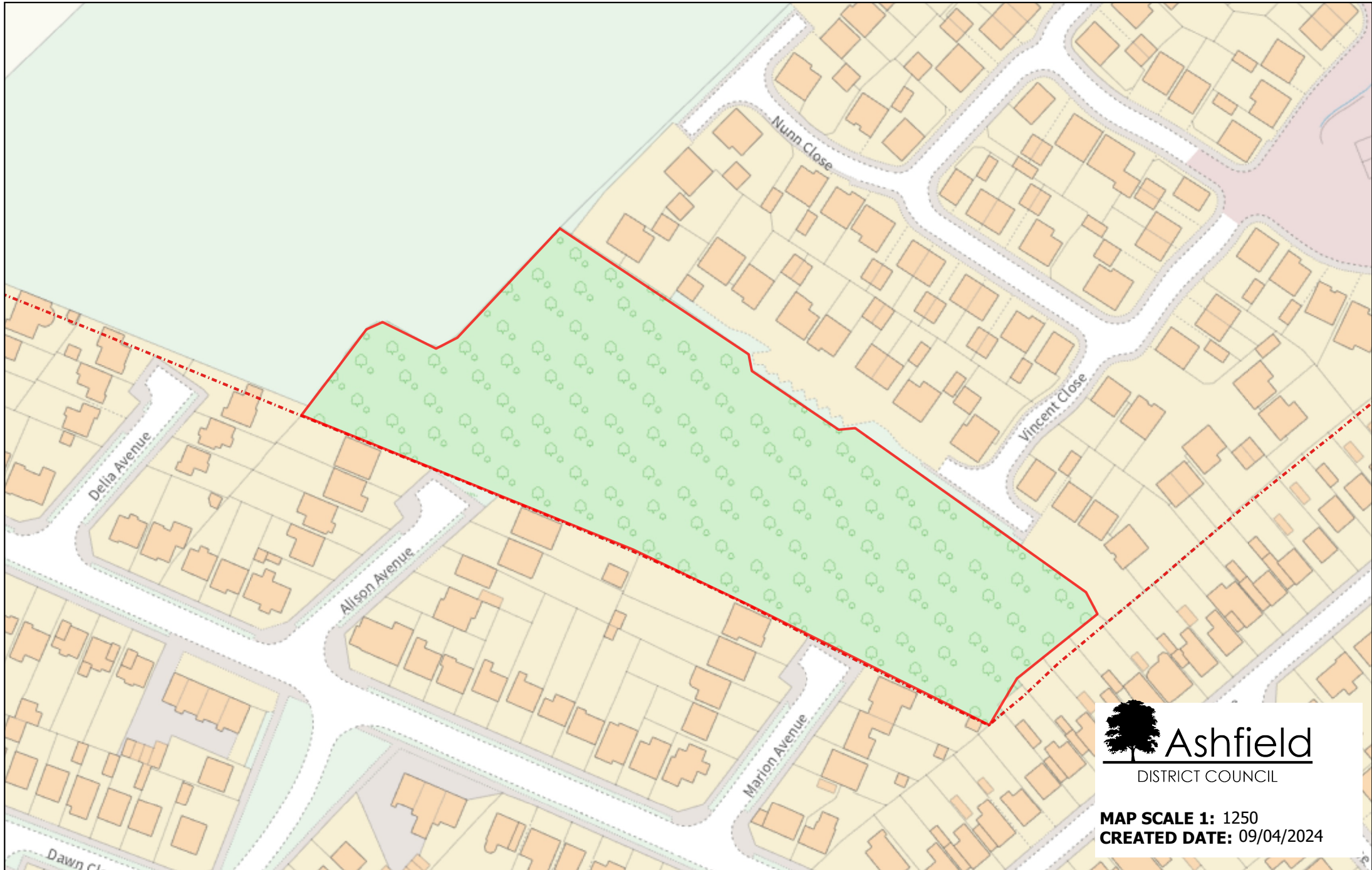


V/2023/0226



MAP SCALE 1: 1250
CREATED DATE: 09/04/2024

COMMITTEE DATE 17/04/2024 **WARD** Hucknall North

APP REF V/2023/0226

APPLICANT Clayton Penny, Chevin Homes (Derby) Limited

PROPOSAL Construction of 30 Dwellings with Access off Marion Avenue

LOCATION Land off Marion Avenue, Hucknall, Notts

WEB-LINK <https://www.google.com/maps/@53.0481321,-1.1916054,18.25z?entry=ttu>

BACKGROUND PAPERS A, B, C, D, E, F, G & K

App Registered: 04/04/2023 Expiry Date: 30/04/2024

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

This application has been referred to Planning Committee by Councillor Wilmott on the grounds of highway safety and capacity.

The Application and Site

This is a cross boundary application with Gedling Borough Council seeking full planning consent for the construction of 30 dwellings on land to the north-east of Hayden Lane, Hucknall.

The application site is identified as comprising an area of approximately 1.16 hectares located on the north-eastern edge of the settlement of Hucknall, to the north of Marion Avenue and Alison Avenue. The site comprises of a vacant parcel of greenfield land with existing trees and hedgerows running along each of the sites boundaries.

To the north, the site adjoins ‘Sherwood Gate’ residential development comprising of 255 dwellings; the majority of which have been built out and are occupied. To the west is an open agricultural field, whilst the eastern and southern boundaries of the site adjoin existing residential development which forms the main urban area of Hucknall. More specifically to the south is the end of an existing cul-de-sac forming Marion Avenue from which access into the development is proposed. The administrative boundary of Gedling Borough Council extends up to the boundary with Marion Avenue, with Ashfield District Council to the south beyond.

The site is identified on the Flood Map for Planning as being within Flood Zone 1 (Low Probability of flooding) and it is also in an area at very low risk of surface water flooding.

The site is not subject to any statutory environmental designations. There are no designated heritage assets on or directly adjacent to the site. The nearest is Castle Mill (Grade II Listed), which is located off Linby Lane approx. 350m north-east of the site, and Linby Conservation Area is some 0.5km to the north.

With the exception of a small strip of land at the culmination of Marion Avenue over which access to the site will be obtained, the remainder of the application site lies within the administrative boundary of Gedling Borough Council. Consequently, in assessing this application, the Local Planning Authority can only consider matters applicable within their jurisdiction. In this respect consideration can only be given to the suitability of the proposed access point, and any wider implications that the proposed development would have on the local area within the administrative boundary of Ashfield. Matters pertaining to the development itself are outside the scope of consideration.

Consultations

A site notice has been erected and a press notice published, together with individual notification to surrounding residents and statutory consultees.

The following representations have been received:

ADC Environmental Health:

No specific comments to make on the application.

ADC Strategic Housing:

Although the majority of the site lies outside of Ashfield District, would welcome the opportunity to discuss local housing need with the relevant team when appropriate.

Nottinghamshire County Council (NCC):

The County Council's comments set out the policy position in respect of Waste, Minerals, Transport and Education. The county planning context is set out below:

NCC Minerals:

There are no Minerals Safeguarding and Consultation Areas covering or, in close proximity to, the site. The county council therefore raises no concern in this respect.

NCC Waste:

There are no existing waste sites in the vicinity, which the development could cause issue to. The proposal is likely to generate significant volumes of waste through both the development and operational phases. It would be useful if the application was supported by a waste audit.

NCC Archaeology:

Conditions are requested to secure archaeological trial trenching and a mitigation strategy which may be required for excavation/preservation.

NCC Transport and Travel:

The site access appears to be via a new access onto Marion Avenue with the closest bus stops being AS0202 and AS0721 (not served) Ethel Avenue, on Hayden Lane approximately 250 metres from the centre of the site.

- The current infrastructure at the nearest bus stops do not meet access standards. A bus stop infrastructure contribution of **£7,700** is required for improvements at one bus stop (AS0202 – Ethel Avenue). This will include the installation of a polycarbonate bus shelter and solar lighting.
- Contributions towards local bus service provision are not requested at this time. The current service level of the local public transport network is sufficient.
- Contributions towards school transport provision are not requested.

NCC Education:

Primary Education

Based on current data there is a projected surplus of places in the planning area for primary secondary places, and the impact of the development would not lead to a deficit in provision. Contributions are not sought towards primary education.

Secondary Education

Based on current data there is a forecasted insufficient capacity of secondary places in the planning area. The development will generate five additional secondary pupils and one additional post-16 pupil. A secondary education contribution of **£131,270** and a post-16 education contribution of **£26,254** are requested. The money should be used to improve, remodel, enhance, or expand facilities to provide additional permanent capacity within the Hucknall secondary Planning area.

NCC Local Lead Flood Authority:

Based on the submitted information, the LLFA have no objections to the proposed development and can recommend approval, subject to an appropriate condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy.

NCC Highway Authority:

The highway authority have confirmed that have no objections to the scheme, subject to conditions in respect of driveway materials, tree planting and the submission of a Construction Method Statement. The access arrangements shown are considered acceptable. Whilst it would be the highway authority's preference for the access arrangements to be rationalised, this would be for aesthetic purposes rather than it facilitating a highway function. The overall scope of the development is such that it will not significantly affect the capacity of nearby junctions.

Nottingham and Nottinghamshire Integrated Care Board:

No objections to the proposed development. Request a contribution of **£16,256.25** towards local healthcare provision. This will provide enhancements to the capacity

and infrastructure at either: Whyburn Medical Practice, The OM Surgery or Torkard Hill Medical Centre.

Linby Parish Council:

The Parish Council objects to the proposal on the grounds that it is not an appropriate site to develop as it acts as an important buffer between the allocated sites off Papplewick Lane and that off Hayden Lane approved by Gedling Borough Council. The climate emergency is to enhance green spaces. The site was destroyed (vegetation cut down and removed) prior to the submission of the application, and therefore the integrity of the application and its supporting documentation is questioned.

Papplewick Parish Council:

The Parish Council objects to the proposal until a plan to improve local junctions is provided.

Environment Agency:

The application site falls within flood zone 1 and therefore there are no fluvial flood risk concerns. Standing advice provided.

Community Representations:

21 representations have been received from local residents. All representations received object to the development scheme. The grounds of objection include:

Environment and Wildlife

- Loss of green space/countryside/Green Belt.
- Wildlife being displaced, uprooted & destroyed. Loss birds, bats, hedgehogs, rabbits, stoats, foxes, amphibians.
- Trees felled prior to submission of the application.
- Pollution – air pollution from additional traffic.
- Harmful to landscape character.

Highway Safety Issues

- Increased traffic on local roads - local road network is already congested.
- Inadequate access and road width insufficient - access should be from the Sherwood Gate development.
- Increased likelihood of vehicular/vehicular and vehicular/pedestrian conflict.
- Inappropriate parking facilities shown to be provided – increase in on-street parking.
- On street parking prevalent within the immediate locality.
- Footpath linkage onto Vincent Close should not be permitted.
- Deterioration of local roads.

Flooding and Drainage

- Drainage in the area is poor.
- Increased risk of flooding to residents – exacerbated by climate change.

Amenity

- Disruption during and after construction – noise, dust and dirt.
- Development is out of keeping with houses on the Vaughan estate.

Local Infrastructure

- Extra demands upon utilities, health, education, community and other services. Facilities needs to be enhanced before new development can be built.
- Ashfield's services will be used instead of Gedling's.

Other Issues

- Increase in anti-social behaviour.
- More appropriate sites available, including brownfield sites.
- No need for further housing in the Hucknall area.
- Proposal would be contrary to local planning policies.

Policy

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

Ashfield Local Plan Review (ALPR) 2002

The following ALPR 'saved' policies are considered to be relevant to the application:-

- Policy ST1: Development.
- Policy ST2: Main Urban Area.
- Policy HG5: New Residential Development.

Material Considerations

National Planning Policy Framework (NPPF) December 2023

- Part 2: Achieving Sustainable Development.
- Part 5: Delivering a Sufficient Supply of Homes.
- Part 9: Promoting Sustainable Transport.
- Part 12: Achieving Well-Designed and Beautiful Places.

Together with supporting Planning Practice Guidance.

Other Documents

- ADC Residential Car Parking Standards (2014).
- Nottinghamshire Highway Design Guide (2021).

Relevant Planning History

None.

Comment

The main issues in the determination of this application are as follows:

1. Background and Context
2. Access and Highway Impacts
3. Local Infrastructure and Planning Obligations
4. The Planning Balance

1. Background and Context

This is an application that seeks full planning consent for the construction of 30 dwellings on land to the north-east of Hayden Lane, Hucknall. As previously reported, only the site access is located within the jurisdiction of Ashfield, and therefore when determining the application, consideration can only be given to this matter and any wider implications that the proposed development would have on the local area within the administrative boundary of Ashfield. The development in terms of its layout, scale, appearance and landscaping lies outside Ashfield's scope of consideration.

For context, the application site is allocated as part of a wider site for residential development under Policy 2 (Strategic Allocation – North of Papplewick Lane) of the Greater Nottingham Aligned Core Strategies (ACS) Part 1 Local Plan. The principle of residential development on the site is therefore established and considered acceptable, subject to all other material planning considerations being satisfied.

The wider site is allocated for the development of approximately 300 units, however the application site before members did not form part of two previous planning applications received by Gedling Borough Council (planning reference: 2017/0201 and 2020/0258), which were granted permission for a total of 273 homes. It is however worth noting that the two implemented consents will only deliver 255 dwellings once complete, leaving a shortfall of 45 dwellings on the wider allocated site.

Officers at Gedling Borough Council reported the application to planning committee on 27th March 2024 with a recommendation to grant permission subject to a Section 106 Agreement. Members resolved to grant permission in line with officer recommendation.

2. Access and Highway Impacts

The site would be accessed via a new extension to the existing cul-de-sac off Marion Avenue which is located directly adjacent to the west of the site. The proposed point of access is located within Ashfield District Council.

The internal site roads have been designed as 5.5m wide carriageways with 2.0m wide footpaths either side. Footpaths included within the development proposals would tie into the existing pedestrian infrastructure along Marion Avenue which then joins Hayden Lane. A pedestrian footpath is also shown on the northern site boundary, to link the scheme with the adjacent Sherwood Gate development, whilst a footpath connection on the western site boundary is also shown, should development on the adjacent parcel of land come forward in the future.

Although the existing turning head at the culmination of Marion Avenue is to remain in situ, the submitted layout plans indicate that existing trees and hedgerows are to remain adjacent to the turning head, to provide a vegetated soft entrance into the development, which will also provide low level screening of the development when viewed from Hayden Lane.

A Transport Technical Note (TTN) has been submitted in support of the application. The TTN confirms that the proposed access from Marion Avenue is acceptable and can be provided in line with Nottinghamshire County Council requirements. This includes the necessary visibility requirements being satisfied, and the ability for a refuse vehicle to comfortably enter, manoeuvre within and exit the site.

The Highway Authority have confirmed that the access arrangements, as proposed with the retention of the redundant turning head, are acceptable from a highway perspective.

Whilst it is noted that the proposed access off Marion Avenue is safe and suitable from a highway perspective, there are nevertheless concerns regarding the comprehensive nature of the proposed development in respect of the adjacent Sherwood Gate development to the north with regard to the sites vehicular access.

In response to this, the applicant has provided an updated TTN to support the location of the proposed access, which outlines the alternative options explored in respect of the site access in advance of submitting the planning application; these are detailed below:

Access via the Sherwood Gate Development

Access from Vincent Close to the north of the site, which forms part of the Sherwood Gate development has been considered. The Bellway development to the north of the site is allocated for 300 dwellings, of which there is consent for 273 dwellings however only 255 units are to be delivered.

In discounting an access from Vincent Close, the TTN advises that the access off Papplewick Lane to the Sherwood Gate development was designed for a development comprising of a maximum of 300 units and cannot be sufficiently upgraded to accommodate the proposed development of a further 30 units due to the presence of dwellings on either side of the access point. This justification does however overlook the fact that only 255 dwellings are to be delivered on the Sherwood Gate development, and therefore the existing access of Papplewick Lane may have capacity to accommodate a further 30 units.

Access via Alison Avenue

Similarly to Marion Avenue, Alison Avenue extends from Hayden Lane via a priority controlled T-junction and currently serves a total of eight properties. Alison Avenue includes similar characteristics as Marion Avenue, but a section of third-party land separates the site from the public highway, and as such, direct access to the public highway via Alison Avenue cannot be achieved.

Access via Devitt Drive

The final alternative access option explored was the creation of a new T-junction access from Devitt Drive at the eastern edge of the site. Devitt Drive is accessed off Hayden Lane. This option was however unlikely to be viable on the basis that it would require the purchase of at least two existing properties on Devitt Drive, above market value and subject to identifying willing sellers.

The TTN concludes that other than Marion Avenue, there are no other viable options to access the proposed 30 unit scheme. Whilst it appears that access from Vincent Close to the north of the site could be explored further, it is nevertheless important to note that the proposed access from Marion Avenue is appropriate from a highway perspective.

Concerns have been raised by residents in respect of the potential impact that the proposed access point from Marion Avenue would have on the amenity of existing residential occupiers who, over the years, have benefited from a level of quietude given that Marion Avenue is a quiet residential cul-de-sacs.

It is recognised that traffic would increase along Marion Avenue as a result of the proposed development. Whilst it is acknowledged that this would be during the construction phase and occupation thereafter, greater disturbance from noise, dust and other nuisances would be greatest during the construction phase, which would be temporary. To mitigate any potential harm that the development could have on the residential amenity of nearby occupiers during construction, a condition requiring a construction management plan to be submitted prior to commencement will be attached to any grant of approval. Working hour restrictions in respect of construction would also be included. It should be noted that these will only be in

respect of development within Ashfield, however the decision made by Gedling Borough Council also includes identical conditions as part of their grant of permission. In this respect, it is considered that the likely level of disturbance to residential occupiers is as such that a refusal on this ground could not be substantiated by officers.

Significant concerns have also been raised by local residents, in addition to Papplewick Parish Council in regard to the increase in traffic generated from the proposed development, and the subsequent impact on the local highway network and key junctions within the vicinity of the application site.

The TTN provides a review of the person trip generation by all modes for the proposed development, based on Census and suitable TRICS data. It demonstrates that the proposed development of 30 residential dwellings has been calculated to generate a total of 23 two-way trips during the AM peak hour (08:00-09:00) and 27 two-way trips during the PM peak hour (17:00-18:00). Junction modelling analysis concludes that during traditional peak hours that all the nearby junctions (Hayden Lane / Dorothy Avenue; Hayden Lane / Delia Avenue; Hayden Lane / Bernard Avenue; and Bernard Avenue / Church Lane), as well as the surrounding highway network, have sufficient capacity to accommodate the additional traffic expected to be generated as a result of the proposed development during peak hours. As a result, the development proposals would not result in any adverse impacts on the surrounding highway network, and no mitigating improvements are required in respect to the proposals.

The TTN highlights that the existing standard of pedestrian infrastructure within the surrounding network is excellent with opportunities to cycle/walk to Hucknall Town Centre and other local amenities, as well as local public transport facilities that provide access to a number of locations such as Nottingham, Sutton and Mansfield.

Whilst on-street parking is observed along Marion Avenue and Hayden Lane, the layout plan demonstrates that adequate parking provision is to be provided for all dwellings through a mix of allocated and visitor parking spaces (60 spaces in total), exceeding the standards set out within Gedling's 'Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document'. The level of parking would also be in accordance with Ashfield's 'Residential Car Parking Standards Supplementary Planning Document'.

The Highway Authority have responded to state that they have considered the submitted Technical Note, and have no objections to the proposals on the basis that the traffic generation from the site would be acceptable within the wider highway network. Therefore, subject to conditions, the highway authority raise no objection to the application, and the scheme is deemed to comply with policy ST1 of the ALPR 2002 and Part 9 – Promoting Sustainable Transport of the NPPF 2023.

3. Local Infrastructure and Planning Obligations

Concerns have been raised by local residents regarding the strain that the proposed development would have on local services and amenities given that the scheme is located within the administrative boundary of Gedling Borough Council, yet any future residents would be largely dependent on services and amenities within Hucknall.

Planning obligations have been sought and agreed in order to make the development acceptable in planning terms with regard to local infrastructure, with the majority of contributions being used towards improving local infrastructure in Hucknall, rather than within the administrative area of Gedling Borough Council.

- Health Care – £16,256.25

The ICB has provided its standard formula for the cost of extensions as identified by a quantity surveyor experienced in health care projects, which equates to a total contribution of £16,256.25 on the basis of 30 dwellings. This will provide enhancements to the capacity and infrastructure at either: The OM Surgery, Torkard Hill Medical Centre and Whyburn Medical Practice. This formula has been devised by a suitably qualified expert and is therefore fairly and reasonably related in scale and kind to the development. The proposal would generate a requirement for healthcare provision for residents and is therefore directly related. This contribution therefore satisfies the necessary tests.

- Bus Stop Infrastructure – £7,700

A bus stop infrastructure contribution of £7,700 is required to provide improvements to the bus stop denoted as improvements at one bus stop AS0202 (Ethel Avenue). Improvement works will include the installation of a polycarbonate bus shelter and solar lighting. Nottinghamshire County Council seek to achieve the standard for bus stop facilities as set out in their response to the application.

The improvements are at the nearest bus stops which are situated adjacent to the site, so are relevant to the development, precisely specified, and fairly and reasonably related in scale and kind. The contribution therefore meets the statutory tests.

- Education – £157,524

A total contribution of £157,524 towards education is requested by the County Council. This is broken down to include: £131,270 (based on five additional pupils) towards secondary education and £26,254 (based on one additional pupil) towards post-16 education. This money will be used to improve, remodel, enhance, or expand facilities to provide additional permanent capacity within the Hucknall secondary planning area.

Based on current data there is a projected surplus of places in the planning area for primary places, and the impact of the development would not lead to a deficit in provision. Contributions are not sought towards primary education.

- Public Open Space – £70,360.96

The development proposes 10% public open space (POS) to be provided on site and maintained by a Management Company. A contribution of £49,469.36 has been requested by Gedling Borough Council's Parks and Street Care team, which should be used towards the construction of off-site play equipment as none have been identified on the application site, and a further £20,891.60 has been requested for its future maintenance.

It should be noted that this money is not identified to be used within the administrative boundary of Ashfield to provide these facilities.

- Affordable Housing – 30% On Site

In accordance with Gedling Borough Council's Local Planning Document (LPD 36), as the proposed development is for more than 15 dwellings, the development must provide 30% of the dwellings as affordable housing. This equates to nine dwellings.

4. The Planning Balance

As previously stated, in determining this application, consideration can only be given to development within Ashfield District Council's jurisdiction, which in this case is the proposed site access.

The site is allocated for housing development under Policy 2 (Strategic Allocation – North of Papplewick Lane) of the Greater Nottingham Aligned Core Strategies (ACS) Part 1 Local Plan. The principle of residential development at the site is therefore established. There are however concerns regarding the location of the proposed site access and the comprehensive nature of the proposal with the existing neighbouring development to the north of the site (Sherwood Gate).

It is nevertheless acknowledged that the proposed access point is safe and suitable from a highway perspective. The development scheme does not give rise to any concern in respect of highway capacity and safety, and therefore a refusal on highway grounds would be very difficult to substantiate and no objections from the Highway Authority have been received.

Whilst it is also recognised that the scheme may result in some noise and disturbance to nearby residential occupiers during construction and occupation thereafter, the level of disturbance likely would not be so significant to warrant a refusal on this basis.

Planning obligations towards infrastructure in Hucknall in the form of health care, education, transport and travel, are to be secured via a Section 106 agreement between Gedling Borough Council and the applicant, to ensure that the development does not have a negative impact on local infrastructure within the administrative boundary of Ashfield District Council.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For these reasons, not only would the scheme accord with the development plan as a whole, but the balance of material considerations also weighs in its favour. Consequently, it is recommended that the application be approved, subject to the proposed conditions.

Recommendation: Grant Conditional Consent, Subject to Completion of a Section 106 Between Gedling Borough Council and the Applicant.

CONDITIONS

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:
 - Site Location Plan, Drawing Ref: n2064_001
 - Planning Layout, Drawing Ref: n2064_008F
 - House Type Pack Rev A
 - Preliminary Ecological Appraisal, Document Ref: BG22.187 REV1
 - Open Space Plan, Drawing Ref: n2064_015C
 - Ecological Impact Assessment, Document Ref: BG22.187.13
 - Biodiversity Impact Assessment for Net Gain, Document Ref: BG22.187.2
 - Design and Access Statement, Document Ref: n2064_DAS
 - Flood Risk Assessment Report, Document Ref: 2206730-01A
 - Landscape Management Plan, Document Ref: GL2077
 - Arboricultural Impact Assessment and Arboricultural Method Statement, Document Ref: JH0223ALISONAVE
 - Transport Technical Note, Document Ref: 2206730-02
 - Soft Landscape Proposals, Drawing Ref: GL2077 01 Rev A
3. No building shall be erected until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted

have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4. No development shall take place until details of all materials to be used for hard surfaced areas within the site including roads, footpaths, recreation areas, and car parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.
5. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Marion Avenue as shown on drawing number Planning Layout (ref: n2064_008F) has been provided in full.
6. Occupation of the proposed dwellings shall not take place until their respective driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
7. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall provide details of, but not limited to, the following:
 - a) Details of noise, dust and vibration suppression;
 - b) Details of any compound and welfare areas to include their location and appearance, heights of any cabins to be sited, and details of any associated external lighting;
 - c) Details of on-site materials storage areas;
 - d) Details of on-site construction parking and manoeuvring area, including loading and unloading of plant and materials;
 - e) Details of any crusher to be used on site;
 - f) Details of any piling which is required;
 - g) Details of reasonable avoidance measures (RAMs) in respect of protected species;
 - h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - i) Details of wheel washing facilities during construction;
 - j) A scheme for recycling/disposing of waste resulting from demolition and construction works;
 - k) Details of the routing of deliveries and construction vehicles to site and any temporary access points;
 - l) Details of any hoarding to be erected.

The development shall be carried out in accordance with the approved details for its entire construction phase.

8. Development shall not commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. Thereafter, the development shall only commence in accordance with the Written Scheme of Investigation as approved.

9. 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 Report Ref: 2206730-01A - submitted 15th March 2023 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 and NPPF Paragraph 169. Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area. Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. 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 30 year and 1 in 100 year plus climate change return periods. No surcharge shown in a 1 in 1 year; No flooding shown in a 1 in 30 year.; For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site. Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. Evidence of approval for drainage infrastructure crossing third party land where applicable. Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. Evidence of

how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

10. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
11. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Ecological Impact Assessment (ref: BG22.187.13) - submitted 4th December 2023 and the Biodiversity Impact Assessment for Net Gain - Reference BG22.187.2 submitted 15th March 2023 have been submitted to and approved by the Local Planning Authority. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.
12. The approved Landscaping Scheme pursuant to the Soft Landscape Proposals (Ref: GL2077 01 Rev A - submitted 15th March 2024) and the Landscape Management (Plan Ref: GL2077 - submitted 15th March 2023) must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.
13. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
14. From the date of first occupation every dwelling built on the site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose;

which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.

15. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Impact Assessment, Doc Ref: BG21.281.1 have been implemented in accordance with those approved details. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
16. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
17. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

REASONS

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and for the avoidance of doubt.
3. To ensure the appearance of the development is satisfactory.
4. To ensure the appearance of the development is satisfactory.
5. In the interest of highway safety.
6. In the interest of highway safety.

7. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration the National Planning Policy Framework.
8. To protect and record any potential heritage remains.
9. A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
10. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted.
11. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework.
12. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area.
13. To define the permission and to protect neighbouring amenity.
14. To ensure the development is constructed in an appropriate sustainable which takes into consideration the National Planning Policy Framework.
15. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework.
16. To ensure the development is safe and suitable for use.
17. To ensure the character of the area and residential amenity is respected.

INFORMATIVES

1. The applicant is reminded that this permission is also subject to another planning application in respect of the wider development within the administrative area of Gedling Borough Council (Ref: 2022/0501). The applicant should also note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as

amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

2. 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).
3. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.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.
4. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.
 - a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38

Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

- b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.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.
5. Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.