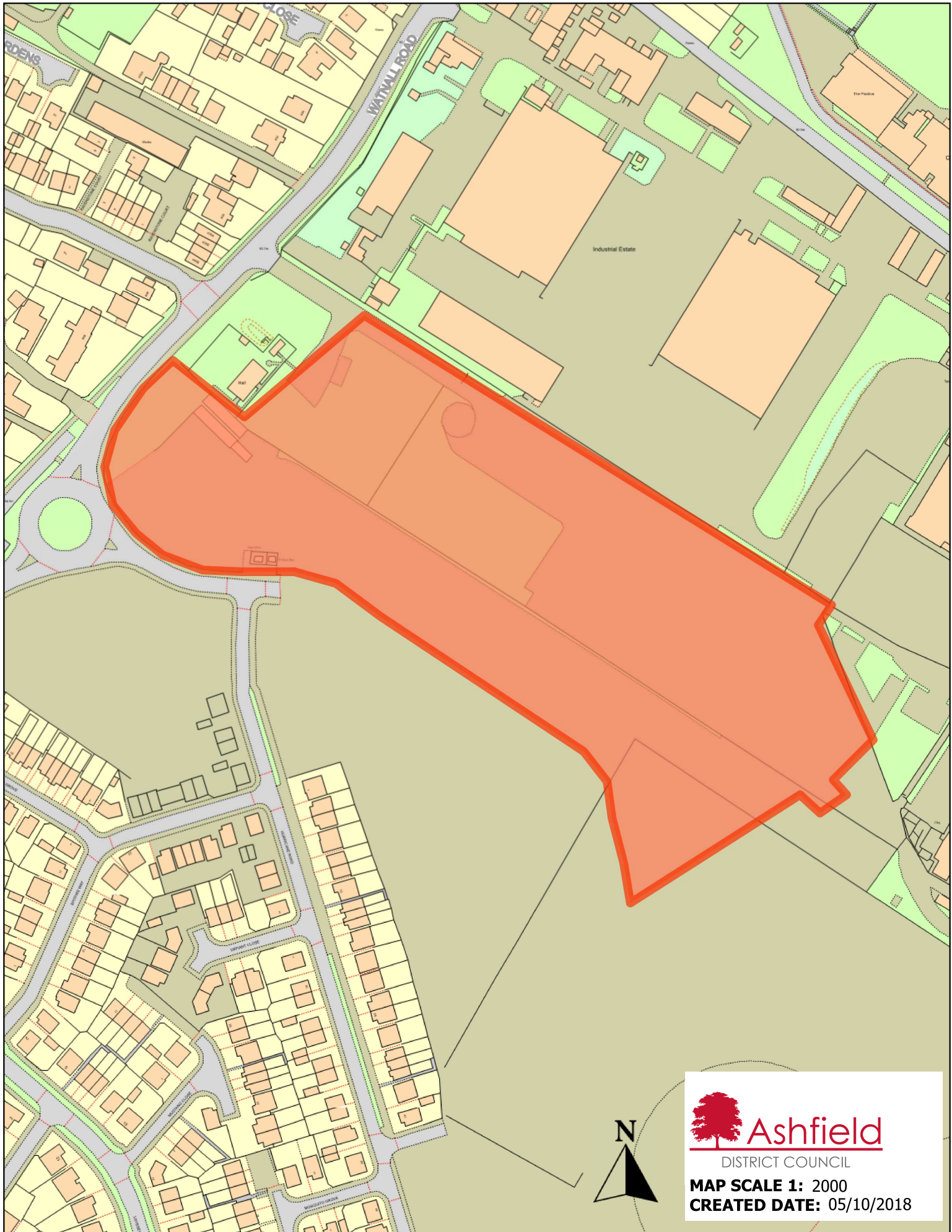


V/2018/0150 Land at Rolls Royce Watnall Road Hucknall



**COMMITTEE DATE**    18/10/2018                      **WARD**            Hucknall West

**APP REF**                      V/2018/0150

**APPLICANT**                      Persimmon Homes Nottingham & Muse Developments Ltd

**PROPOSAL**                      Application for Approval of Reserved Matters following Outline Approval V/2013/0123 - Proposed Erection of 120 Dwellings and Associated Infrastructure including Access and Landscaping.

**LOCATION**                      Land at Rolls Royce, Watnall Road, Hucknall, Nottingham NG15 6EU.

**BACKGROUND PAPERS**    A; B; C; D; E; F; H; I; K

**WEBLINK** :                      <https://www.google.co.uk/maps/@53.0196117,-1.2245285,151m/data=!3m1!1e3>

**App Registered 09/03/2018**

**Expiry Date 31/7/2018**

***Consideration has been given to the Equalities Act 2010 in processing this application.***

***This application has been referred to Planning Committee by Councillor Chris Baron to discuss the departures from the outline approval.***

### **BACKGROUND**

A hybrid planning application, Ref. V/2013/0123, was Conditionally Approved on 14<sup>th</sup> November 2014, subject to the completion of a Section 106 Agreement. The application comprised a new business park on 27.8ha of land with access from the A611; 31.2ha of residential development, including affordable dwellings; two access points off Watnall Road; public open space provision; a one form entry primary school; provision for community facilities; local retail facilities; pub/restaurant; care home; strategic footpath & cycle link; and nature conservation enhancement on 58ha of green land.

The application was supported by a Parameter Plan which indicated the general layout of the proposals within the application site, including a Masterplan and Phasing Illustrations. The Parameter Plan envisaged that up to 900 dwellings could be accommodated within the allocated residential phases and that the community, retail and pub/restaurant facilities were more flexible and likely to change through the design of the reserved matters applications to follow.

The initial two phases of residential development have now been developed out to the south of the main site distributor road, by Harron Homes and Persimmon Homes.

## **THE SITE**

The application site is located on the edge of the urban fringe of Hucknall at the southern tip of the Ashfield District. It forms part of the expansive redevelopment of the former Rolls Royce site and Hucknall Airfield, located across the northern part of the site, adjoining and immediately south of the existing industrial / business park.

The site is approached from the A611 some 1250m to the north east along the B6009 Watnall Road, the site being on the southern side of Watnall Road. The development runs from the northern most roundabout junction on Watnall Road, adjoining the existing Air Cadet centre. A prominent development form to the roundabout frontage is proposed which will mirror the scale of the care home facility on the opposing corner and create an attractive entrance into the site from the west.

## **THE APPLICATION**

This is an application for the Approval of Reserved Matters following the hybrid Outline Approval under reference V/2013/0123. The application is for the Proposed Erection of 120 Dwellings and Associated Infrastructure, Access and Landscaping.

The application site extends to around 3.4 hectares and is located within the main urban area of Hucknall where, under the provisions of the Policy ST2 of the Ashfield Local Plan Review 2002, the principle of the development is acceptable. The principle of the development for residential purposes has been established by the approval of the hybrid outline planning permission.

The development proposes a mix of house types comprising 24 x 2 beds; 60 x 3 beds; 26 x 4 beds; & 10 x 5 beds. Within this, the required 10% affordable dwellings [ 12 in total, 6No. 2 and 6No. 3 beds ] will be provided. This equates to a site density of around 34 dwellings / hectare.

The proposed access into the development site will be taken from the existing main distributor at a point around 125m from the roundabout junction with Watnall Road. This access will serve the majority of the site, however a new distributor stub is to be created at the eastern end of the site to serve Plots 1-14. This link will future-proof the balance of the site to the north in terms of access.

The development is immediately north of the proposed site of the new primary school on Hurricane Road which has recently been granted permission by Nottinghamshire County Council.

## **CONSULTATIONS**

A Press Notice has been published and Site Notices posted together with individual notifications to surrounding residents and statutory consultees have been informed. The following representations have been received :-

### **Ashfield District Council Policy**

As the application is for the Approval of Reserved Matters following the previous grant of outline permission, the policy team have no comments to make.

### **Ashfield District Council Environmental Protection [ Contamination & Land Stability ]**

Contamination and land stability issues were dealt with under the 2013 outline application and a significant amount of communications have been ongoing up to January 2018. Phase 3 does not appear to be of main concern but we need to ensure, by condition, that the importation of topsoil is clean and suitable for purpose.

### **Ashfield District Council Environmental Protection [ Noise ]**

Condition 11 of the outline planning consent stated that noise from the adjacent Rolls Royce operations and potential noise from operations at the proposed business park shall not exceed a noise rating level of background +5dB, at any residential dwelling constructed as part of the proposed development.

Environmental Protection advise that they are currently working with Rolls Royce on noise assessment for their site since the activities and uses currently operating differ significantly from those at the time of the outline application and hence, the impact will differ.

Accordingly, they request that, prior to the advancement of construction beyond damp proof course level, on Plots 1-4; 43-49; 56-62; 69-72; 74-76; & 77-79 inclusively, a noise impact assessment be undertaken to ensure that at each dwelling, the noise from the commercial activities shall not exceed a noise rating level of background +5dB. The Noise Impact Assessment Report shall be submitted to and approved in writing by the Council and any mitigation measures recommended shall be carried out in full prior to the occupation of the dwellings and thereafter maintained in perpetuity.

### **Ashfield District Council Drainage**

The surface and foul water drainage strategy for this development needs to be approved by the Lead Local Flood Authority and the Severn Trent Water Authority.

### **Ashfield District Council Landscape**

We refer to the amended landscape scheme prepared by TBA Landscape Architects on behalf of Persimmon Homes, namely:-

- 5662.01 / Landscape Proposals, Sheet 1 of 2
- 5662.02 / Landscape Proposals, Sheet 2 of 2

These drawings show a typical landscape treatment well suited to new residential developments. They contain detailed landscape proposals and specifications for the soft landscaping, using a selection of ornamental and native trees and shrubs. The landscape proposals submitted are satisfactory subject to the below clarifications.

- a. It is recommended the landscape proposals are checked against the approved infrastructure drawings to avoid clashes between light columns and avenue trees already agreed in the highway verge. For example Birch tree planting in front of plot 98 & 99. Reform Ltd drawings RF13-110L01 Rev and others refer.
- b. The proposals deal solely with soft landscaping, no information has been provided for hard landscaping materials. It is assumed this will be secured by condition.
- c. The proposals do not show the proposed boundary treatments. Of particular interest are the boundaries along the primary highway frontage and neighbouring Industrial Estate. Again it is assumed these details will be secured by condition.

### **Ashfield District Council Heritage**

An assessment of the significance of the site was submitted with the original outline application (V/2013/0123). Conservation previously advised that the proposed residential development would be harmful to the setting of the Grade II listed hangars, although this harm would be less than substantial and public benefits must weigh in favour to approve development. The significance of the application site to the history and understanding of the listed hangars has been much reduced by the building of new residential development.

There is an opportunity to view the hangars from the new access road, but views are mostly limited to the distinctive roofs and southeast hangar doors of the south-eastern hangar. The proposed layout has indicated an attempt to capture views of the hangars but this is likely to be unsuccessful as for one of the viewpoints, a later 20th century building in between the north-western hangar and the proposed development blocks any view.

The opportunity to introduce new views of the hangars is welcomed and is likely to be the most practicable solution to ensuring the hangars maintain a degree of relationship with the former airfield land. The opportunity for a new view, and probably the best view, that reveals the full extent of the south-eastern hangar is from where plots 46-49 are proposed.

The opportunity for on site interpretation of the history of the site, should be taken, perhaps at an area where the view of the hangars is best. This could be the subject of a planning condition.

### **Natural England**

No objections in respect of statutory nature conservation sites. Standing advice for protected species should be applied.

### **Severn Trent Water Authority [STWA]**

[ Initial response ] STWA have no objections subject to the imposition of a condition requiring the submission of drainage plans for the disposal of surface water and foul sewage to be approved by the Local Planning Authority. The scheme shall be implemented in before the development is first brought into use.

[ Second response ] Following their receipt of full and satisfactory drainage details, STWA confirm that the condition is negated, subject to the developer entering into a Section 106 Sewer Connection agreement.

### **Environment Agency [EA]**

No objections to the development but would advise that the NCC Lead Local Flood Team be consulted.

### **Nottinghamshire County Council [NCC] - Lead Local Flood Team [LLFA]**

[ Initial response ] Due to the complexity and scale of this application the applicant is required to submit a supporting statement with the application that sets out the basics of their surface water proposals. This should provide sufficient detail to allow consideration to be given as to what is being proposed and how the proposals fit with the previously approved surface water drainage strategy for the wider site.

[ Second response ] The supporting statement provided by the applicant by email dated 31/7/18 is satisfactory and the LLFA have no further issues.

### **Nottinghamshire County Council [NCC] Planning Strategy**

In acknowledgement that contributions towards highway and transport facilities and education formed part of the initial outline approval and S106 Agreement, NCC have no further comments to make.

### **Nottinghamshire County Council [NCC] Highways**

The Highway Authority have been reviewing several iterations of the above proposed development layout. The applicant has now submitted another revision of the layout and it is this (drawing number TGDP/SWH-Ph3/PL2 Revision M) on which we now comment.

A major concern initially existed in that 'standard' Persimmon house types were included but with reduced bedrooms numbers [ swapping bedroom for study ], thereby reducing the car parking requirement to those dwellings. It is therefore essential that these house types are retained with the reduced bedroom numbers to ensure parking is not compromised.

Rear parking and parking which is 'unseen' from the dwellinghouse is less likely to be used by residents, with fears of remoteness and security, thereby potentially increasing on-street parking. Given the large areas of frontage parking, drive accesses, visibility splays, safe on-street parking space is extremely limited and any reluctance to use inconvenient/unsupervised on-plot parking will inevitably add to the pressure for on-street parking.

This may entail residents, visitors and service vehicles having to park in the vicinity of junctions and turning heads, contrary to highway and pedestrian safety. Furthermore, it will be on narrow carriageways, only designed to accommodate two passing vehicles. Such narrow roads will also encourage drivers to park on footways. The inclusion of the TRO around the site entrance will however control some of these issues.

The HA believe that there is greater demand for on-street parking space and this could lead to indiscriminate parking which requires control. Additionally, concern remains for the number of individual accesses proposed from the main spine road.

The development has been designed to address highway standards and as such, the Highway Authority would be unlikely to be able to maintain an objection. Therefore, if the Local Planning Authority are minded to grant permission for the development, we would request that conditions are included with the aim of maximising parking over the lifetime of the development.

#### **Nottinghamshire County Council Rights of Way**

No definitive paths are affected by this phase of the development.

#### **Nottinghamshire Wildlife Trust**

No comments.

#### **Broxtowe Borough Council**

Since the principle of residential development has already been granted and that this is an application for approval of reserved matters, the Council do not wish to raise any objections to the proposed development.

#### **NHS Nottingham North & East CCG**

They would not be expecting any additional S106 contribution as the houses are not additional to those considered under the previous outline permission.

#### **Community Representations**

9 representations have been received, 8 of which raise objections to the proposals.

## Objections

- The failure to provide the retail, community and pub/restaurant facilities promised as part of the previous outline approval is a failure of the development as a whole.
- Misleading to those who having seen the Masterplan and bought houses, believing that facilities were to be included.
- The increase in traffic generated by the additional dwellings.
- No retail / community / health facilities on a site comprising 900 houses will necessitate increased car journeys.
- Bus services still not in place.
- Walking to the Watnall Road facilities is too far for most residents.
- If no demand for commercial uses, leave the land as open space until demand increases.
- No need for more housing, will add to issues of anti-social behavior, burglaries and vandalism. They are also not 'affordable'

NB : For clarity, the omission of the commercial element, a small part of Phase 3, will only accommodate around 14 additional dwellings.

## Support

- The Air Cadets have been offered secure tenure of their facility through co-operation of the RAF; Rolls Royce and the developers and so support the scheme.

## **PLANNING POLICY CONSIDERATIONS**

### **National Planning Policy Framework [ NPPF ] 2018**

- **Part 5** - Delivering a sufficient supply of homes.
- **Part 6** - Building a strong, competitive economy.
- **Part 8** - Promoting healthy and safe communities.
- **Part 9** - Promoting sustainable transport
- **Part 12** - Achieving well-designed places.
- **Part 15** - Conserving & enhancing the natural environment.

### **Ashfield LP Review 2002 – Saved Policies**

- **HG3** - Housing Density
- **HG4** - Affordable Housing.
- **HG5** - New Residential Development
- **HG6** - POS in New Residential Developments
- **RC2** - Open Areas
- **ST1** - Development
- **ST2** - Main Urban Areas



**Ashfield Residential Design SPD 2014**  
**Ashfield Residential Car Parking Standards SPD 2014.**  
**Nottinghamshire County Council - The 6 C's Design Guide**

**PLANNING HISTORY**

**V/2013/0123** : Hybrid outline planning application for a business park; residential development; two access points off Watnall Road; public open space provision; a one form entry primary school; provision for community facilities; local retail facilities; pub/restaurant; care home; strategic footpath & cycle link; and nature conservation enhancement. Conditionally Approved and subject to a S106 Agreement, 14/11/14

**V/2014/0585** : Application for Reserved Matters following the hybrid outline consent for Phase 1 Infrastructure. Approved 19/3/15

**V/2014/0652** : Application for Reserved Matters following the hybrid outline consent, in respect of the Phase 1 development of 174 dwellings for Persimmon Homes. Conditionally Approved 5/6/15.

**V/2015/0267** : Application for Reserved Matters following the hybrid outline consent, in respect of the development of 99 dwellings for Harron Homes. Conditionally Approved 28/7/15.

**V/2016/0525** : Application for Reserved Matters following the hybrid outline consent, in respect of Phases 6 & 7, for a development of 113 dwellings for Harron Homes. Conditionally Approved 7/12/16.

**V/2018/0298** : Proposed 210 place primary school and 26 place nursery school. Conditionally Approved by the Nottinghamshire County Council on 6/7/18.

**ASSESSMENT**

The main considerations in assessing the application are the principle of development; layout & design; residential amenity; visual amenity; and highway safety. These are discussed below.

**Principle**

The application is located within the main urban area of Hucknall where, under the provisions of the ALPR 2002, Policy ST2, the principle of the development is acceptable. Moreover, the principle of development on the site for residential purposes has been established through the hybrid planning approval reference V/2013/0123.

**Provision of Local Centre**

The hybrid outline planning permission included within its description, **“.....provision for Community Facilities; Local Retail; Pub / Restaurant.....”**

The accompanying Masterplan identified that these facilities would be provided along the Watnall Road frontage on either side of the proposed roundabout junction. The reserved matters for a care home has been granted permission, under reference V/2017/0139, on 3<sup>rd</sup> July 2017 for the area south of the roundabout and is currently under construction.

The loss of the local centre land allocation is supported by a marketing report by HEB Surveyors. This lists 42 retailers and operators including brewery and food chains, retailers and local amenity uses who were contacted with regard to the commercial elements of the scheme, in addition to adverts in the main commercial / retail property websites. The development of the Co-op store and rebuilding of the Masons Arms PH to a Sainsburys further north along Watnall Road are said to have impacted on any retail led scheme. Interest was apparently shown by Marston's but they ultimately considered that Watnall Rd was too secondary for a pub, preferring the A611 Hucknall Bypass. Other larger retailers [ Aldi, Lidl ] and the usual fast food outlets are also said to consider the site secondary.

The applicant has however confirmed their commitment to maximising the provision of community benefits by:-

- An early land sale to Adept Care Home Ltd, who intends to develop a high quality 80 bedroom residential care home.
- Making the first two secondary education contributions ahead of formal triggers of the S106 Agreement..
- As part of the Persimmon negotiations, Muse and Rolls-Royce have left the Air cadets in situ and have a programme of works to enhance their facility. By retaining the Air Cadets in their existing position rather than move them deeper into the development, the Air Cadets remain well placed to serve not only the new development but also the existing West Hucknall community.
- The entirety of the public open space requirement including the footpath, bridleways and play areas have been delivered earlier than required under the outline planning consent and Muse has established a proactive management regime in tackling vandalism, anti-social behaviour and numerous instances of trespass by travellers.
- The Primary School Land has been transferred to the County Council and notwithstanding that the planning consent requires a single form entry Primary School, for which planning has been secured, Muse has agreed in principle a proposal to transfer additional land to the County Council in order to accommodate a one and a half form entry Primary School. This will enable the site to not only to meet its own primary education needs but also help it address the shortfall in primary education provision which currently exists in Hucknall.
- Since the commencement of construction Muse have vigorously chased the County Council and bus providers for the provision of an improved bus service to the site. This finally seems to have resulted in a proposed new service which is due to commence shortly.

- Notwithstanding the fact that an occupier is yet to be secured for the business park, Nottinghamshire County Council, Muse and Rolls-Royce have invested expenditure of over £8m in delivering the estate road from the site boundary down to the new Rolls-Royce site entrance, providing initial utilities and infrastructure and a development plateau in order to facilitate delivery of the business park. This has delivered early the reduction of traffic along Watnall Road, something which local residents were very keen to achieve.
- On the matter of Rolls-Royce investment since the S106 Agreement was signed around 3 years ago, there has continued to be investment in the CBCC in new manufacturing equipment; continued investment in the OGV and 9 Hanger facilities; & investment in demolition of former 8 & 10 hangers paving the way for regeneration.

The failure to include retail / pub / restaurant facilities in this location seems to be driven by the lack of demand and the secondary nature of the location compared to the by-pass as opposed to a desire to simply increase housing numbers. The crescent of dwellings proposed for this prominent roundabout frontage, being three storey, will provide the attractive and imposing entrance to the site envisaged by the masterplan and will mirror the scale and appearance of the care home proposed opposite.

The provision of secondary school contributions early has enabled a local academy to have certainty to purchase New College Nottingham for 6<sup>th</sup> form provision which has created much needed additional space in secondary schools.

On balance therefore, the omission of these facilities compared to the measures already put in place by Muse towards community benefits is considered not to be a significant issue and does not preclude the inclusion of such community facilities in later phases of the overall development, in a more central location for the new residential community.

### **Layout & Design**

Consideration has been given to Part 12 of the National Planning Policy Framework 2018 on achieving well designed places, during the processing of this application. The scheme has been amended in terms of layout, house types and amenity provision in order to achieve an attractive and pleasing development. In terms of local policy, consideration has been given to saved Policy HG5 – New Residential Development, of the APLR 2002, which states that new development will be approved where it is acceptable in terms of appearance, scale and landscaping.

In efforts to maintain the anticipated overall site provision of around 900 dwellings, the developer was encouraged to maintain a high density figure on the site and, with the current layout and a development of 120 dwellings, has achieved around 34 dwellings per hectare. This figure is less than the 38 dwellings/ha approved under V/2014/0652 but more than that approved under V/2016/0525 which achieved 25

dwellings/ha. Moreover, as APLR 2002 Policy HG3 seeks a minimum of 30 dwellings per hectare, the scheme is seen to conform to policy.

The site is constrained by the alignment of the main distributor road and the wider site boundary to the north. The Highway Authority encouraged minimum road junctions from this spine road, which is also a planned bus route and equally, wished to minimize the number of direct driveway access points onto it. The latest layout, Revision 'M', has achieved this with the primary access being taken approximately 125m east of the roundabout junction on Watnall Road, from which the bulk of the estate is accessed. A second road off the main spine, at the eastern extreme of the site, will serve 14 units and additionally offer access future proofing for potential development land to the north.

The application proposes a mix of different property types including 2 and 3 bed short terraces and semi-detached; 3 bed semis and detached; and 4 and 5 bed detached in two and three storey designs. Certain types have been specifically included to address corner location and feature properties to enhance the visual amenity of the street scene.

The internal site layout has been the subject to scrutiny and significant improvements have been achieved in terms of highway safety; traffic calming measures; refuse vehicle manoeuvring and, crucially, on-plot and on-street parking, reflected in the Highway Authority's acceptance of the latest scheme.

An important element to the scheme design was the treatment of the western edge, adjacent to Watnall road and the roundabout junction. Through pre-application discussions, the Council have maintained the importance of providing a prominent and attractive frontage development, mirroring the scale of the proposed care home facility on the opposing corner and providing the site with an imposing entrance. This location on the site was initially earmarked on the outline masterplan for commercial / retail facilities which may have been more suited to achieving that aim. This aspect will be discussed in detail below.

The proposal now includes for the development of a crescent arrangement of 12No. 3 storey semi-detached dwellings, utilising the Leicester and Greyfriars types, with a single 2 storey Hatfield type on the eastern end of the 'row'. A deep landscaped frontage is proposed behind the footpath and verge through which limited pedestrian access to these dwellings is taken and parking provision is provided to the rear.

The remainder of the site layout primarily provides frontage car parking, principally for dwellings without garages, whilst maintaining as far as possible the private amenity space to dwellings. A balance has been struck between the need for car parking, manoeuvrability and housing density.

### **Impact upon Residential & Visual Amenity**

The proposed site will have little impact upon existing residential amenity by virtue of its location. The recently completed residential developments to the south are remote from this site and segregated by the proposed care home facility and new primary school. To the east, the residential phases are yet to be proposed. To the north, the site is bounded by the industrial / commercial estate.

The only dwellings potentially affected by the development are located on the western side of Watnall Road, Nos. 444 to 464. Plot 88 is the closest dwelling, a distance of 30m from No. 446 and 36m from No. 448 Watnall Road. No. 464 Watnall Road is around 100m from the nearest dwelling and views the site across the roundabout itself. Half of these dwellings are also separated from the site by a service road created by the re-alignment of Watnall road and provision of the roundabout junction.

Notwithstanding the fact that Plots 88 to 99 forming the crescent to the western site boundary are 3 storey dwellings, the floor heights are around 1m lower than the adjacent highway and given the separation distances to the existing Watnall Road properties, it is considered that there will be no adverse visual impact and/ or loss of residential amenity of these neighbouring properties.

In terms of wider visual impact, for like reasons, the effect will be limited due to the location of the site and the neighbouring uses.

Amenity afforded to future occupants is governed by the Council's Residential Design Guide SPD 2014. Separation distances and private garden sizes have been incrementally improved as the layout has evolved. Whilst some plots remain where the private amenity space is slightly below standard, the greater proportion of dwellings are now compliant with the standards advocated.

The intent of the outline permission was to ensure that the site entrances created imposing and attractive development frontages. Through negotiation with the developer, it is considered that the proposed crescent of 3 storey dwellings will satisfactorily achieve this, mirroring the scale and prominence of the proposed care home facility to be developed on the opposite side of the roundabout which completes the attractive visual impact of the site entrance.

The application is supported by a detailed landscaping scheme which is fairly typical of residential developments, with a pepper potting of appropriate frontage trees; the inclusion of turfed front and exposed side gardens; & ornamental hedging and fencing with climbers along boundary lines and street frontages. All of this will soften the street scene impact and provide some mitigation for the high percentage of frontage parking. Crucially, the frontage to the crescent of dwellings, plots 88 – 100 will be more substantially landscaped zone, linking in to the 'boulevard' aspirations for the spine road frontage.

The scheme has been assessed by ADC's Landscape Officer who confirms that the landscape proposals are considered satisfactory, subject to the provision of conditions as detailed in their consultation response, particular to ensure that there is no conflict with the previously agreed infrastructure, street furniture and spine road grass verge / tree lined boulevard intent.

### **Highway Safety**

The development has evolved to address original highway standard concerns and as such, the HA have requested that if the Local Planning Authority are minded to grant the application, conditions are included to maximise parking over the lifetime of the development.

This includes conditions to ensure that garages are not converted; walls/fencing are not erected which may obstruct the use of parking bays; that all bays be of appropriate size; and that garage door mechanisms do not prevent the use of the spaces in front

In order to relieve concerns as to the potential for casual on-street parking to Plots 88 to 100, fronting the roundabout junction with Watnall Road, a Traffic Regulation Order is proposed [ yellow lining ] around the road frontage to these plots.

### **Section 106**

#### **Affordable Housing**

As required by the S106 Agreement accompanying the outline planning permission a minimum of 10% of dwellings developed should be affordables, generally expected to be pepper-potted across the site. The application proposes a total of 120 dwellings of which 12 will be affordables, thereby meeting the requirements of the S106. The dwellings are provided in 4 blocks of 3 unit terraces, providing 6 x 2 bed [ social rented homes ] and 6 x 3 bed [ intermediate homes, i.e. shared ownership or low cost market ] dwellings, all located along the northern site boundary.

The developer has not identified the precise tenure arrangements and/or a Registered Provider for the management of the dwellings but this remains a requirement of Schedule 1 of the S106 Agreement.

Furthermore, the S106 requires that such affordable dwellings as agreed shall be constructed, available for occupation and transferred to a Registered Provider prior to the occupation of the 81<sup>st</sup> market dwelling on this phase.

#### **Financial Contributions**

The 2014 S106 Agreement includes, within Schedules 1 & 2 for financial contributions to be paid for items including Primary Education; Secondary Education; Libraries; Public Open Space; & Transport. Said contributions become due at

certain, varying trigger points, usually concerning the numbers of dwellings completed. The applicant will be advised by an informative of this decision of the outstanding obligations placed upon them by this Agreement.

## **Other Matters**

### **Heritage.**

The Council's Heritage & Conservation Officer raised objections to the outline planning application on the grounds that residential development of the land would be considered harmful to the setting of the Grade 11 aircraft hangars, although the harm is considered to be less than substantial. Notwithstanding, approval to the outline application was given.

The Heritage & Conservation Officer has raised similar concerns to the current application but states that the opportunities introduced to view the hangars, as depicted on the site layout, is welcomed and is likely to be the most practicable solution to ensuring the hangars maintain a degree of relationship with the former airfield land. The harm is considered to be less than substantial.

The scheme retains two open ended culs-de-sac facing north which will permit views beyond the site boundary and through to the listed hangars, thereby maintaining an element of connectivity between the hangars and the former airfield. The opportunity to provide on-site interpretation of the history of the site and the proximity to the hangars can be accommodated within an area to be adopted a highway land adjacent Plot 59 within the cul-de-sac facing the eastern hangar. A condition will be appended in this respect.

## **CONCLUSIONS**

It is considered that on balance the proposal is in accordance with both national and local planning policies as set out within the National Planning Policy Framework 2018; the Ashfield Local Plan Review 2002; supplementary planning documents; and is consistent with the principles of the outline planning approval.

The wider development has provided significant benefits for the community, although it is acknowledged that a formal local centre is not being provided. It has also makes an appropriate use of land with a well designed and attractive entrance and is therefore in accordance with the NPPF. In order to achieve this however, there has had to be adjustments to parking and gardens.

It is therefore recommended that the application is conditionally approved.

**RECOMMENDATION : Grant Reserved Matters Consent, subject to the following Conditions**

## **CONDITIONS**

1. The development to which this approval relates shall be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

2. This permission shall be read in accordance with the following plans:-

- Location Plan No. TGDP/SWH-Ph3/LP1, Rev. A, received 4/7/18
- Planning Layout No. TGDP/SWH-Ph3/PL2, Rev M, received 8/10/18

### House Types

- Alnwick, 2 bedroom, No. AN-WD101, received 8/10/18
  - Chedworth, 3 bedroom, No.CD-WD101, received 8/10/18
  - Clayton Corner, 3 bedroom, No.CCA-WD101, received 8/10/18
  - Corfe, 4 bedroom, No. CF-WD101, received 8/10/18
  - Greyfriars, 3 bedroom, No. GF-WD101, received 8/10/18
  - Hanbury, 2 bedroom, No.HB-WD101, received 8/10/18
  - Hatfield, 3 bedroom, No. HT-WD101, received 8/10/18
  - Kendal, 4 bedroom, No. KL-WD101 Rev A, received 8/10/18
  - Leicester, 3 bedroom, No. LR-WD101, received 8/10/18
  - Longthorpe, 4 bedroom, No. LG-WD101, received 8/10/18
  - Middlesborough, 3 bedroom, No.-/Middlesborough/101, received 8/10/18
  - Moseley, 3 bedroom, No. MS-WD101, received 8/10/18
  - Rufford, 3 bedroom, No. RF-WD101, received 8/10/18
  - Souter, 3 bedroom, No. SU-WD101, received 8/10/18
  - Sunderland, 2 bedroom, No. -/Sunderland/101, received 8/10/18
  - Warwick, 5 bedroom, No. WK-WD101, received 8/10/18
- 
- Single/Double Garage, No. SGD-12, received 8/10/18
  - Landscape Proposals, sheet 1 of 2, No.5662.01, Rev. E, received 9/10/18
  - Landscape Proposals, sheet 2 of 2, No.5662.02, Rev E, received 9/10/18
  - Tree Protection Plan, No.5662.04, Rev C, received 9/10/18

The development shall thereafter be undertaken strictly in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.



3. Prior to construction advancing beyond damp proof course level on Plots 1-4; 43-49; 56-62; 69-72; 74-76; & 77-79 inclusively, a Noise Impact Assessment shall be undertaken to ensure that at each dwelling, the noise from the commercial activities to the north and east, shall not exceed a noise rating level of background +5dB. The Noise Impact Assessment Report shall be submitted to and approved in writing by the Council and any mitigation measures recommended shall be carried out in full prior to the occupation of the dwellings and thereafter maintained in perpetuity.
4. Prior to the occupation of any dwelling, a report, based upon BS5930 - 'Code of Practice for Site Investigations', shall be submitted to and approval in writing by the LPA, confirming the potential level of contaminants within any site won soils and/or for any intended importation of top soils to be used on the garden areas and public areas of the development. The soils should be free from metals, plastics, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS3882:1994 - 'Specification for Topsoil'.
5. No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.
6. No development shall take place until the following matters have been submitted to and agreed in writing by the Local Planning Authority:-
  - (a) Full details of the proposed treatment of the site's boundaries.
  - (b) A phasing scheme for the implementation of the agreed boundary treatment.The boundary treatment shall be undertaken in accordance with the agreed details.
7. All proposed integral, attached and detached garages within the development shall be retained for the parking of vehicles at all times and shall not be converted for any other domestic or business purpose without the prior written consent of the Local Planning Authority.
8. The proposed development shall have finished floor levels as indicated on Drawing Nos. ADC1814/DR/501; 502; & 503, all Revs. P3 or as may be revised by the details required under Condition 12 below.
9. Trees and shrubs shall be planted in accordance with the landscaping scheme drawings, submitted to the Local Planning Authority, as follows:-
  1. Landscape Proposals, sheet 1 of 2, No. 5662.01, Rev. E, received 9/10/18

2. Landscape Proposals, sheet 2 of 2, No. 5662.02, Rev. E, received 9/10/18

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning authority gives written consent to any variation.

Notwithstanding the drawings detailed above and in advance of any commencement of these works, it is recommended that the landscape proposals are checked against the approved infrastructure drawings for the main spine road to avoid locational and species conflicts with any existing or proposed street furniture and tree planting already agreed in the highway verge.

10. No work shall commence on site until such time as the works, processes, recommendations and protection measures, as indicated on Drawing 'Tree Protection Plan' No. 5662.04, Rev. C, received 9/10/18; the Tree Survey Report, Ref. MG/5662/TSR/Feb18, received 6/3/18; & the Arboricultural Impact Statement & Method Statement, Rev. C, Ref. MG/5662/AIA&AMS/Rev C/Oct18, received 9/10/18, have been fully implemented and retained for the duration of the development, to ensure the protection of any retained and adjacent trees from damage before or during the course of development.
11. No dwelling shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard landscaping. All surfacing materials indicated on the approved scheme shall be carried out in advance of the occupation of the dwellings served or the completion of the development, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.
12. The development hereby permitted shall not commence until the drainage plans submitted, as detailed below, for the disposal of surface water and foul sewage, have been resubmitted to and approved in writing by the Local Planning Authority, utilising the approved site layout plan base No. TGDP/SWH-Ph3/PL2, Rev. M.:-
  - Drainage Details, sheet 1 of 2, No. ADC1814/DR/561, Rev. P1, received 24/5/18
  - Drainage Details, sheet 2 of 2, No. ADC1814/DR/562, Rev. P1, received 24/5/18
  - Surface Water Drainage Layout, sheet 1 of 3, No. ADC1814/DR/501, Rev. P3, received 24/5/18

- Surface Water Drainage Layout, sheet 2 of 3, No. ADC1814/DR/502, Rev. P3, received 24/5/18
- Surface Water Drainage Layout, sheet 3 of 3, No. ADC1814/DR/503, Rev. P3, received 24/5/18
- Foul Water Drainage Layout, sheet 1 of 3, No. ADC1814/DR/511, Rev. P3, received 24/5/18
- Foul Water Drainage Layout, sheet 2 of 3, No. ADC1814/DR/512, Rev. P3, received 24/5/18
- Foul Water Drainage Layout, sheet 3 of 3, No. ADC1814/DR/513, Rev. P3, received 24/5/18

The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

13. Prior to the commencement of any works on site, full details of the new roads shall be submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross sectional gradients, street lighting, parking & turning facilities, access widths, gradients, surfacing, visibility splays, drainage & outfall proposals, construction specification, provision of and diversion of utilities services, materials and any proposed structural works. Drawings must indicate key dimensions. All details submitted for approval shall comply with the Nottinghamshire County Council's current Highway Design Guide and shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
14. Prior to the occupation of Plots 88 to 100 inclusive, an appropriate off-site traffic management scheme, to protect against the indiscriminate parking on Watnall Street / main development spine road, has been submitted to and approved in writing by the Local Planning Authority. Please refer to the Traffic Regulation Informative below.
15. All garage doors shall be set back from the highway boundary a minimum of 5.5 metres for sliding or roller shutter doors; 6.1 metres for up and over doors; or 6.5 metres for doors opening outwards. Prior to the occupation of dwellings with garages, details of the garage doors to be deployed shall be submitted to and approved in writing by the Local Planning Authority.
16. Plot 21 shall not be occupied until the existing traffic calming feature on the main development spine road has been re-sited in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority.
17. Plots 1 to 14 (inclusive) shall not be occupied until a traffic calming scheme has been implemented in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority.

18. Pedestrian visibility splays of 2.0 x 2.0 metres shall be provided on the accesses to Plots 1 to 22 (inclusive) and Plots 101 and 120, in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority. The areas of land within these splays shall be kept free of all obstruction over 0.6 metres above the carriageway level at all times.
19. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel), for a minimum of 6 metres behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
20. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development][England] Order 2015 [or any Order revoking and re-enacting that Order with or without modification] no development relating to;
  - Schedule 2, Part 1, Class F
  - Schedule 2, Part 2, Class A, in so far as it relates to the frontage of all the dwellinghouses,
  - Schedule 2, Part 2, Class B, in so far as it relates to Plots 88 to 100 inclusively.shall be undertaken without the prior written approval of the Local Planning Authority.
21. No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on it's wheels before leaving the site so that no mud, dirt or debris is discharged or carried onto the public highway.
22. Any proposed soakaways shall be located at least 5m to the rear of the highway boundary.
23. Prior to the occupation of any dwelling, details of Integrated boxes for bats and birds, which should be incorporated into the fabric of all proposed garages, shall be submitted to and approved in writing by the Local Planning Authority.
24. No part of the development hereby permitted shall be commenced until a plan showing areas for site compound & offices; parking for site operatives & visitors; loading & unloading areas; storage of plant & materials has been submitted to and approved in writing by the Local Planning Authority.
25. Prior to the occupation of any dwelling, details of historic interpretation of the site and in particular the adjacent listed hangars shall be submitted to and

approved in writing by the Local Planning Authority. Such details shall include the form and location of interpretation which is suggested could be sited within one of the 'viewing' culs-de-sac, potentially alongside Plot 59 immediately adjacent to the highway boundary.

26. The development hereby permitted shall not commence until the vehicle tracking and visibility splay drawings submitted, as detailed below, have been resubmitted to and approved in writing by the Local Planning Authority, utilising the approved site layout plan base No. TGDP/SWH-Ph3/PL2, Rev. M.:-

- Vehicle Tracking, No. TGDP/SWH-Ph3/PL3, Rev. D, received 6/9/18
- Visibility Splays, Sheet 1, No. HUCK3/ENG/1, received 3/5/18
- Visibility Splays, Sheet 2, No. HUCK3/ENG/2, received 3/5/18

The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

## **REASONS**

1. To comply with Section 92 of the Town and Country Planning Act 1990 as amended.
2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. To safeguard the amenity of the future occupants of the dwellings.
4. To ensure that the site, when developed, is free from contamination, in the interests of safety.
5. To ensure the satisfactory appearance of the development.
6. To protect and safeguard the visual amenity of the area, to safeguard the amenities of future occupiers of the dwellings and in the interests of highway safety.
7. To ensure that the development takes place as envisaged by the Local Planning Authority and in the interests of the amenities of the locality.
8. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.
9. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.
10. The tree(s) in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site.

11. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.
12. To ensure that the development provides a satisfactory means of drainage, in order to reduce the risk of creating; or exacerbating a flooding problem, and to minimise the risk of pollution.
13. To ensure the development is constructed to adoptable standards and in the interest of highway & pedestrian safety.
14. In the interests of pedestrian and highway safety.
15. To ensure the maximum amount of on-plot parking is provided throughout the development, in the interests of highway safety.
16. To ensure vehicles can enter and exit Plot 21 in a safe and controlled manner, in the interests of pedestrian and highway safety.
17. In the interests of highway safety.
18. In the interests of highway safety.
19. To reduce the chances of deleterious materials and surface water being transferred to the public highway, in the interests of highway safety.
20. To ensure that the Local Planning Authority can fully assess the impacts of any means of enclosure in the interests of retained parking provision and in the interests of the amenities of residents and highway safety.
21. To reduce the chances of deleterious materials and surface water being transferred to the public highway, in the interests of highway safety.
22. To protect the structural integrity of the highway and to allow for future maintenance
23. To protect and encourage local wildlife
24. To ensure a satisfactory standard of development and in the interest of highway safety.
25. In the interests of local heritage.
26. In the interests of highway safety.

## **INFORMATIVES**

1. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act 1990 and dated 14th

November 2014, attached to the outline planning permission Referenced V/2013/0123

2. The applicant's attention is drawn to the planning conditions attached to this permission that require you to resolve certain matters BEFORE work commences. If work commences without first complying with the terms of the conditions then any work undertaken will be UNAUTHORISED and may be the subject of future Enforcement Action.
3. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
4. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.
5. The proposed off-site highway works referred to in Condition 14 requires to a Traffic Regulation Order [ TRO ] required to be in place before the occupation of dwellings on Plots 88 to 100 inclusively. The Highway Authority considers it prudent that as part of the proposed development, a TRO will need to be undertaken to provide a safer highway environment. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Major Projects & Improvements Team on 0115 9773118 or nottinghamshire County Council's Customer Services on 0300 5008080. Please note that the assessment and implementation of a TRO is determined by a lengthy public consultation process and therefore the final outcome for implementation is not guaranteed.
  - 1) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA. 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 road works.

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 HA with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the HA as early as possible.

b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance. 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 before any work commences on site.

Correspondence with the HA should be addressed to [hdc.north@nottscc.gov.uk](mailto:hdc.north@nottscc.gov.uk) or in writing to:

Highways Development Control  
Nottinghamshire County Council,  
Highways North,  
Welbeck House,  
Darwin Drive,  
Sherwood Energy Village,  
Ollerton,  
Nottinghamshire,  
NG22 9FF.

2) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 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.

3) In order to carry out any off-site works approved, the applicant 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 the applicant has no control. In order to undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an Agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant responds with any necessary alterations. Therefore, it is recommended that the applicant contacts the Highway



Authority as early as possible. Work in the highway will not be permitted until the Section 278 Agreement is signed by all parties.

4) Any relevant details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be considered by the Highway Authority until after the relevant technical approval is issued.