

Report of the Chief Executive

APPLICATION NUMBER:	24/00044/VOC
LOCATION:	Land West of Awsworth, Shilo Way, Awsworth, Nottinghamshire
PROPOSAL:	Variation of condition 3 of application Reference Number: 20/00056/OUT to allow the occupation of up to 20 dwellings prior to the Shilo Way site access arrangements being made available.

1. Purpose of Report

The application is brought to the Committee at the request of Councillor D D Pringle.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the Appendix.

3. Detail

The application seeks to vary condition 3 of application Reference Number: 20/00056/OUT to allow the occupation of up to 20 dwellings prior to the Shilo Way site access arrangements being made available.

The original description of this planning application was to allow for the occupation of up to 50 dwellings, which was considered excessive hence the change of description to allow the occupation of up to 20 dwellings.

This application seeks planning permission for the variation of condition 3 of outline planning permission reference number 20/00056/OUT. This condition restricts the occupation of any of the dwellings prior to the provision of the access roads located off Shilo Way and Newtons Lane being made available for use.

The development hereby approved shall be carried out in accordance with drawing numbers ADC1044/005 revision D and drawing ADC1044/007 revision A received by the Local Planning Authority on 7 October and 29 January 2020 respectively. Occupation of the proposed development shall not take place until the site access arrangements as shown on both of these plans have been provided.

Access into the site has now been built out from Newton Lane and construction works are well underway on the site. Technical approval for the Shilo Way access and a legal agreement following technical approval which is required from Nottinghamshire County Council Highways has been delayed and it is likely that works will begin on the access road in September this year and finish December this year/early January 2025. Due to construction works ongoing on site under reserved matters application reference 22/00346/REM, with the first occupation

expected to be September this year, this application seeks to vary condition 3 to allow the occupation of up to 20 dwellings prior to the access arrangements off Shilo Way being provided.

The main issues relate to the principle of development, whether there will be any impacts upon residential amenity and whether there would be any detrimental impact on highway safety.

The benefits of the scheme are that the proposal would allow the developers to carry on building out on the site, which would allow the housing completions to meet the Council's housing delivery targets and allow for the early payment of the previously agreed S106 monies including affordable housing provision. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the **Appendix**.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs and income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106 (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Climate Change Implications

Climate Change implications are considered within the report

8. Background Papers

There are no background papers.