

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Permitted Development) (England) Order 2015
Town and Country Planning (Development Management Procedure) (England) Order 2015
Town and Country Planning (Control of Advertisements) (England) Regulations 2007
Town and Country Planning (Tree Preservation) England Regulations 2012
Planning (Listed Buildings and Conservation Areas Act 1990
Planning (Hazardous Substances) Act 1990
Planning and Compensation Act 1991

Approval Notice

Major Full Application

Approval has been granted by Ashfield District Council for the development referred to below providing it is carried out in accordance with the application and plans submitted. The approval is subject to the conditions set out on the attached sheet.

Application Details

Planning Reference Number: **V/2019/0483**

Location of Development: **(Phase 2) Land at, Broomhill Farm, Hucknall, Nottingham, NG15 7QE**

Description of Development: **The residential development of 217 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.**

Applicant Name: **Bellway Homes (East Midlands)**

Date: **30th March 2021**

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 W);
 - Site Layout Coloured (dwg no. 19029_11 Rev W);
 - House Type Brochure Booklet Abbeyfields Phase 2 Part 1,
 - House Type Brochure Booklet Abbeyfields Phase 2 Part 2,
 - House Type Brochure Booklet Abbeyfields Phase 2 Part 3,
 - House Type Brochure Booklet Abbeyfields Phase 2 Part 4 Rev A,
 - Materials Plan (dwg no. 19029_02 Rev K);
 - Garage Type G13 – Version 2 (Drawing Ref No. 100-61);
 - Garage Type G3 (Drawing Ref No. 100-52 Rev A); and
 - Garage Type G14 (Drawing Ref No. 100-62 Rev B).
 - Luthier House Type (Drawing Ref No. A/1392/00/CB/02H) – Plot 137;
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 submitted details shall show the house and garage of plot 137 built no higher than 61.00 Above Ordnance Datum (AOD). 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 dwellings shall not be occupied until full details of all hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the first dwelling.
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 sites boundary treatments and individual plot boundaries. Note: The boundary treatment for Plot 137 shall be a fence erected to the South of the phase 1 boundary hedge.
 - 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. Prior to the occupation of any dwellinghouse, details of a scheme to prevent parking on bends within the site shall be submitted to and approved in writing by the Local Planning Authority.

14. 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 213 – 214.
- A scheme for the provision of future electric vehicle charging within the properties.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.
20. The first floor side bathroom window on plot 122 (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.
21. Prior to the construction of any dwellings, details of a comprehensive plan to minimise Anti-Social Behaviour should be submitted to and approved in writing by the Local Planning Authority. This should include, but not be limited to, consideration of effective lighting on the entire length of the green-walk. Any measures identified within the plan shall thereafter be carried out and within an agreed timeframe.
22. Prior to the commencement of development, details of a lighting scheme for the pedestrian only link from Nottingham Road to the Phase 2 boundary shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall be carried out in accordance with the approved details and prior to any works above damp proof course taking place.

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. In the interests of visual amenity.

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. In the interests of highways safety.
15. 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.
16. In the interests of highways safety.
17. In the interests of residential amenity and highways safety.
18. To ensure the development has sufficient parking.
19. To ensure the site is developed free from contamination.
20. In the interests of residential amenity.
21. To minimise instances of anti-social behaviour.
22. In the interests of pedestrian safety.

INFORMATIVE

1. This permission shall be read in conjunction with a Section 106 Agreement dated 30th March 2021.
2. The applicant is encouraged to work with the residents to form a resident liaison group. The group should provide opportunities for future and existing residents to voice any concerns about the wider development. Particularly, surrounding issues such as anti-social behaviour and any matters that may arise during the construction of phase 2.
3. 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).

4. Prior to commencement of development, the developer is advised to contact the Police Architectural Liaison Officer to discuss security features across the development. These can be contacted at:

DOCO@Nottinghamshire.pnn.police.uk

5. 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.
6. 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.
7. 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.
8. 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@nottsc.gov.uk

9. 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.

10. 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.
11. 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
12. 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.
13. 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.

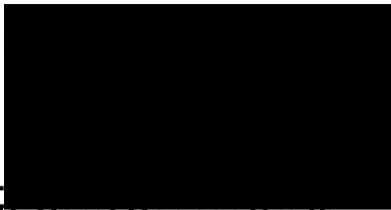
For further detail on the decision please see the application report by contacting the Development Section on 01623 457388.

REASONS FOR APPROVAL

The decision to grant permission has been taken having regard to the policies and proposals in the Ashfield Local plan Review (2002) and all relevant material considerations, including Supplementary Planning Guidance.

PROACTIVE WORKING

The processing of this application has been undertaken in accordance with the requirements of the National Planning Policy Framework.



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PP. Carol Cooper-Smith
Interim Chief Executive