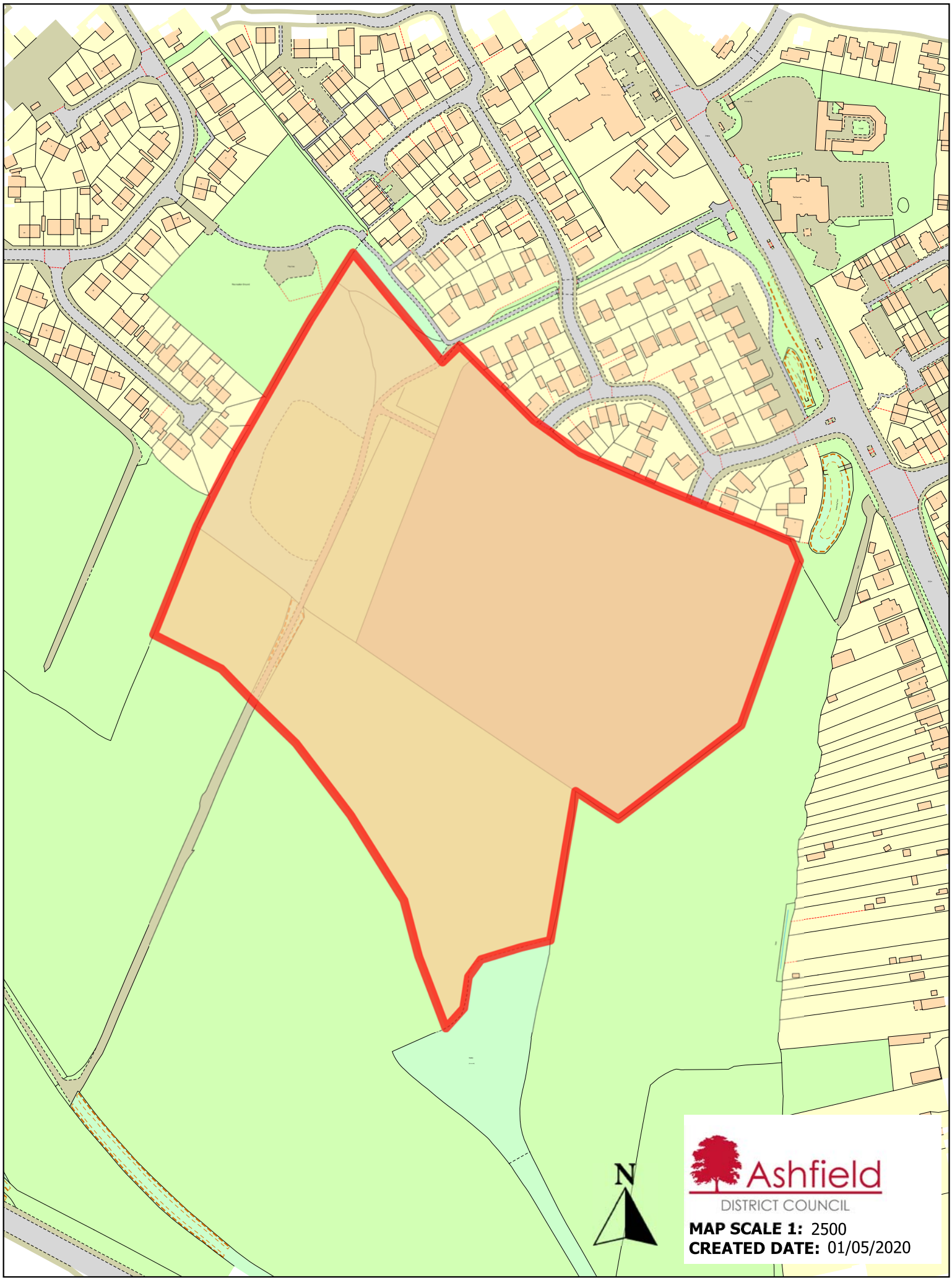
V/2019/0483



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COMMITTEE DATE 13/05/2020 **WARD** Hucknall South

APP REF V/2019/0483

APPLICANT Bellway Homes (East Midlands)

PROPOSAL The residential development of 206 no. dwellings and associated infrastructure and works, including the removal of two groups and three individual TPO trees included in the Ashfield District Council Tree Preservation Order, TPO 168.

LOCATION (Phase 2) Land at Broomhill Farm, Hucknall, Nottingham, NG15 7QE

WEB LINK https://www.google.co.uk/maps/place/Jackson+Rd,+Hucknall,+Nottingham/@53.0249307,-1.1928678,18z/data=!4m5!3m4!1s0x4879c01a125fd043:0x189810b333dcac24!8m2!3d53.024821!4d-1.1920041

BACKGROUND PAPERS A B C D E F K

App Registered 31/07/2019 **Expiry Date 30/10/2019**

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

This application has been referred to Planning Committee by Cllr K.A. Morrison on the following grounds:

- **Invasion of privacy and overshadowing of neighboring properties;**
- **Destruction of wildlife and preserved trees;**
- **Antisocial behavior – specifically in relation to access and motorbikes;**
- **Lack of amenities and infrastructure. Not enough schools, doctors and traffic concerns.**

The Application

This is a full planning application for 206 houses, with associated infrastructure and works. The proposals also include the removal of two groups and three individual TPO trees included within Ashfield District Council Tree Preservation Order 168.

The submitted layout consists of 206 dwellings at a net density of approximately 32 dwellings per hectare. 38 of the dwellings will be affordable. These will be a mix of affordable rent, shared ownership and discount market sale.

The Site

The application site is located on the southern edge of Hucknall. It extends to approximately 6.85 hectares and comprises agricultural land, with associated trees, hedgerows and vegetation. The site is allocated for housing under policy HG1 (Hb) of the Ashfield Local Plan Review (2002).

The site is bounded to the north and north east by new residential development, with access proposed from Jackson Road and Victoria Way. To the east, is a Local Wildlife Site (Farley's Grassland). To the west are allotments and residential dwellings. The south of the site features a prominent ridgeline beyond which is agricultural land designated as Green Belt.

Consultations

A press notice and site notice have been posted, together with individual notification of surrounding residents. The responses are summarised below:

A.D.C Tree Officer – No objections to the proposed tree removal, on the provision that appropriate landscaping be carried out to mitigate the losses.

A.D.C Environmental Health (Contamination) – No objections. Recommend that a validation report is submitted showing the protection measures have been installed in the properties.

A.D.C Environmental Health – The Air Quality Assessment concludes that the site is suitable for a residential development and does not predict that the development will lead to an exceedance of the Air Quality Objectives formulated by the Air Quality (England) Regulations 2000(AQR) as amended in 2002.

A construction management plan should be submitted, which includes dust control measures and limits on construction working times.

A.D.C Housing Officer – The proposed affordable housing mix is policy compliant; but would welcome more rented units – especially should any other phases come forward.

A.D.C Places and Localities – Concerns raised over the size of the open space extension. The combined area is relatively small for the overall housing and it would be better to mirror existing. In terms of Section 106 contributions, these are as follows:

- Public Open Space contribution for a neighborhood young people's area: £75,000
- Maintenance for phase 2 (15 years): £37,758.

- Biodiversity offsetting: £30,000. (£20,000 for tree planting and £10,000 for habitat improvements) for one, or more, of the following sites in Hucknall:

1. Common Farm
2. Polperro Lagoon
3. Titchfield Park.

Clinical Commissioning Group – A development of this nature would result in increased service demand and all practices in the area are working at capacity. Accordingly, the proposal would trigger the need to provide health related section 106 funding amounting to £111,626, which is proportionate to the housing development size. The contribution would be invested in enhancing infrastructure capacity.

Environment Agency – The site falls within Flood Zone 1. The Local Lead Flood Authority should be consulted regarding sustainable surface water disposal.

NCC Travel and Transport - Require upgrades to two bus stops within the vicinity of the site. A contribution of £29,000 is requested for the works.

NCC Rights of Way – No objections.

NCC Minerals and Waste – There are no Minerals Safeguarding and Consultation Areas covering or in close proximity to the site. Likewise, there are no existing waste sites in the vicinity. The application should be supported by a waste audit.

NCC Strategic Highways – No observations.

NCC Public Health – Public Health is supportive of the inclusion of the Nottinghamshire Rapid Health Impact Assessment Matrix (NRHIAM) by the applicant. This is a good example of how the NRHIAM can be the used to assess the potential impact of health and wellbeing locally of a development.

NCC Education

Primary

The development is located in the Hucknall Primary Planning Area and would generate 43 additional primary school places. There is currently insufficient capacity to accommodate the additional pupils generated. As a result, the County Council would see a primary contribution of £749,318 (43 x £17,426 per place).

Secondary

The development is located in Hucknall Secondary Planning Area and would generate 33 additional places. There is currently insufficient capacity to accommodate the additional pupils generated by this development. As a result, the

County Council would see a secondary contribution of £787,875 (33 x £23,875 per place). This would be used to extend Holgate Academy.

Nottinghamshire Wildlife Trust – Object to the application, raising issues surrounding the following:

- Removal of TPO Trees, Hedgerows and Wildlife Corridor,
- Potential impact on Farley's Grassland LWS, a Construction Management Plan (CEMP) should be provided to protect the LWS,
- Measures should be undertaken to protect Hedgehog, Amphibians and Harvest Mice.
- Landscaping should be provided, which encourages a range of species.
- More compensation needed for badgers;

A number of recommendations are made in line with these concerns, including provision of an Ecological Management Plan and lighting strategy. Reference is also made to paragraph 175 of the NPPF, which sets out protection for Biodiversity.

The applicant has submitted information to address this objection. NWT have been consulted, but a response has yet to be forthcoming. This impacts on Biodiversity are discussed later in the report.

Local Lead Flood Authority – No objections, subject to a planning condition ensuring that the drainage scheme accords with the principles set out within the Flood Risk Assessment.

Natural England – No comments.

Severn Trent – The connections of foul and surface water will require section 106 sewer approval.

Highways Authority – The comments from the Highways Authority are summarised below:

Transport Assessment

Study Area
Trip rates based on a recent traffic count carried out at the site access, have been agreed.

Accessibility
The layout illustrates a cycle route, from phase 1, terminating on its southern boundary (end of Road 1). A central refugee to the north of the existing access is to be upgraded to allow pedestrian access to and from the bus stop further to the north.

Assessment of Traffic Impact

- **Junction 2 – Hucknall Bypass Roundabout**
  Mitigation is proposed in the form of an increase in length of the 2-lane section on the Hucknall Bypass approach.

- **Junction 5 - Portland Road / Station Road**
  The impact on this junction is considered to be minimal, however, it forms part of the alternative route around Hucknall to the Ashgate Road junction (Junction 6) and is therefore sensitive to other parts of the network becoming congested.

- **Junction 6 – Portland Road / Ashgate Road**
  There is a concern about the impact on this junction in the PM peak, however to reduce this impact it is proposed to carry out mitigation at Junction 5, in the form of the installation of a new system to maximize operational efficiency.

Layout

Vehicle Parking

Concerns were initially raised because of limited parking provision for visitors and any additional vehicles. Amendments have been submitted increasing the widths of driveways and the layout altered to increase the number of spaces for visitors and any additional vehicles.

It is concluded that it would be difficult to sustain a Highway objection to the development on parking grounds. In order, to minimise the impact, conditions are recommended to remove permitted development rights for garage conversions and fences which would impact on parking spaces.

Private Drives

Further conditions are recommended to restrict vehicles driving from adjacent private drives to another, to protect pedestrian visibility splays and the provision bin store locations.

Nottingham City Council – Have been consulted, but no comments received.

Police Architectural Liaison Officer – Have been consulted, but no comments received.

Local Community

A total of 37 responses have been received from 26 different households/individuals following the first round of consultation.

The issues raised are summarised below:

Highways Safety

- Congestion on the roundabout connection Nottingham Road, Hucknall Lane and the A611 and at Moor Bridge.
- The cycle route toward Nottingham is dangerous and unsafe. This should be improved.
- Concerns over the volume of traffic using Jackson Road and Victoria Way.
- An improvement should be made at the junction of Jackson Road and Nottingham Road – traffic lights, or a roundabout.
- Consideration should be given to a through road onto the bypass to ease congestion.
- Existing issues with road safety on Phase 1 including people parking on blind corners.
- Wish to see traffic regulations included – double yellow lines, white road markings.
- A digital model of the road networks does not take into account the reality of the situation on the roads. The increased traffic will result in significant issues.
- Even with two parking spaces provided, this is not sufficient.

Impact on the Environment

- Adverse impact on the ecosystem and ecology – including loss of habitat (hedgerow and trees), agricultural land, green space, and impact wildlife.
- Wildlife mitigation measures inadequate – nothing for hedgehogs.
- Loss of trees covered by a Tree Protection Order 168.
- Potential for other Green Belt land to be developed. Questions over measures being taken to protect surrounding Greenfields.
- Questions over the Ecological information being redacted.
- Destruction of wildlife is contrary to the recently declared Climate Emergency.
- Light and noise pollution.
- More tree planting should be proposed and trees shown within individual properties could be removed.
- Questions over sufficient information in relation to the flood attenuation facility.
- The proposed environmental improvements are tokenistic measures. A radical, holistic approach should be taken to improvements.
- Questions over the carbon footprint of the development.
- Adverse impact on the character and appearance of the area. The fields are enjoyed by walkers, hikers, joggers, dog walkers. These would be lost.
- The homes should feature solar panels and a high level of insulation.

Residential Amenity

- The hedgerow along the boundary with phase 1 is shown in the deeds of homes on phase 1 and removal would be criminal damage. It enhances biodiversity and should be retained.

- Concerns over loss of privacy to plot 41 on Phase 1 from the footpath.
- The properties on phase 1 are at a lower ground level and consideration must be given to finished floor levels and a potential loss of light.
- Anti-social behaviour – there is an existing problem on Phase 1 with bikes along footpaths.
- The proposal would result in an adverse impact on plot 6 (phase 1) from a loss of light, overlooking and overbearing impacts. This would be contrary to the NPPF, The Local Plan and the Residential Design Guide.
- A technical assessment should be undertaken of the impact on Sunlight to plot 6 (phase 1).
- The compact housing may affect health and well-being including mental health. These should adhere to the national space standards.
- The garden sizes are unacceptably small.
- The future occupiers should be provided a good standard of living with sufficient daylight into the homes.
- Concerns over disturbances during the construction phase – the road becoming muddy, noise pollution, disturbance from HGVs etc.
- CCTV and lighting should be installed on the paths, already experiencing issues of anti-social behaviour.

Other Issues

- Density much higher than phase 1.
- Insufficient infrastructure to support further housing development – doctors, school places, dentists etc. Lots of developments already planned in Hucknall, this will worsen the situation.
- Questions over the financial contributions towards schools, doctors, public transport, libraries etc.
- Hucknall has already met its housing needs through substantial new developments, which have already resulted in the loss of biodiversity and wildlife.
- The blocking of a public footpath used regularly. This has already been blocked off by fencing.
- Equestrian access link and request new bridleway gates.
- Development on a steep part of the site potential for land slippage.
- Too many people already, having an adverse impact on the quality of people's lives.
- Concerns over a loss of view, which should be protected.
- The entrance to the recreation area from Albert Close should be formed.

2nd Round Consultation

Following the receipt of an amended layout plan, an additional round of consultation was undertaken. In total 9 further comments were received from 7 households. The contents of these are summarised below:

Highways

- The updated traffic surveys are insufficient and the junction from Jackson Road onto Nottingham Road needs amending.
- Parking control measures should be implemented on the existing estate.
- Problems with parking, where garages are used for storage. The layout should be revised and bollards used.
- Questions over the 20mph speed limit and requests for pre-loaded mango cards for phase1.

Environment

- Measures should be introduced for energy conservation such as solar energy, air/ground source heating and electric charging points.
- Impact on the natural environment – loss of hedgerows, TPO trees already removed and loss of a badger sett.
- Trees within property boundaries can be removed.
- Information should be given on the carbon capture from mature trees and hedgerow.
- Air Quality objectives will be breached.
- Questions over the use of the biodiversity offsetting and POS contributions.

Other

- Even with the additional funds, do schools and leisure facilities have the ability to cope with development, especially with the development in Hucknall.
- Will doctors and pharmacies be able to cope with additional people.
- Impact during the construction phase, which is estimated to be up to 8 years.
- Insufficient consultation with residents.
- Osbourne close is not suitable for a pedestrian link – instances of antisocial behaviour have occurred.
- Potential for neighbour disputes with the hedge removal on the southern boundary.

Additional amendments to the layout were received, which moved the dwellings at plots 118 and 132 farther away from the site boundary. In light of the nature of the changes, it was considered not to be prudent to undertake an additional full round of consultation with residents. However, given substantial correspondence with the residents of plot 6 on phase 1, they were informed of the iteration. In response they stated that the revised proposal represents an improvement to the original – but would like to see the floor level no higher than 61.0. They also reiterated their concerns about the hedgerow and to overcome these concerns requested it be within their garden.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

Ashfield LP Review 2002 – Saved Policies

- ST1: Development.
- ST2: Main Urban Areas.
- HG1HB – Housing Land Allocations.
- EV8 – Trees and Woodlands
- EV6 – Site of Importance for Nature Conservation.
- TR6: Developer Contributions to Transport Improvements.
- HG3: Housing Density.
- HG4: Affordable Housing.
- HG5: New Residential Development.
- HG6: Open Space in Residential Developments.

National Planning Policy Framework (NPPF) policies relevant to the application are:

- The Presumption in favour of Sustainable Development.
- Part 5: Delivering a sufficient supply of homes.
- Part 8 Promoting healthy and safe communities.
- Part 9 Promoting sustainable transport.
- Part 11: Making effective use of land.
- Part 12: Achieving well-designed places.
- Part 14: Meeting the challenge of climate change, flooding and coastal change.
- Part 15: Conserving and enhancing the natural environment.

Guidance

- Ashfield Affordable housing SPD 2009.
- Ashfield Residential Design SPD 2014.
- Ashfield Residential Car Parking Standards SPD 2014.
- Nottinghamshire County Council Highways Design Guide.
- National Design Guide.

Relevant Planning History

V/2020/0114

Proposal: Erection of a Temporary Construction Site Compound (for a period of 8 years), Car Parking and Associated Works associated with Planning Permission V/2019/0483,

Decision: Outstanding.

V/2013/0409
Proposal: Full application for the construction of 141 dwellings and public open space together with associated parking, garaging, road and sewer infrastructure works.
Decision: Approve
Decision date: 28/11/2013
Comment: This application approved 'phase 1' – the adjacent housing development.

V/2006/0717
Proposal: Full application for the erection of 382 dwellings and ancillary works
Decision: Withdrawn
Decision date: 16/12/2011
Comment: Committee Resolution to grant outline planning permission for residential development, subject to legal agreement (never signed hence finally disposed of).

V/2003/0945
Proposal: Outline application for the erection of approx. 360 dwellings and ancillary works
Decision: Withdrawn
Decision date: 16/12/2011
Comment: Resolution to grant outline planning permission for residential development, subject to legal agreement (never signed hence finally disposed of).

Environmental Impact Development

A screening exercise has been undertaken and it has been determined that the development does not constitute EIA development.

Main Issues

1. The principle of the development;
2. Landscape Impact;
3. Layout, Appearance and Scale;
4. Housing Density and Mix
5. Residential Amenity;
6. Highways Safety;
7. Sustainability and Locational Accessibility;
8. Biodiversity and Trees;
9. Flood Risk and Drainage;
10. Developer Contributions and Community Infrastructure Levy (CIL) Compliance;

11. Other Issues;
12. Planning Balance.

1. Principle of Development.

The application site is located on land allocated for housing in the Ashfield Local Plan Review (2002). The application site forms part of allocation HG1(Hb), which allocated 11.8ha of land at Broomhill Farm for circa 360 dwellings. The applicant has already built 141 dwellings on much of the northern part of the allocation, leaving this residual parcel of land. The general principle of residential development is therefore acceptable in accordance with Policy HG1 (Hb) of the Local Plan.

2. Landscape Impact

Paragraph 170 the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognizing the intrinsic character and beauty of the countryside.

The site is not subject to specific statutory, or non-statutory, landscape related planning designations. In terms of landscape character, the site sits within the Nottinghamshire Landscape Character Assessment, which was carried out for the much of Nottinghamshire to assist in informing Local Development documents. The LCA identifies the site as part of ML018 River Leen Corridor, with the landscape condition and sensitivity described as moderate.

The application is supported by a Landscape Impact Visual Appraisal (LIVA). This considers the impacts from a number of vantage points. It identifies that the site is located within a landscape heavily influenced by its urban fringe setting. Nonetheless, the proposal would introduce residential development on a greenfield site and result in a material change to its character and visual setting. This includes altering views at the immediate site boundaries, surrounding properties, open space, informal footpaths and some longer distance views. Although, these affects are not unusual, or unexpected, given the site is allocated for housing.

The southern boundary is defined by a prominent ridge. There would be housing situated in this area, however consideration has been given to the arrangement of dwellings and roof types. A landscape buffer is proposed on this boundary to soften the impact of the houses on this part of the site. However, this is an edge of settlement development that would not appear as discordant with its setting and is unlikely to result in any significant notable visual effects

It is inevitable that some landscape harm would arise from the development of greenfield, however the site is allocated for housing in the Local Plan. Local residents have attached some value to the landscape, however it has no formal landscape designation and is considered not to be a valued landscape for the

purposes of the NPPF . The harm to the landscape therefore carries limited weight in the assessment of this case.

3. Layout, Appearance and Scale

The ALPR sets out policies on design in Policies ST1 and HG5. The policies within the development plan are supported by the provisions of the NPPF part 12. A National Design Guide has also been published since the submission of the application.

In terms of layout, a loose grid structure is adopted with perimeter blocks facing out onto roads to ensure active frontages. The existing open space will be extended in the north corner of the site, with a flood attenuation feature in the eastern corner. The scheme benefits from good internal connectivity, with an internal loop road and green walks. Increased surveillance will also be provided to the open space, which should assist in supporting a reduction in anti-social behavior.

The scheme has been subject to an independent Building For Life Review by Design Midlands. This is a tool used to help local planning authorities assess the quality of proposed developments. This sets out a list of 12 criteria and uses a traffic light system of green, amber and red to assess developments. The original assessment showed a score of 4 reds and 8 ambers. Following the design review, the scheme has improved significantly. This includes:

- Improvements to connectivity, by extending the green way from phase 1.
- New pedestrian footpaths, including one which retains some of the existing hedgerow and a TPO tree.
- A better relationship with the open space and building to building relationships.
- Altering of the block pattern to face onto the coppice to the south.

The final design review score by Design Midlands indicates the scheme has 3 greens, 8 ambers and 1 red. However, the red was for parking integration. This has since improved following substantial work and the final scheme is considered to have no red scores. The assessment was mainly focused on the developments functionality and connectivity, which is the primary reason for a number of the amber scores.

In terms of appearance, the scheme utilises Bellways new house type range, which varies slightly from phase 1, however these are all considered to be a high quality design and in keeping with the vernacular in the area. Building materials will be a mix of red and brown brick, with detailing provided around the windows. The scale of dwellings, sitting 2 and 2.5 storeys in height, is consistent with those in the surrounding area.

Following the design review it is considered the scheme provides an acceptable layout, with good interconnectivity. The scale and appearance of the dwellings are also considered to be acceptable.

4. Housing Density and Mix

The Housing Site Brief within the Local Plan sets out that a minimum housing net density of 34 dwellings per hectare should be achieved. The net density of this phase is approximately 32 dwellings per hectare. The density of the site has been calculated excluding the area of public open space in the northern corner and SuDs feature. The housing density was required to be reduced from the original submission and following a design review to achieve a better quality scheme.

The development proposes 206 houses, 38 of which are classified as affordable. The overall breakdown of housing mix is as follows:

- Affordable Rent: 4 x 1 Bedroom and 6 x 2 Bedroom.
- Shared Ownership: 3 x 2 Bedroom and 7 x Bedroom.
- Discount Market Sale: 18 x 3 Bedroom.
- Private Sale: 9 x 2 Bedroom, 112 x 3 Bedroom and 47 x 4 Bedroom

The mix of housing proposed is considered to be acceptable, taking into account the evidence of the Nottingham Outer 2015 Strategic Housing Market Assessment (SHMA).

5. Residential Amenity

Saved Policy HG5 of the Local Plan is a criteria based policy which seeks to ensure that new residential development is acceptable. This includes, inter alia, protecting the amenity of neighbouring properties, minimising overlooking, provision of adequate amenity space, adequate boundary treatment, suitable access and parking. Policy HG5 is backed up by the Ashfield Residential Design Guide SPD 2014, which contains guidance on matters such as minimum separation distances and garden sizes.

Existing Residents

Hedgerow

A number of residents have raised concerns surrounding a hedgerow running along the boundary shared with Phase 1. This hedgerow is to be retained and will be subject to a planning condition. Issues have also been raised about future management and the potential for neighbour disputes over ownership and maintenance. Bellways have advised that a covenant will be placed on the hedge to ensure the new owners do not remove it.

This is a primarily a civil matter, however, it is considered that the arrangements on this boundary are satisfactory and would not give rise to unnecessary problems. An existing close boarded timber fence runs along the boundary providing sufficient privacy to residents. Even if the hedgerow were to be re-conveyed to the other side of the boundary, as a resident has suggested, there is still the same potential for disputes over maintenance to occur.

Overlooking, Overshadowing and Loss of Privacy

A representation has been made from the owners of plot 6, on phase 1, as to the impacts of plot 132 from a loss of light, overlooking and overbearing impacts. Since the submission of the application, the layout has been amended with the dwelling at plot 132 moved farther away from the boundary and a single storey garage repositioned here. The roof of the dwelling has also been hipped. These revisions ensure the proposed dwelling would not be unduly overbearing. The 25 degree measurement is not breached, which indicates that daylight will not be unduly affected and there would be no direct overlooking.

A shadow analysis has been undertaken with plot 132 at a higher level than plot 6; however Bellway have since advised it will sit below the floor level of the existing dwelling (approx. 0.15m). The resident has requested a condition for the dwelling to be built below 61.00, however the proposal to build at 61.25 – which is below the floor level of plot 6, albeit the garden does slope away – is considered to be reasonable. The proposed floor levels will be subject to a planning condition.

As plot 132 is located to the south, there would be some degree of increase in overshadowing, however this would not be to an extent that the living conditions of the neighbouring residents would be harmed. It is considered the amendments to the scheme have resulted in an acceptable relationship to the existing dwelling.

In a similar vein, the dwelling at plot 118 has been amended to have a hipped roof and has been set off the boundary to avoid any overbearing impacts to plot 20 on phase 1. A shadow analysis has also been undertaken. The amendments to the scheme are, again, considered sufficient to result in an acceptable relationship to the neighbouring dwelling.

There would be some increased overlooking to the garden areas on phase 1 particularly plots 7 and 13, however this extent of overlooking is typical in most estates and would not be a reason to refuse planning permission. Concerns have been raised about the finished floor level the properties will sit from the resident of plot 13 on phase 1 with regards to potential overshadowing. The layout is considered appropriate to avoid any undue affects and the levels will be carefully examined.

The residents of plot 41 on phase 1 have raised a concern about overlooking from the adjacent footpath. This is a footpath already delivered as part of phase 1. It is

noted this will be an increased use, however this was always anticipated as part of wider proposals.

Anti-Social Behaviour

The dwellings have been orientated to provide more natural surveillance to the open space and green-walk. Details of entrances to will be secured by planning condition to help prohibit usage from motorbikes. In addition, Bellway are willing to establish a Neighbourhood Watch function to operate across the scheme, with relevant details to be relayed to plot purchasers at the point of sale.

Disruption during construction

Concern has been raised with regard to the potential disruption during the construction phase of development. It may be the case that some disturbances would occur to neighbouring residents, however this will not be permanent, nor would it result in any longer term detrimental impact upon the residential amenity of local residents.

An application has been submitted for the construction of a compound, which is to be located off-site and away from existing residents. This is considered to be an appropriate location that will reduce the potential for noise disturbances and parking conflicts on the highway.

The Councils Environmental Health Team have been consulted and raised no objections, but have recommended conditions be attached. Accordingly, it is recommended that a condition requiring the submission of a Construction Environmental Management Plan is appended. This will contain matters such as working hours, delivery times, wheel washing facilities and dust control measures. This is a standard condition on development sites and serves to reduce the potential for disturbances to residents.

Future Residents

The submitted layout demonstrates that the back-to-back separation distances between dwellings would comply with the Councils residential design guide. Where these fall below 21m, the properties are angled to ensure there would be sufficient privacy and meet with the guidance.

In terms of garden sizes, the applicant has amended the layout so that the proportion of gardens that meet, or exceed, the standard now stands at 88.8% (183 out of 206 unit). This is a significant increase from previous iteration of the layout. Although, a percentage do fall below the standard, this is considered to be acceptable. The scheme provides an extension to the public open space in the northern corner of the site, which is a short walking distance to all dwellings.

The Councils Places and Localities team have raised concern over the sufficiency of the new area of public open space. However, overall, the development would provide 10% in accordance with the requirements of Policy HG6. There would also be a contribution of £75,000 towards new equipment, in accordance with the Councils adopted Public Open Space Strategy.

Reference has been made, through local representation, to the site achieving the Nationally Described Space Standard (NDSS). It is identified that some of the house types Tilton, Somerby, Joiner and Tailor do not meet this standard. However, NDSS is not adopted in Local Plan policy. The Councils Residential Design SPD also includes guidance on minimum standards. Below is a comparison of these house types against those that do not meet the minimum required NDSS:

H/T	Beds	Size	SPD Space Standard	Differential	% of Space Standard
Tilton	2 bed	59.2m^2	62m^2	-2.8m^2	95%
Joiner	2 bed	63.2m^2	62m^2	+1.2m^2	102%
Somerby	3 bed	71.3m^2	77m^2	-5.7m^2	93%
Tailor	3 bed	74.48m^2	77m^2	-2.5m^2	97%

Where there is a shortfall of a matter of a few square metres, this is considered to result in dwellings that are so deficient that would warrant them being considered to be unusable. Bellway advise in many cases this is simply reflective of the different market segments. In particular, the Somerby house type, which fails to meet the national and local standard, is part of the standard house type range for the East Midlands. Bellway have also provided evidence from a registered provider that they are content with this particular house type in terms of floor space.

Housing standards are a material consideration in dealing with planning applications. A written ministerial statement on this, dated 25th March, advises that decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy. There is no local plan policy in place to require adherence to the national standards. Notwithstanding this, a number of units do not comply with the national standard, however in view of the above and taking the scheme as a whole – which has included alterations to improve the layout following a design review – the proposals are considered to be acceptable in this regard.

6. Highways Safety

The Ashfield Local Plan Review (2002) Policy ST1, set out that, amongst other matters, development will be permitted where it (c) does not adversely affect highway safety, or the capacity of the transport system. In a similar vein, the NPPF (paragraph 109) states that development should only be prevented or refused on

highways ground if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.

The site will be accessed from the existing ends of Jackson Road and Victoria Way on phase 1. The main spine road, taken off Jackson Road, will feature a 3m wide shared use foot/cycleway. It will be 6m in width to allow for a future bus to access the site.

The applicant has submitted a Transport Assessment, which has been assessed by the Highways Authority. From the results of the technical information, and on the basis of advice received from the HA, it is considered that the development would not result in a severe impact on the highways network, subject to mitigation measures being provided. These include:

- Amendments to the roundabout junction with associated signing at the A611 Hucknall Bypass / Nottingham Road.
- Upgrades to signal efficiency at the junction of Portland Street Station Road (MOVA).
- Amendments to the existing pedestrian refuge on Nottingham Road.

A number of residents have raised concerns over the existing junction from Jackson Road onto Nottingham Road, however the assessments show that no improvements are required here and that the junction would continue to operate safely. Likewise, the assessment has not raised any issue with the volume of traffic using Jackson Road/Victoria Way.

As noted by the HA, parking has been assessed with amendments being made to the widths of driveways and improvements made for visitor and additional parking provision. The HA consider there are no substantive reasons to refuse planning permission. To mitigate against any future parking problems, conditions are recommended for the removal of permitted development rights for garages and the erection of fencing.

In light of the submitted technical evidence and subsequent comments from the Highways Authority, it is considered that, with appropriately worded planning conditions, the development would not result in any significant highways safety issues.

7. Sustainability and Locational Accessibility.

Paragraph 103 of the NPPF, states that the planning system should actively manage patterns of growth, with significant development focused on locations, which are, or can be made sustainable, through limiting the need to travel and offering a choice of transport modes.

The site is well connected to the Hucknall Public Transport Corridor, with access to N.E.T and Robin Hood Line Stations. A regular bus service is provided along Nottingham Road, which provides access to Hucknall and Nottingham town centres.

The layout would provide a cycle/bus route extending from Jackson Road. There would also be a contribution of 29k for bus stop improvements and amendments to the existing pedestrian refuge on Nottingham Road. Finally, a travel plan will be provided aimed at reducing private vehicular travel. The site is considered to be in a sustainable location for development.

8. Biodiversity and Trees

The NPPF at paragraphs 170 (d), 171, 174 and 175 sets out protection for biodiversity. Policy EV6 of the Local Plan, amongst other matters, seeks to protect local nature reserves and sites of importance for nature conservation. Policy EV8 sets out protection for trees worthy of retention and states that where trees are lost, mitigation will be required.

No statutory, or non-statutory, designated sites are located within the site. Although Farleys Grassland Local Wildife Site (LWS) is located adjacent to the eastern site boundary.

Biodiversity Matrix

The applicant has submitted an Ecology Appraisal and Biodiversity Matrix. The submitted Biodiversity Matrix has been completed in accordance with emerging DEFRA guidance and shows a net loss. To offset this loss, the applicant has agreed contributions towards tree planting (£20,000) and a habitat creation scheme (£10,000).

Trees

The proposals will result in the loss of two groups and three individual TPO trees included in the Ashfield District Council Tree Preservation Order, TPO 168. In ecological terms, the applicants ecologist has noted that none of the trees removed are veteran, or provide significant ecological interest.

The Councils Tree Officer has also visited the site and raised no objections to the removal of the trees on visual amenity grounds. To compensate, the landscaping scheme includes the planting of a significant number of trees. The developer also has agreed to contribute £20,000 towards additional tree planting in the district. At present,10-12ft trees cost around £30 from the Councils current supplier, this means that around 666 additional trees of this size could be provided.

Hedgerows

There are nine hedgerows across the site. All the hedgerows comprised at least 80% native species and therefore qualify as habitats of principal importance (as described in S41 of the NERC Act 206), albeit none were considered to qualify as important under the Hedgerows Regulations Act (1997) wildlife and landscape criteria due to being species-poor and lacking associated features.

The boundary hedgerows (H1, H2, H3, H8 and H9) are to be retained and will be protected during the construction phase. Hedgerows H5, H6 and H7 will largely be lost under the proposals. However, the layout was altered to retain some of hedgerow 4 running through the centre of the site.

These losses will be compensated through the creation of new native hedgerow along the southern and eastern site boundaries, which will create an alternative wildlife corridor and maintain connectivity around the edge of the site. The latest iteration includes new native species hedgerows being planted, which exceed the length of the hedgerows lost by 440m.

Protected Species

The submitted Ecological Appraisal contains an assessment of protected species across the site. Precautionary working methods are recommended during ground clearance for any suitable habitat for amphibians, hedgehog and nesting bird habitats. This will ensure all relevant legislation is complied with.

The single tree assessed as having moderate potential to support roosting bats will be retained and protected. The site provides foraging and commuting resources for a low number of common and widespread bat species, and as such the loss of these resources will be compensated through planting.

A single outlier badger sett is located within the site and will be lost to the proposed development. As such, the works will require a Natural England Licence. The applicants ecologist has advised that Natural England regularly grant licences for closure without requiring the provision of artificial setts, which are only required when development proposed the closure of a main sett. No extensive evidence of foraging activity such as snuffle holes or latrines were recorded across the site and overall it is considered the site does not provide a significant resource for the local population.

Farley's Grassland Local Wildlife Site

The proposed development would not encroach onto the LWS. The revised proposals include a native species hedgerow between the LWS and the development. An Environmental Construction Management Plan will also be provided that will include appropriate measures to ensure the conservation value of

the LWS is maintained. Additionally, residents will be provided information regarding the importance of the LWS.

Mitigation, Enhancement and Compensation Measures:

- A Landscape and Ecological Management Plan,
- Ecologically sensitive lighting strategy.
- Bird, bat and invertebrate boxes throughout the site.
- Provision of mammal runs.
- Contribution of £30,000 towards tree planting and habitat creation off-site.

Summary

The NPPF, at paragraph 175, states that if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The site is allocated for development. The development proposals do not result in direct effects to any statutory or non-statutory designated site for nature conservation. An outlier badger set would be lost, with such works will requiring a licence from Natural England.

It is acknowledged that the proposal would result in a net loss of biodiversity on site. However, the development would provide a number of mitigation and enhancement measures, with a contribution towards tree planting and other habitat creation off-site. It is considered that with the proposals would not merit a refusal in accordance with paragraph 175 of the NPPF.

9. Flood Risk and Drainage

The subject site is located within Flood Zone 1 (Low Risk of Flooding, 1 in 1000 years). Due to the site area, a Flood Risk Assessment (FRA) has been submitted. The FRA notes that the site will drain its surface water to new balancing facilities located to the south east corner.

The Local Lead Flood Authority has assessed the proposals and found them to be acceptable, subject to a planning condition requiring full drainage details to be submitted. Severn Trent have also been consulted and advised that their permission will be required for the foul sewer connection. On the basis of the information received, it is considered that the site would not be at risk of, or result in an increased risk of flooding to the surrounding area

10. Developer Contributions and Community Infrastructure Levy (CIL) Compliance

The requirements of the CIL Regulations are that a planning obligation can only be a reason to grant planning permission provided that it is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. A number of developer obligations are required to be included in the s106 agreement. These are detailed below:

Affordable Housing

Policy HG4 of the ALPR sets out that a minimum of 18.5% dwellings should be provided as affordable. This developer would provide a total of 38 affordable dwellings at the site. These are detailed as follows:

- Affordable Rent x 10
- Shared Ownership x 10
- Discount Market Sale x 18

Biodiversity Offsetting

As detailed above, a contribution of £30,000 is sought to offset the loss of biodiversity onsite. This will split into £20,000 for tree planting and £10,000 for habitat improvements. This contribution is considered reasonable in kind and scale and would meet the CIL tests.

Bus Stop Improvements

Nottinghamshire County Council Travel and Transport have requested a contribution of £29,000 towards two bus stop upgrades. These are the AS0776 and AS0777 on Shelton Avenue. A costings list has been provided to justify the figure and as such the contribution is considered reasonable in kind and scale.

Education

NCC have requested a primary education contribution of £749,318 (43 x £17,426 per place). The calculation has been made based on the planning area of a cluster of primary schools and seeks a contribution of facilities directly stemming from the likely school age children living at the development site. This would meet the CIL tests.

The correspondence from NCC also shows that there is a predicted deficit in the number of secondary places in the Hucknall Secondary Planning Area. A contribution has been sought of £787,875 (33 x £23,875 per place). This would be

used to extend Holgate Academy. Such a contribution is directly related to the development, is reasonable in kind and scale and would meet the CIL tests.

Highways

A contribution of £33,000 is to be provided for a MOVA upgrade to the Portland Road and Station Road junction. This includes a 10% contingency fund, which will be paid back to the applicant if not required. The Section 106 Agreement will also cover other required improvements to the highway, including improvements to the roundabout junction and the pedestrian refuge upgrade.

Healthcare

The Clinical Commissioning Group have requested a financial contribution of £111,626. The CCG has provided its standard formula for the cost of extensions as identified by a quantity surveyor experienced in health care projects. Accordingly, the healthcare contribution is considered proportionate to a development of this size and complies with the CIL Regulations.

Public Open Space and Maintenance Contribution

The Councils Places and Localities team have requested a contribution of £75,000 towards a neighbourhood young people's play area. This could include a concrete ramp skate/BMX/scooter park, multi-use games area, bike dirt track, or outdoor gym equipment. The requirements for this are set out in the Council's adopted Public Open Space strategy. There is also the requirement of £37,758 for maintenance for a period of 15 years for public open space. As with phase 1 it has been agreed the council will adopt the public open space.

Monitoring Contribution

The updated CIL legislation allows for a Section 106 monitoring fee to be charged. This will amount to £2,500 and will cover the Councils fees for monitoring payment of the Section 106.

11. Other Issues

Archaeology and Heritage

The applicant has submitted an Archaeological Desk Based Assessment. This identifies that few archaeological remains are known in the vicinity of the development, which may be due lack of intrusive fieldwork in the vicinity. It concludes that there is low potential for archaeological remains of all periods to be discovered during any new development. The site is located 1.5km from the historic core of Hucknall and will not unduly impact on the setting of any listed assets.

Air and Light Pollution

An Air Quality Assessment has been submitted with the application, which has been assessed by the Councils Environmental Health Officer, who has acknowledges that the site is suitable for residential development and that the proposals would not result in a breach of Air Quality Objectives.

A condition will be applied for a lighting strategy to be submitted. This will need to be designed to minimise light pollution as well as ensuring potential dark commuting corridors are protected.

Climate Change

The application is supported by a Sustainability Statement. This addresses the sites energy efficiency, water efficiency, pollution and material selection. This includes, amongst other things, that the construction specification for the phase 2 site achieves A+ and A ratings when assessed against the Building Research Establishments Green Guide, flow restriction devices will be installed in every property and a waste management plan will operate during construction. A condition will also be applied for the dwellings to have the capacity to install electric charging points.

Closure of Footpaths

Representations have been received on the basis that the developer has shut off existing footpaths running through the site. There are no public rights of way passing through the site; however there are informal paths, which have been used by members of the public. The layout has been designed to incorporate a green-walk, which links phase 1 to the fields to the south. A pedestrian link, which retains some of the hedgerow, has also been formed through the site. The connectivity of the site received a green score in the building for life assessment.

A resident has raised queries over the inclusion of suitable equestrian links and gate. The site does not feature a formal Briddleway, but the details of fencing on the newly created green-walk from phase 1 is to be subject to a planning condition.

Ground Contamination

A phase II site appraisal has been submitted with the application and the contents assessed by the Councils Environmental Health Office (EHO). The EHO has raised no objections, but recommends a condition be attached to the planning permission to ensure the recommended protection measures are installed.

Health

The applicant has completed the Nottinghamshire Rapid Health Impact Assessment Matrix (NRHIAM) The Health Impact Checklist identifies, assesses and presents any

potential effects on the health of the population arising from the proposed development.

The proposed development is expected to have an overall positive impact on the health of the population. The positive health outcome is linked to the provision of new residential dwellings, including affordable dwellings, that supports employment opportunities during the construction period, provides public realm which creates opportunities for social interaction, and provides a safe environment. The checklist has been assessed by NCC Public Health, who have welcomed its inclusion with the application.

Housing Need

Many local objectors have determined that Hucknall does not require any more homes, given the existing and planned developments around the area. However, the council's 5-Year Housing Land Supply shortage is significant and amounts to a supply of just 2.67 years.

A substantial area of brownfield land (33.22ha since 2001) has already been developed in the district for housing. However, the availability of brownfield land in the district falls far short of being able to accommodate the districts housing need, therefore it is inevitable that some greenfields will be required for development. This is an allocated site for housing within the Local Plan and as such the principal of housing is acceptable on this site.

Insufficient Infrastructure

A number of comments have been made by local residents raising concerns about infrastructure provision for the development. As detailed above, the proposals will make contributions towards healthcare, as well as primary and secondary education. These are considered necessary to offset the impacts of the development and will ensure the site served by the appropriate infrastructure. No objections have been received from any consultees on this basis.

Insufficient Consultation

A resident has raised concerns over the consultation process. However, this has been fully undertaken with The Town and Country Planning (Development Management Procedure) (England) Order 2015 and Councils Statement of Community Involvement. This includes individual neighbouring residents, a site notice and press notice

Amended plans were received during the course of the application, residents were invited again to make comments and a new site notice was also erected. As detailed earlier in the report, further minor amendments to the scheme were made – but it

was not felt prudent to consult all residents for a third time given the nature of the changes.

12. Planning Balance

The NPPF states that proposals should be considered in the context of the presumption of sustainable development, which is defined by economic, social and environmental dimensions and the interrelated roles they perform.

The site is allocated for housing under Policy HG4HB of the Ashfield Local Plan Review and as such the principle of housing is acceptable In social terms, the scheme would deliver 206 dwellings, 38 of which would be affordable units and be secured by a planning obligation. The Council cannot currently demonstrate a 5-year housing land supply and the provision of new homes, including affordable homes, carries significant weight in the determination of this planning application.

In economic terms, the Government has made clear its view that house building plays an important role in promoting economic growth. The scheme would provide economic benefits during the construction phase and in the longer term it would result in increased expenditure in the local economy. There would also be further benefits arising from increased Council Tax receipts and New Homes Bonus (NHB). These are generic benefits, that would occur with any major development, however given the current economic climate – these are considered to carry significant weight.

In environmental terms, the scheme has shown to result in a net loss in overall biodiversity on site, however this is offset by contributions towards habitat improvement and tree planting elsewhere. There would also be the loss of an outlier badger set, TPO trees and hedgerows. However, mitigation and enhancement measures are proposed with substantial hedgerow re-planning, native species planting, bird and bat boxes. A contribution is also to be secured for biodiversity off-setting. Overall, these impacts carry neutral weight.

The layout, appearance and scale of the development is considered to be acceptable, with the proposals subject to an independent assessment. The impact upon highways safety, local residents amenity, flooding and landscape have all been assessed and considered acceptable – subject to planning conditions in certain cases.

Overall, the proposed development is considered to broadly accord with both the development plan and the NPPF. Accordingly, approval is recommended, subject to the conditions outlined below and relevant Section 106 contributions.

Recommendation: - Approve, subject to the conditions detailed below and a Section 106 Legal Agreement, which secures the following:

- Primary Education Contribution of £749,318 (43 x £17,426 per place).
- Secondary Education Contribution - £787,875 (33 x £23,875 per place).
- Healthcare - £111,626.
- Bus Stop Improvements - £29,000.
- MOVA (signal) Upgrades - £33,000.
- Public Open Space - £75,000.
- Maintenance - £37, 758
- Biodiversity Offsetting - £30,000.
- Monitoring Contribution - £2,500.
- Travel Plan and Co-ordinator.
- Highways Improvements.
- Affordable Housing – 38 dwellings.

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.

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

    - Site Layout (dwg no. 19029_01 Rev L);
    - House Type Planning Pack 1 (Received 18/03/2020);
    - House Type Planning Pack 2 (Received 18/03/2020);
    - Materials Plan (dwg no. 19029_02 Rev F);
    - Boundary Plan (dwg no.19029_03 Rev G);
    - Luthier House Type (Drawing Ref No. A/1392/00/CB/02H);
    - Garage Type G13 – Version 2 (Drawing Ref No. 100-61);
    - Garage Type G3 (Drawing Ref No. 100-52 Rev A);
    - Garage Type G14 (Drawing Ref No. 100-62 Rev B);
    - Details Landscape Proposals (Drawing Ref No. GL1129 08D);
    - Details Landscape Proposals (Drawing Ref No. GL1129 09C);
    - Details Landscape Proposals (Drawing Ref No. GL1129 10D);
    - Details Landscape Proposals (Drawing Ref No. GL1129 11C).

3. No site clearance, preparatory work or development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved, in writing, by the Local Planning Authority. This shall be based on the recommendations set out within the Ecological Appraisal Rev B, by FPCR dated March 2020 and include full details of all the landscape and ecological management objectives, operations and maintenance prescriptions, together with their timings. It shall also include an ecologically sensitive lighting strategy. The LEMP shall be carried out as approved, and the site maintained thereafter in accordance with it.

4. Notwithstanding any submitted details, no site clearance, preparatory work or development shall take place until information detailing the protection of retained trees and hedgerows has been submitted to and approved in writing by the Local Planning Authority. This shall include the hedgerow along the boundary with phase 1 being retained.

5. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) addendum (Stephen Daykin Consulting Ltd. Jan 2019), has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved

details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion for the lifetime of the development.

6. Prior to the commencement of development, details of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority.

7. Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority, this should include:

    - Proposed hours and days of working, including deliveries;
    - Management of parking by persons involved in the construction of the development, including operatives & visitors;
    - The routing of deliveries and construction vehicles to site and any temporary access points.
    - Details of protection measures for the adjacent Local Wildlife Site.
    - The segregation of construction vehicle and pedestrian movements on site and the adjacent public highway;

- Wheel wash facility to prevent the deposit of debris on the public highway, (periodic street sweeping & cleansing of the public highway will not be accepted as a proactive method to address this issue;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- A strategy for the minimisation of noise, vibration and dust;
- Site contact detail in case of complaints;

The approved details shall be adhered to throughout the construction period.

8. Prior to the commencement of development, details of all the finished floor levels, surrounding ground levels and levels of existing dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall thereafter be built in accordance with the agreed details.

9. Notwithstanding the approved plans, prior to occupation of the first dwelling house full details of the public open space in the north corner of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of all hard and soft landscaping, any retained vegetation and boundary treatments. The approved details shall thereafter be implemented within an agreed timeframe.

10. The site and individual plot boundary treatments shall be implemented in accordance with the details shown on Bounday Treatments Plan (dwg no. 19029_03 Rev G), unless otherwise agreed in writing by the Local Planning Authority.

11. Notwithstanding the approved plans, the development shall not be occupied until the following information has been submitted to and agreed in writing by the Local Planning Authority:

    - Details of the footpaths boundary treatments and gating arrangements.
    - Details of all hard landscaping across the site.

    The approved details shall thereafter be implemented and within an agreed timeframe.

12. Prior to the construction of any dwellings, details of the new and amended roads shall be submitted to and approved in writing by the Local Planning Authority (LPA) 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 to the LPA for approval shall comply with the County Council's current

Highway Design Guide and shall be implemented in accordance with these details to the satisfaction of the LPA.

13. No works shall take place above damp proof course until details of the following have been submitted to and agreed in writing by the Local Planning Authority:

    - Pedestrian visibility splays shown on each side of the private drives. The areas of land within these splays shall be maintained free of all obstruction over 0.6 metres above the carriageway level at all times.
    - Details of bin stores for the private drives; including type, size and final location.
    - Details of measures to prohibit vehicles driving through to adjacent private drives outside plots 71 – 72 and 202 – 203.
    - A scheme for the provision of future electric vehicle charging within the properties.

14. No dwelling shall be occupied until the parking for that dwelling has been provided. The parking spaces shall be surfaced in a hard, bound material for a minimum distance of 5 metres from the rear of highway, with appropriate drainage included in the construction to prevent the discharge of surface water to the public highway.

15. There shall be no occupation of the proposed dwellings until such time as a suitable maintenance agreement is in place to cover the proposed private drive developments serving six dwellings or more. The details shall first be submitted to and approved in writing by the Local Planning Authority.

16. 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 A – Extension, alterations etc.
    - Schedule 2, Part 1, Classes B and C – Alterations to the roof.
    - Schedule 2, Part 1, Class F – Hard surfacing
    - Schedule 2, Part 2, Class A – Erection of fences

    shall be undertaken without the prior written approval of the Local Planning Authority.

17. 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.

18. Prior to the occupation of any dwellinghouse a validation report, which confirms the remedial works detailed Remediation Method Statement and Gas Protection Measures Design and Verification Plan dated September 2019, have been carried out shall be submitted to and approved in writing by the Local Planning Authority.

19. The first floor side bathroom window on plot 118 (Tilton House Type) shall be glazed in obscure glass and be non-opening below 1.7m in the floor level of the room its installed.

REASONS

1. To comply with the requirements of Section 91 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 secure the ecological enhancement and mitigation measures.

4. In the interests of protecting retained trees and hedgerows.

5. To ensure the development has sufficient surface water management.

6. To ensure adequate means of foul water disposal.

7. To minimise disruption during construction.

8. In the interests of protecting visual and residential amenity.

9. In the interests of visual, residential amenity and place making.

10. To ensure the development takes the form envision by the Local Planning Authority.

11. In the interests of visual and residential amenity.

12. To ensure the development is constructed to adoptable standards in the interest of Highway & pedestrian safety.

13. In the interests of highways safety.

14. To reduce the chances of the development leading to indiscriminate parking on Highway; to transference of deleterious materials and surface water to public highway. All in the interests of Highway Safety.

15. In the interests of highways safety.

16. In the interests of residential amenity and highways safety.

17. To ensure the development has sufficient parking.

18. To ensure the site is developed free from contamination.

19. In the interests of residential amenity.

INFORMATIVE

- The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).

- In order to avoid impacts to nesting birds we also request that all tree/shrub/hedgerow/scrub and rough grassland removal work be undertaken outside of the bird-breeding season (March-September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds prior to any vegetation clearance. As you will be aware all nesting birds', birds' nests, young and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended). Nesting is taken to be from the point at which birds start to build a nest, to the point at which the last chick of the last brood of the season has fully fledged and left the nesting area.

- 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.

- 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. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 38 Agreement is issued.

- 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

- In order to carry out the off-site Highway works, 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 public highway will not be permitted until the Section 278 Agreement is signed by all parties.

- The applicant should note that details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be recommended for discharge by the Highway Authority until the technical approval of the Section 38/278 Agreement is issued, if relevant.

- Planning permission is not permission to work on or from the public highway. In order to ensure all necessary licenses and permissions are in place you must contact highwaysouth.admin@viaem.co.uk

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

- 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.