



Tuesday, 29 November 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 7 December 2022 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 6.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:	D K Watts (Chair)	P J Owen
	M Handley (Vice-Chair)	S Paterson
	D Bagshaw	D D Pringle
	L A Ball BEM	H E Skinner
	S J Carr	E Williamson
	R I Jackson	R D Willimott
	G Marshall	

A G E N D A

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

(Pages 5 - 24)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 2 November 2022.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 22/00228/FUL (Pages 25 - 56)

Demolish public house and construct five detached dwellings and associated parking
Gardeners Inn, Awsworth Lane, Cossall, Nottinghamshire, NG16 2RZ

5.2 22/00602/FUL (Pages 57 - 92)

Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation, open space and Great Crested Newt mitigation (revised scheme)
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ

5.3 20/00826/FUL (Pages 93 - 130)

Construct 240 Dwellings including estate roads, public open space and drainage
Land at end of Braemar Avenue, Eastwood, Nottinghamshire

5.4 21/00672/REM (Pages 131 - 152)

Construct 397 dwellings (reserved matters relating to reference 14/00515/OUT – plots R1 to R11 inclusive and plots G2, 3 and 4 only)
Boots Campus, Beeston, Nottinghamshire

5.5 22/00295/FUL (Pages 153 - 164)

Installation of two lane cricket practice net facility to north west of the cricket ground
Cricket Pavilion and Sports Ground, Greenhills Road, Eastwood, Nottinghamshire, NG16 3FT

5.6 21/00242/ENF (Pages 165 - 168)

Unauthorised air extraction units
Bistro 66 (formerly The Circle), 66 High Road, Beeston,
Nottingham

6. INFORMATION ITEMS

6.1 Appeal Decision 21/00856/FUL (Pages 169 - 170)

6.2 Delegated Decisions (Pages 171 - 180)

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PLANNING COMMITTEE

WEDNESDAY, 2 NOVEMBER 2022

Present: Councillor D K Watts, Chair

Councillors: M Handley
L A Ball BEM
S J Carr
G Marshall
H E Skinner
E Williamson
R D Willimott
E Kerry (Substitute)
J C Patrick (Substitute)
P D Simpson (Substitute)
C M Tideswell (Substitute)

Apologies for absence were received from Councillors D Bagshaw, R I Jackson, P J Owen, S Paterson and D D Pringle.

35 DECLARATIONS OF INTEREST

There were no declarations of interest.

36 MINUTES

The minutes were confirmed and signed as a correct record.

37 NOTIFICATION OF LOBBYING

The Committee received notification of lobbying in respect of the planning applications subject to consideration at the meeting.

38 DEVELOPMENT CONTROL

38.1 22/00593/FUL

Conversion of part of existing college to residential accommodation to provide 65 apartments. Construction of a 2/3 storey apartment building to provide 15 apartments. Construction of 6 semi-detached houses and one dormer bungalow.
Central College Nottingham, High Road, Chilwell, Nottinghamshire, NG9 4AH

This item was brought before Committee because it was a major application.

The Committee noted the late items comprised of two comments from local residents.

A statement was read on behalf of the applicant and Tony Greaves, objecting, addressed the Committee prior to the general debate.

There were concerns over the access on Dale Lane, highways issues, impact on the tram, the loss of trees, the impact on noise and neighbour amenity and the style and scale of the proposed development.

As debate progressed the Committee noted that this was a good use of a brownfield site, that the dormant site had been at the centre of anti-social behaviour and that in its current state the College was an eyesore. It was requested that condition 6 include specific instructions regarding landscaping with mature trees and the blocking up of the Dale Lane entrance to the site.

It was noted that the Chair would write to the Secretary of State for Levelling up, Housing and Communities regarding the frustration felt by Committee members at a planning system that appeared to favour developers.

It was requested by Councillor G Marshall and seconded by Councillor S J Carr that the vote be recorded. The votes were cast as follows:

For	Against	Abstention
S J Carr	L A Ball BEM	
M Handley	E Kerry	
G Marshall		
J C Patrick		
P D Simpson		
H E Skinner		
C Tideswell		
D K Watts		
E Williamson		
R D Willimott		

RESOLVED that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:

- (i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the maintenance of private roads
- (ii) the following conditions:
 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with drawings:

Received by the Local Planning Authority on 19 July 2022:

Proposed Ground Floor Plan ref: CBP Z3 GF DR A 3001 S4 P03
Y Block Proposed First Floor Plan ref: CBP Z3 01 DR A 3101 S4 P03
Y Block Proposed Second Floor Plan ref: CBP Z3 02 DR A 3201 S4 P04
Y Block Proposed Third Floor Plan ref: CBP Z3 03 DR A 3300 S4 P04
Y Block Roof Plan ref: CBP Z3 RL DR A 3401 S4 P02
Y Block Proposed Elevations 2 ref: CBP Z3 XX DR A 4006 S4 P03
Site Plan ref: CBP Z3 SI DR A 1100 FP P11
Site Sections ref: CBP Z3 SI DR A 6101 FP P03
House Elevations ref: CBP Z3 XX DR A 3020 S4 P05
Apartments Ground Floor Plan ref: CBP Z3 GF DR A 3010 S4 P04
Apartments First Floor Plan ref: CBP Z3 01 DR A 3110 S4 P04

Received by the Local Planning Authority on 11 August 2022:

Y Block Proposed Elevations 1 ref: CBP Z3 XX DR A 4005 S4 P05

Received by the Local Planning Authority on 12 September 2022:

Bungalow Plans ref: CBP Z3 XX DR A 3021 S4 P02

Received by the Local Planning Authority on 14 September 2022:

Apartments Second Floor Plan ref: CBP Z3 02 DR A 3210 S4 P05
Apartments Roof Plan ref: CBP Z3 RP DR A 3310 S4 P05
Apartments Proposed Elevations ref: CBP Z3 XX DR A 4010 S4 P06

Reason: For the avoidance of doubt.

3. No development shall commence until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period. The Demolition and Construction Method Statement shall provide for:
 - a) The means of access for construction traffic;
 - b) access and egress arrangements with specific regard to preventing any damage or disruption to the operating procedures of the adjacent Nottingham Express Transit route.
 - c) parking provision for site operatives and visitors;
 - d) the loading and unloading of plant and materials;
 - e) the storage of plant and materials used in construction/ demolition the development;
 - f) a scheme for the recycling/disposal of waste resulting from construction/ demolition works; and
 - g) details of dust and noise suppression to be used during the construction phase.
 - h) a report identifying any asbestos and documenting its safe

removal.

Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

4. No development shall commence until a Landscape and Ecological Management Plan (LEMP) mapping the ecological enhancements on site has been submitted to and approved in writing by the Local Planning Authority. Enhancements must include the provision of bird and bat boxes. The enhancements shall be constructed only in accordance with the approved details and prior to the first occupation of the first dwelling.

Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Part 2 Local Plan (2019).

5. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.

Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:

- a) numbers, types, sizes and positions of existing/proposed trees, shrubs and hedgerows and measure for their protection during construction. No development shall commence until the agreed protection measures are in place
- b) details of boundary treatments;
- c) proposed bin and cycle stores;
- d) proposed hard surfacing treatment;
- e) planting, seeding/turfing of other soft landscape areas; and
- f) timetable for implementation of the scheme.

The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones

of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).

7. Prior to the first occupation of the development hereby approved, a detailed lighting strategy shall be submitted and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details and maintained for the lifetime of the development.

Reason: To minimise light pollution to Chilwell Cottage Grove Conservation Area and in accordance with the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019).

8. Prior to the first occupation of the first dwelling hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment by HSP Consulting Engineers Ltd ref: HSP2021-C3450-C&S-FRAS1-318 dated September 2021 received by the Local Planning authority on 19 July 2022.

Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified 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 good practice 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.

Reason: To ensure contamination is managed appropriately and safely on site and in accordance with Policy 19 of the Part 2 Local Plan (2019).

10. The recommendations as stated on page 9 of the Bat Building Review document by RammSanderson ref: RSE_:4979L1_V1 dated 19 April 2021 received by the Local Planning Authority on 19 July 2022 shall be implemented in full.

Reason: To ensure the impact on bats is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

11. The windows in the north east elevation serving apartments 37 and 58 on drawings shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of neighbour amenity and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

12. The 1.8m high roof terrace screens serving apartment 15 on drawing ref: CBP Z3 XX DR A 4010 S4 P06 shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of neighbour amenity and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

13. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.

Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTE TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the 13 week determination timescale.
3. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
4. Burning waste on site is prohibited.
5. The future owners/occupiers of the proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service.

6. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
7. Due to the presence of gas apparatus on site, you are required to contact Cadent's Plant Protection Team for approval before carrying out any works, plantprotection@cadentgas.com or tel: 0800 688 588.
8. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9. All workers / contractors should be made aware of the potential of protected species being found on site and care should be taken during works to avoid harm. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
10. The recommendations are stated on page 9 of the RammSanderson Bat Building Review document should be carried out in full.
11. The Council's Environmental Health Pollution team will need to be notified of the arrival on site of the Mobile Crushing plant for them to carry out inspection of the crushing equipment in line with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).
12. As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
13. The proposed access and layout does not meet adoptable highway standards and therefore, all roads, paths, street lighting, footways and waste management must be maintained at the expense of the applicant/land owner.
14. Cadent Gas Ltd own and operate the gas infrastructure within the

area of the development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out works, including the construction of access points, please register on www.lineearchbeforeudig.co.uk

38.2 22/00160/FUL

Construction of 9 flats following demolition of former place of worship
Former New Jerusalem Church, Grove Street, Beeston, Nottinghamshire

Councillor S Dannheimer and Councillor T A Cullen had requested that this application be determined by Committee.

The Committee considered the late item pertaining to this application, which was an objection from a local resident.

June Cobby, objecting, addressed the Committee prior to the general debate.

The Committee considered the proposed development appropriate for a brownfield site and that it's contemporary style would sit well within the predominately Victorian surroundings.

There was a discussion about the potential loss of light for solar panels and legal advice was given to the Committee.

RESOLVED that planning permission be granted subject to the following conditions:

1. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with drawings:**

Received by the Local Planning Authority on 15 March 2022:

Site Location Plan (1:1250)

Received by the Local Planning Authority on 13 September 2022:

JG/TH/2021/066/02 Rev D

Received by the Local Planning Authority on 4 October 2022:

JG/TH/2021/066/01 Rev C

Reason: For the avoidance of doubt.

3. No development shall commence until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period. The Demolition and Construction Method Statement shall include:
- a) The means of access for construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the loading and unloading of plant and materials;
 - d) the storage of plant and materials used in construction/
demolition the development;
 - e) a scheme for the recycling/disposal of waste resulting from
construction/ demolition works; and
 - f) details of dust and noise suppression to be used during the
construction phase.
 - g) a report identifying any asbestos and documenting its safe removal.

Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

4. No development shall commence until details of a noise assessment have been submitted to and approved in writing by the Local Planning Authority. The report shall include details of noise attenuation measures required to meet the standard for internal noise levels defined in the current BS8233:2014 (including glazing and ventilation details). The dwellings hereby permitted shall not be occupied until the noise mitigation measures have been provided in accordance with the approved details and shall thereafter in retained in perpetuity.

Reason: No such details were submitted with the application, to protect occupiers from excessive external noise and in

accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

5. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.

Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:

- a) numbers, types, sizes and positions of proposed trees and shrubs
- b) details of boundary treatments;
- c) proposed bin and cycle stores;
- d) proposed hard surfacing treatment;
- e) planting, seeding/turfing of other soft landscape areas; and
- f) timetable for implementation of the scheme.

The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).

7. No works shall commence until the protective tree fencing as shown on page 10 of the Tree Survey, Arboricultural Method Statement (AMS) and Arboricultural Impact Assessment (AIA) under Appendix 3 – Tree Protection Specification has been erected in the position shown on page 14 annotated “position of protective fencing as shown in appendix 3”. The

fencing shall be retained in this position until the completion of the construction of the building.

Reason: To reduce the risk of damage to a TPO tree and in accordance with Policy 31 of the Part 2 Local Plan and Policy 17 of the Aligned Core Strategy (2014).

8. The finished floor levels shall be set no lower than 0.9m above ground level in accordance with drawings: JG/TH/2021/066/02 Rev D and Flood Resilience measures shall be incorporated into the design of the building as detailed in paragraph 5.5.4 of the submitted Flood Risk Assessment by Michael Evans & Associates LTD ref: 21-668 dated 13 January 2022 received by the Local Planning Authority on 4 March 2022.

Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

9. The windows in flats 9 and 6 serving en-suites shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of neighbour amenity and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

10. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.

Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTE TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. Burning waste on site is prohibited.
3. The future owners/occupiers of the proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service.

4. **As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
5. **Any works to a TPO tree must receive consent from the Local Planning Authority in advance of works being carried out.**

38.3 22/00566/REG3

Demolition of garages and construct 2 dwellings with associated parking, landscaping and private amenity space
Garages Off Chilton Drive, Watnall, Nottinghamshire

This application was brought before the Committee because the Council was the landowner and developer.

There were no late items for the Committee to consider.

Peter Goodrick, on behalf of the applicant and Rachel Morris, objecting, addressed the Committee prior to the general debate.

The Committee considered the proposal and the representations made. It was noted that there would be a fence to replace the boundary lost by the garage site demolition. It was confirmed that any widows on the first floor side elevation of the proposed development would be obscurely glazed.

RESOLVED that planning permission be granted subject to the following conditions:

1. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with drawings proposed block plans 2766 (08) D01 and 2766 (08) D02 Rev A, proposed elevations and floor plans 2766 (08) D03, Street Sections/elevations 2766 (08) D04, Site location plan 2677 (02) D01, Design and access statement 2766 (08) DDA and Arboricultural Report received 18 July 2022 and car parking study dated July 2022 and ecology report received**

15 August 2022.

Reason: For the avoidance of doubt.

- 3. No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:**

- 1. All appropriate measures have been completed in accordance with details approved in writing by the Local Planning Authority and;**
- 2. It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full.**

The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development

Reason: commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of Broxtowe Aligned Core Strategy (2014).

- 4. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.**

Reason: and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 5. No above ground works shall take place until a landscaping scheme showing biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**

- a. numbers, types, sizes and positions of proposed trees and shrubs;**
- b. details of boundary treatments;**
- c. planting, seeding/turfing of other soft landscape areas and**
- d. timetable for implementation.**

The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with

ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: No such details were submitted with the application, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).

6. No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:

- a) The means of access for construction traffic;
- b) Parking provision for site operatives and visitors;
- c) The loading and unloading of plant and materials;
- d) The storage of plant and materials used in construction/demolition of the development;
- e) A scheme for the recycling/disposal of waste resulting from construction/demolition works;
- f) Details of dust and noise suppression to be used during the construction phase and;
- g) A report identifying any asbestos and documenting its safe removal

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

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

8. No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2766(08) B01 Rev B. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 9. Occupation of the hereby approved dwellings shall not take place until the site access 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 drained to prevent the discharge of surface water from the access 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.**

Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 10. The parking bays shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.**

Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 11. No above ground works shall take place until a noise assessment for the air source heat pumps has been submitted and agreed in writing with the Local Planning Authority.**

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
- 2. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or**

occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority

3. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
4. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
5. Developer to purchase the first time provision of bins. Notice served in due course.

Developer to purchase the first time provision of bins. Notice served in due course.

Each property would be allocated the following:

- 1 x 240 litre bin for residual waste
- 1 x 240 litre bin for recycling waste
- 1 x 37 litre bag for glass

Bins need to be presented at the edge of adopted highway for emptying.

The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm
As per the guidance in BS5906 the bins must be within 15m of the collection point.

It is possible that the refuse vehicle can access the site with this houses being on Council owned land

38.4 22/00534/FUL

Loft conversion with rear dormer and external alterations
6 Canal Side, Beeston, Nottinghamshire, NG9 1NG

The application was brought to Committee at the request of Councillor S Dannheimer.

There were no late items for the Committee to consider.

A statement was read on behalf of Leanne Wagner, the applicant, and Jenny Ashmore, objecting, made representation to the Committee prior to the general debate.

Consideration was given to the style of the extension, the height of the roof ridge, the impact on neighbour amenity and the amendments proposed to the original development to make it more acceptable.

RESOLVED that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced within six months of the date of this permission with works completed within ten months of the date of the permission.

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. The existing dormer shall be removed within ten months of the date of the decision, unless otherwise modified in accordance with the plans approved under this permission.

Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

3. The development hereby permitted shall be carried out in accordance with drawings numbered D202-06/04/2020 Rev C, D203-06/04/2020 Rev C, D201, -06/04/2020 Rev C, D103-06/04/2020 Rev C, D102-06/04/2020 Rev C and D403-06/04/2020 Rev C received by the Local Planning Authority on 11 July 2022.

Reason: For the avoidance of doubt.

4. The dormer shall be constructed using materials of a type, texture and colour so as to match those of the existing building.

Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

5. The windows on the east (side) elevation annotated as being obscurely glazed on drawing no. D202 - 06/04/2020 rev C shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening.

Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

38.5 22/00678/REG3

Erect Temporary Community Cycle Hub
Land at the side of pavilion and accessible toilet facility East of Cadet Centre, Ilkeston Road, Stapleford, Nottinghamshire

This application was brought to Committee for determination as the Council was the landowner and applicant.

There were no late items for consideration by the Committee and no public speakers.

Representation was made to the Committee via a statement read out by the Chair on behalf of Councillor R D MacRae in support of the application. The Committee noted that the proposed development promoted cycling without taking away any car parking spaces and represented an improvement in the appearance of the car park.

RESOLVED that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 6 September 2022, Proposed Block Plan (1:500) received by the Local Planning Authority on 8 September 2022, Proposed Floor Plan (Drawing Number: 101) received by the Local Planning Authority on 28 September 2022 and Proposed Elevations received by the Local Planning Authority on 29 September 2022.

Reason: For the avoidance of doubt.

3. The temporary Community Cycle Hub shall be constructed using materials as noted on the submitted application form received by the Local Planning Authority on 30 August 2022, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

4. The containers hereby permitted shall be removed and the land restored to its former condition to the reasonable satisfaction of the Council's Parks and Green Spaces team on or before 31 March 2025 so as to accord with the Site Location Plan (1:1250) received by the Local Planning Authority on 6 September 2022.

Reason: The structures are of a temporary nature and their appearance is likely to deteriorate with time, to the detriment of the visual amenities of the area and a more permanent storage solution should be sought long term and in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

39 INFORMATION ITEMS

39.1 APPEAL DECISION 21/00807/FUL

The appeal decision was noted.

39.2 APPEAL DECISION 22/00127/FUL

The appeal decision was noted.

39.3 APPEAL DECISION 21/00052/FUL

The appeal decision was noted.

39.4 DELEGATED DECISIONS

The delegated decisions were noted.

Report of the Chief Executive

APPLICATION NUMBER:	22/00228/FUL
LOCATION:	Gardeners Inn, Awsworth Lane, Cossall, Nottinghamshire NG16 2RZ
PROPOSAL:	Demolish public house and construct five detached dwellings and associated parking

1. Purpose of the Report

The application is brought to the Committee at request of Councillor L A Ball BEM.

2. Recommendation

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

3. Detail

3.1 This application was first brought before Planning Committee on 7 September 2022 with a recommendation to refuse the application. Members deferred making a decision on the application to provide local residents the opportunity to buy the public house. Further to this, additional time was given for the applicant to submit a viability assessment and a coal mining risk assessment.

3.2 It should be noted that all matters relating to the principle of development, design, amenity and highway safety were discussed at the previous Planning Committee meeting, detailed within the original report at Appendix 2. The following report within Appendix 1 includes the following key considerations: coal mining legacy, viability of the public house and ecology.

3.3 In response to the decision at the previous planning committee the agent has submitted a coal mining risk assessment which has been assessed and is deemed acceptable. Furthermore, the applicant has submitted a further viability information to justify the demolition of the public house. No offer has been made to the applicant to purchase the public house from any third party.

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

4. 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.

5. 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/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with Section 106s (or similar legal documents) are covered elsewhere in the report.

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. Background Papers

- Planning Statement
- Design and Access Statement
- Bat survey
- Viability assessment
- Coal mining risk assessment

APPENDIX 1

1. Details of the Application
2. The application seeks full planning consent for the demolition of the public house and the erection of 5 detached dwellings. The site includes the Gardener's Inn, public house off Awsworth Lane within the built up area of Cossall.
3. Site and Surroundings
 - 3.1 The site is in a predominantly residential area including residential properties to the south, west and north. To the east includes a farm yard and open fields beyond forming the Nottingham Derby Green Belt. It should be noted that the neighbouring site was granted planning permission for 3 dwellings on land that formed part of the public house car park 20/00298/FUL. The 3 dwellings are currently under construction.
4. Consultations
 - 4.1 **Coal Authority** – no objections subject to conditioning intrusive site investigation works.
 - 4.2 **Nottinghamshire Wildlife Trust** – no objections subject to conditioning ecological protection and enhancement measures.
 - 4.3 **Resident comments** – 2 comments received raising the following concerns:
 - Loss of community public house would be detrimental to the community.
 - Concerns regarding accuracy of the application details.
 - Properties unlikely to be affordable housing.
5. Assessment
 - 5.1 Appraisal
 - 5.2 The application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.
 - 5.3 The applicant has submitted a site specific coal mining risk assessment which has been reviewed by the Coal Authority. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. As a result, a scheme of intrusive site investigations has been conditioned accordingly. As such, it is considered that this has addressed concerns previously raised in respect of the lack of a coal mining risk assessment.

- 5.4 Policy 13 – Culture, Tourism and Sport of the Aligned Core Strategy 2014 states that where appropriate, existing cultural, tourism and sporting facilities will be protected and their further development will be supported. As such, existing facilities will be protected and enhanced where there is a continuing viable need for them.
- 5.5 Paragraph 93 a) of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Paragraph 93 c) of the NPPF states planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 5.6 Since the application was deferred at the September 2022 planning committee the applicant has not received any offer for the purchase of the public house. This also includes the period of time during the application was valid since 12th March 2022. Whilst the public house has been boarded up and closed for business temporarily, it would appear that the applicant has made efforts prior to the submission of the application for the pub to be offered for lease or freehold purchase to any interested party. No formal interest has been forthcoming.
- 5.7 In support of the application, the applicant has submitted information relating to the viability of the public house. It is important to note that the applicant has been unable to access information held by the previous occupier of the public house and therefore this has reduced the level of detail available to be submitted in support of the application. Notwithstanding this, information submitted identifies that accounts in relation to the previous company which operated the public house show minor levels of profit which indicate that the business potentially struggled to be viable.
- 5.8 It is noted that the Gardener's Inn public house previously was listed as an asset of community value, however in 2021 it was removed from the list as it was judged that there was no evidence of realistic continued use. It is also noted that there are 2 public houses within less than 1 mile of the site to the north including: The Crown Inn off Croft Crescent and The Gate Inn off Main Street.
- 5.9 Trading conditions in the hospitality sector are currently the most difficult they have been for a number of years. Rising energy costs, rising staff costs, and rising wholesale prices are further impacting all operators. The absence of a beer garden and children's play area resulting from the three residential properties being built within a few metres of the pub, greater local competition, lack of maintenance and repair to the subject property are all matters that have been considered in the assessment of the loss of the public house.

5.10 On balance, it is considered that due to the lack of interest to operate the public house in over approximately 7 months this carries weight in the assessment of the loss of the public house. It is considered that there is limited evidence to demonstrate that there is a viable need for the public house to be retained. As such, it is considered that the application complies with Policy 13 - Culture, Tourism and Sport of the Aligned Core Strategy Part 1 Local Plan 2014 which seeks to protect existing community facilities. The application also complies with Part 8 - Promoting healthy and safe communities of the NPPF 2021 which seeks to guard against the unnecessary loss of valued facilities and services.

6. Other Matters

6.1 Nottinghamshire Wildlife Trust have reviewed the submitted bat survey and have provided no objections. The bat surveys show no detrimental impacts to roosting bats on the site. Nottinghamshire Wildlife Trust have recommended that the retention of existing hedgerows and mitigation measures to reduce the impact of the construction period on any potential existing habitats on the site. A Landscape and Ecological Management Plan has been conditioned to include ecological enhancement measures including bird and bat boxes and an appropriate mix of native soft landscaping and hedgerow retention. As such, it is considered that the proposed development would not be detrimental to any existing wildlife habitats and would deliver a biodiversity net gain through the implementation of enhancement measures.

7. Conclusion

7.1 The benefits of the scheme are that the proposal would provide new housing for the Borough in a sustainable location; and would provide a good standard of living for the future occupiers. The negatives of the scheme are that the proposal would result in the loss of an existing public house which serves as a wider community facility.

7.2 The proposed development would help to enhance the character and appearance of the locality by redeveloping a boarded up closed public house.

7.3 The proposed scheme has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact on any neighbouring properties whilst providing an acceptable standard of amenity for future occupiers.

7.4 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

7.5 It is recommended that planning permission is granted, subject to the conditions set out below.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby approved shall be begun before the expiration of three years from the date of this permission.</p> <p><i>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</i></p>
2.	<p>This permission shall be read in accordance with the following plans: Existing Site Plan and Elevations 879 001 (Received by the Local Planning Authority 11/03/22), Amended Proposed Site Plan 879 010 E, Amended Proposed Street Scene 879 013 D (Received by the Local Planning Authority 04/08/22), Amended Proposed Plots 1-4 879 011 D, Amended Proposed Plot 5 879 012 D (Received by the Local Planning Authority 19/08/22).</p> <p><i>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</i></p>
3.	<p>No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.</p> <p><i>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</i></p>
4.	<p>No development shall commence until;</p> <ul style="list-style-type: none"> a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and; b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in

	<p>order to ensure that the site is made safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p> <p><i>Reason: In the interests of public safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</i></p>
<p>5.</p>	<p>No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction / demolition the development; e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; f) details of dust and noise suppression to be used during the construction phase; and g) the identification, isolation and removal of any asbestos containing materials. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect the amenity of neighbouring residents in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</i></p>
<p>6.</p>	<p>No development above slab level shall take place before a scheme of landscaping has been submitted to and approved by the Local</p>

	<p>Planning Authority. The approved landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments (including the bin store); c. proposed hard surfacing treatment; d. planting, seeding/turfing of other soft landscape areas; and e. a timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>7.</p>	<p>Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall include bird/bat boxes, hedgerow retention and protection details and shall be implemented in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</i></p>

<p>8.</p>	<p>No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 of the Part 2 Local Plan (2019).</i></p>
<p>9.</p>	<p>No part of the development hereby permitted shall be brought into use until the shared access drive and parking or turning areas are surfaced in a hard-bound material (not loose gravel. The surfaced drives and parking or turning areas shall then be maintained in such hard-bound material for the life of the development.</p> <p><i>Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) in the interests of highway safety and in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 of the Part 2 Local Plan (2019).</i></p>
<p>10.</p>	<p>No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. 879.010 Rev E are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 of the Part 2 Local Plan (2019).</i></p>
<p>11.</p>	<p>Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: In the interests of public safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</i></p>

<p>12.</p>	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To protect the amenity of neighbouring residents in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</i></p>
<p>13.</p>	<p>The following ecological protection measures shall be adhered to during the construction of the hereby approved development:</p> <ul style="list-style-type: none"> - No stripping, demolition works, or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by an experienced ecologist. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present. - All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, brown hares, hedgehogs, and other wildlife. All pipework greater than 150 mm should be capped off at the end of the day and chemicals should be stored securely. - During the site clearance phase, vegetation clearance (including hedgerows, scrub, ornamental shrubs) and refugia clearance (brush, log, rubble, leaves piles etc.) should be carried out in early autumn to avoid impacts upon nesting hedgehog. However, if clearance is required in the spring to avoid nesting bird issues, vegetation should be cut no lower than 300mm above ground level to avoid causing injury or harm to hibernating hedgehogs, until temperatures are regularly (6 consecutive days/nights) above 6°C. Clearance at other times of year should be undertaken with prior checks/supervision by an ecologist. - Any garden fence, or other non-permeable structure, should be provided with a small hole (130mm x 130mm) to allow a continuous pathway in which hedgehogs can move through the developed residential site. This would mitigate against the fragmentation that residential developments often cause, allowing this species to navigate between foraging and sheltering habitat more freely. <p><i>Reason: In the interests of protecting existing habitats in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</i></p>

Site Location Plan (not to scale)



Legend

-  Site Outline
-  Green Belt

Photos

The Gardener's Inn



Site and neighbouring 3 dwellings under construction - 20/00298/FUL



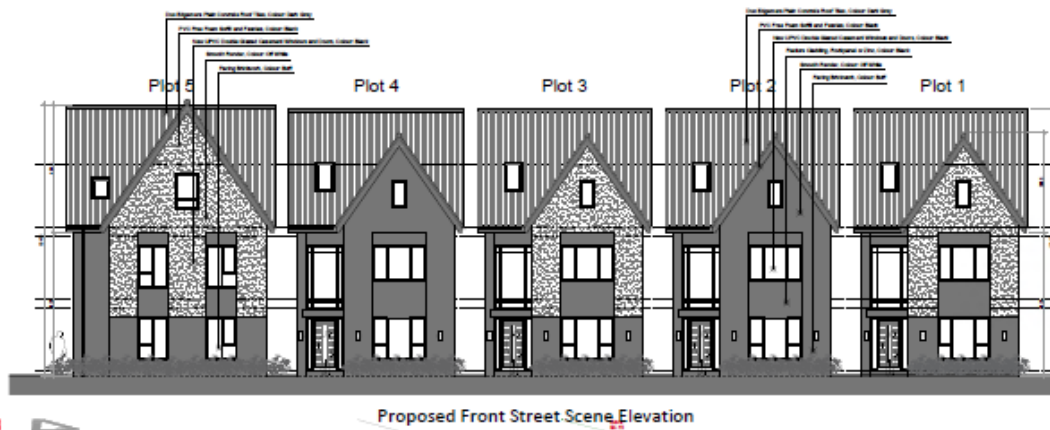
View of site from opposite side of Awsworth Lane, Cossall



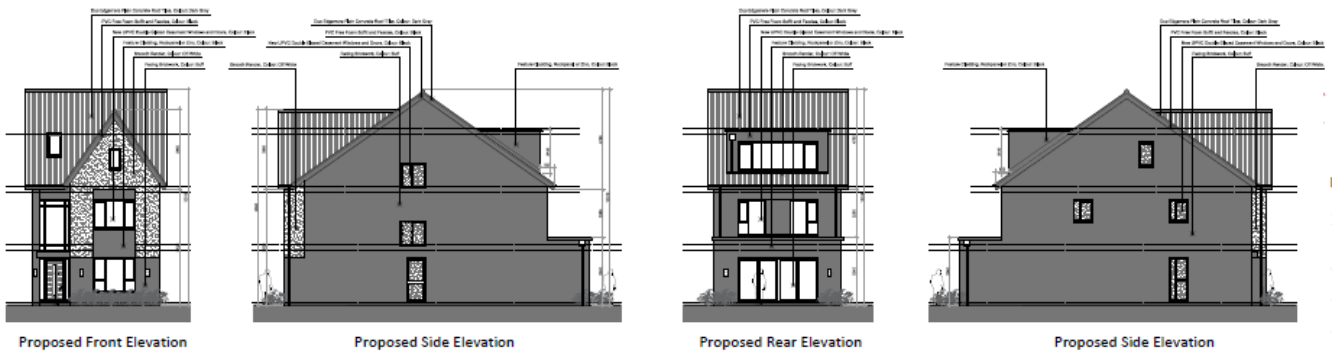
Proposed layout plan



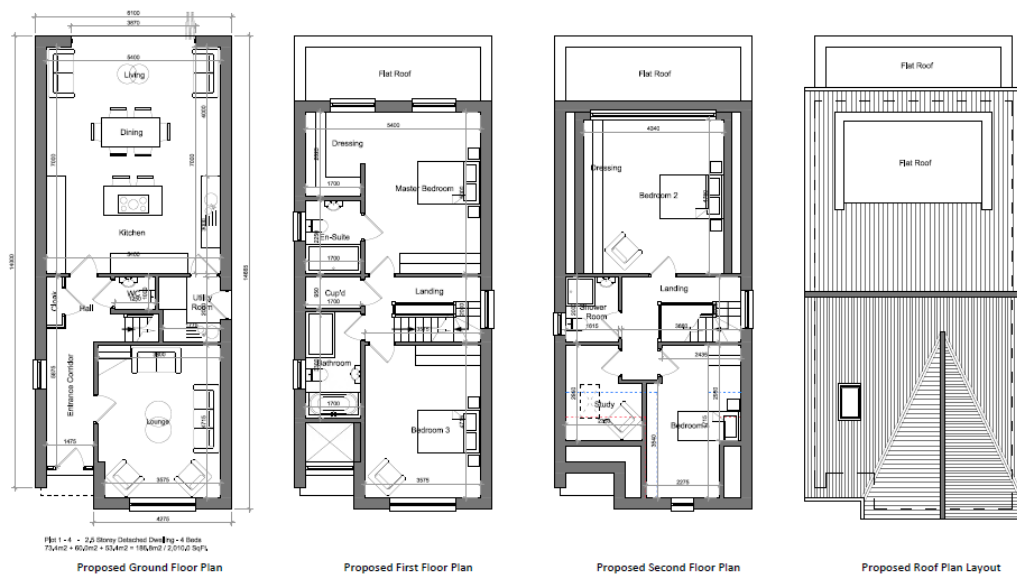
Proposed Street Scene



Proposed elevations plots 1-4



Proposed floor plans plots 1-4



Proposed elevations plot 5



Proposed floor plans plot 5



Report of the Chief Executive

APPLICATION NUMBER:	22/00228/FUL
LOCATION:	Gardeners Inn, Awsworth Lane, Cossall, Nottinghamshire NG16 2RZ
PROPOSAL:	Demolish public house and construct five detached dwellings and associated parking

1. Purpose of the Report

The application is brought to the Committee at request of Councillor L.A. Ball BEM.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be refused on the grounds outlined in the appendix.

3. Detail

- 3.1 The application seeks full planning consent for the demolition of the public house and the erection of 5 detached dwellings. The site includes the Gardener's Inn, public house off Awsworth Lane within the built up area of Cossall.
- 3.2 The site is in a predominantly residential area including residential properties to the south, west and north. To the east includes a farm yard and open fields beyond forming the Nottingham Derby Green Belt. It should be noted that the neighbouring site was granted planning permission for 3 dwellings on land that formed part of the public house car park 20/00298/FUL. The 3 dwellings are currently under construction.
- 3.3 The main issues relate to whether the loss of a public house has been justified; whether the design is acceptable; whether there would be unacceptable impact on the amenity of future and neighbouring occupiers and whether the proposal would have an unacceptable impact on highway safety.
- 3.4 The benefits of the scheme are that the proposal would provide new housing for the Borough; and would provide a good standard of living for the future occupiers. The negatives of the scheme are that the proposal would result in the loss of an existing public house which serves as a wider community facility.

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/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. 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.

6. Background Papers

- Planning Statement
- Design and Access Statement
- Bat survey

APPENDIX

1. Details of the Application
2. The application seeks full planning consent for the demolition of the public house and the erection of 5 detached dwellings. The site includes the Gardener’s Inn, public house off Awsworth Lane within the built up area of Cossall.
3. Site and Surroundings
 - 3.1 The site is in a predominantly residential area including residential properties to the south, west and north. To the east includes a farm yard and open fields beyond forming the Nottingham Derby Green Belt. It should be noted that the neighbouring site was granted planning permission for 3 dwellings on land that formed part of the public house car park 20/00298/FUL. The 3 dwellings are currently under construction.
4. Relevant Planning History
 - 4.1 In 2008, planning permission was granted for two smoking shelters. In 2011, advertisement consent was granted for a totem sign in relation to the public house.
 - 4.2 It should be noted that the neighbouring site was granted planning permission for 3 dwellings on land that formed part of the public house car park 20/00298/FUL. The 3 dwellings are currently under construction.
5. Relevant Policies and Guidance
 - 5.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**
 - 5.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
 - Policy A: Presumption in Favour of Sustainable Development
 - Policy 8: Housing Size, Mix and Choice
 - Policy 10: Design and Enhancing Local Identity
 - Policy 13: Culture, Tourism and Sport
 - Policy 17: Biodiversity
 - 5.2 Part 2 Local Plan 2019:**
 - 5.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.
 - Policy 15: Housing Size, Mix and Choice
 - Policy 17: Place-making, Design and Amenity
 - Policy 25: Culture, Tourism and Sport
 - Policy 31: Biodiversity
 - 5.3 National Planning Policy Framework (NPPF) 2021:**

Section 2: Achieving sustainable development
 Section 4: Decision-making
 Section 5: Delivering a sufficient supply of homes
 Section 8: Promoting healthy and safe communities
 Section 9: Promoting Sustainable Transport
 Section 11: Making effective use of land
 Section 12: Achieving well-designed places
 Section 15: Conserving and enhancing the natural environment

6. Consultations

6.1 Environmental Health – no objections subject to conditions:
 Restrict construction hours.
 Construction / Demolition Method Statement.

6.2 Coal Authority – objection.

The site falls within a high risk area and therefore there are coal mining features and hazards which need to be considered.
 The application submitted does not include a Coal Mining Risk Assessment.

6.3 County Highways – no objections subject to conditions.

The access has been amended to create a new access to serve the proposed 5 dwellings.
 Access width is acceptable for the scale of the development and visibility splays have been demonstrated on the revised submitted details.

6.4 Nottinghamshire Wildlife Trust

Bat surveys show no detrimental impacts to roosting bats on the site.
 The boundary hedgerows and trees should be retained to preserve existing habitats.
 Bat and bird boxes (or bricks) should be integrated into any new properties.

6.5 Resident comments: 1 site notice was posted and neighbouring properties were consulted. 73 objections and 1 letter of support.

Objections:

Loss of a community asset for local people
 Loss of a local pub
 No need for large house types / affordable housing is required
 Unacceptable design, scale and height
 Increased traffic
 Noise pollutions during construction
 Local infrastructure cannot cope with more housing i.e. school
 Proposed development will negatively affect views of the countryside
 The proposal is overdevelopment of the site

Contrary to policies contained within the Part 2 Local Plan 2019.
 Inaccuracies within submitted details
 Negative economic impact on existing business
 No site notice has been put up

Campaign for Real Ale – object to the proposal on the following grounds:

Building should be affordable local listing
 Loss of a community asset
 Proposal contrary to the Part 2 Local Plan 2019
 No viability assessment has been provided

Support:

Support for the demolition of the pub.

7. Assessment

7.1 Principle

7.1.1 The site is located within the built up area of Cossall and therefore is considered to be in a sustainable location. As such, the general principle of residential development in this location is considered to be acceptable subject to any other material considerations.

7.1.2 A significantly high number of objections have been raised in respect of the loss of the public house which serves as a local community facility. In terms of significance, public houses are long established commercial premises, which form an integral part of the area’s identity. It should be noted that the Gardener’s Inn public house previously was listed as an asset of community value, however in 2021 it was removed from the list as it was judged that there was no evidence of realistic continued use.

7.1.3 Policy 13 – Culture, Tourism and Sport of the Aligned Core Strategy 2014 states that where appropriate, existing cultural, tourism and sporting facilities will be protected and their further development will be supported. As such, existing facilities will be protected and enhanced where there is a continuing viable need for them.

7.1.4 Paragraph 93 a) of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Paragraph 93 c) of the NPPF states planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.

- 7.1.5 It is important to note that the applicant has been given the opportunity to submit evidence to demonstrate that there is no viable need to continue to operate the public house. No viability assessment or marketing information has been submitted to accompany the planning application to evidence any lack of interest in the continued operation of the public house. No evidence has been put forward which demonstrates any decline in sales in recent years. It is noted that there are 2 public houses within less than 1 mile of the site to the north including: The Crown Inn off Croft Crescent and The Gate Inn off Main Street.
- 7.1.6 Evidence submitted to justify the loss of a public house includes reference to a number of local news articles relating to local interest in preserving the public house. The applicant claims the previous occupier of the public house had removed/damaged the internal facilities of the building. It would appear that the public house has been boarded up and closed for business temporarily.
- 7.1.7 It is considered that a lack of evidence has been submitted to justify the loss of a community facility and that there is no longer a need for a public house in this location. The application is as such contrary to Policy 13 - Culture, Tourism and Sport of the Aligned Core Strategy Part 1 Local Plan 2014 which seeks to protect existing community facilities. The application also runs contrary to Part 8 - Promoting healthy and safe communities of the NPPF 2021 which seeks to guard against the unnecessary loss of valued facilities and services.

7.2 Design

- 7.2.1 Concerns have been raised in respect of the loss of the public house which is considered to have historic value. However, it should be noted that the building is not listed as a designated or non-designated heritage asset and it is considered that the building is limited in heritage value.
- 7.2.2 Further to this, a number of concerns have also been raised with the design of the proposed dwellings. The proposed development consists of 5 detached dwellings approximately 2.5 storeys with plot 5 being the largest dwelling. The proposed design of plots 1-5 is reflective of the newly built properties next door on the approved site for 3 dwellings (20/00298/FUL) featuring gable frontages including contemporary materials. Whilst there is an increase in land levels from south to north, it is considered that the layout of the proposed dwellings continues the prevailing pattern of development in this location. The proposed dwellings would be set back from Awsworth Lane and this would lessen the visual impact of the development on the street scene.
- 7.2.3 There are limited concerns with regards to the siting, size, scale and design of the proposed dwellings. As a result, it is considered that the proposed design would comply with the requirements contained with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan (2014)

and Policy 17 – Place-making, Design and Amenity of the Part 2 Local Plan (2019).

7.3 Amenity

7.3.1 A number of concerns have been raised in relation to the proposal. It should be noted that given the limited scale of the proposal there are limited concerns with regards to any potential disruption resulting from the proposal. Moreover, there are limited concerns with regards to the impact of the proposal on local infrastructure.

7.3.2 To the north includes residential properties along Westby Lane, to the west and south includes residential properties off Awsworth Lane and to the east includes fields and farmland. The proposed dwellings would be set back from the highway and sufficiently separated from surrounding residential properties. Internal and external amenity spaces would provide future occupiers with acceptable living conditions with appropriate outlook. Due to the siting, size, scale and design of the development the proposal is considered not to significantly impact the amenity of any neighbouring properties in terms of any potential overlooking, overbearing or overshadowing impact.

8 Highway Safety

8.1 The proposed access has been amended from the existing public house access to a new access to serve the 5 dwellings off Awsworth Lane. County Highways have reviewed the amended access details and have provided no objections subject to conditions. The access width is 6m and is of a sufficient width to allow two vehicles to pass each other without causing any obstruction to users of Awsworth Lane. Moreover, 2.4m x 43m visibility splays have been provided to ensure there is adequate vehicular visibility for vehicles leaving the site. The parking area to the front of the site also provides sufficient off street car parking and turning space to the front of the dwellings. It is considered that the proposal would not be detrimental to the safety or capacity of the highway.

8.2 In conclusion, it is considered the proposed development would not have an unacceptable impact on highway safety.

9 Coal High Risk Area

9.1 The application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

9.2 The Coal Authority records indicate that the site is underlain by recorded shallow coal workings and probable unrecorded underground shallow coal workings. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The records also suggest that the application site is likely to have been subject to

historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop.

9.3 The Coal Authority have objected to the proposal as no Coal Mining Risk Assessment has been submitted. As no assessment has been provided of the potential impacts of the proposal on the high risk coal mining area in this location the Council is therefore unable to make a judgement on the acceptability of the proposal.

10. Other Matters

10.1 Nottinghamshire Wildlife Trust have reviewed the submitted bat survey and have provided no objections. The bat surveys show no detrimental impacts to roosting bats on the site. It is recommended that the boundary hedgerows and trees within the site should be retained to preserve existing habitats. This could be secured by conditioning a Landscape and Ecological Management Plan. As such, it is considered that the proposed development could be appropriately conditioned to ensure the proposal delivers ecological enhancements measures.

11. Conclusion

11.1 The benefits of the scheme are that the proposal would provide new housing for the Borough in a sustainable location; and would provide a good standard of living for the future occupiers. The negatives of the scheme are that the proposal would result in the loss of an existing public house which serves as a wider community facility.

11.2 No coal mining risk assessment has been provided and therefore the Council is therefore unable to make a judgement on the acceptability of the proposal in terms of the potential negative impact on the coal mining high risk area.

11.3 On balance, it is considered that any potential benefits would be outweighed by the concerns with the scheme. The application is deemed contrary to the policies contained within the development plan. This is given significant weight.

11.4 It is recommended that planning permission be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons:	
1.	Insufficient evidence to justify the loss of a community facility has been submitted to demonstrate that there is no longer a need for a public house in this location. The application is as such considered contrary to the aims of Policy 13 - Culture, Tourism and Sport of the Aligned Core

	<p>Strategy Part 1 Local Plan 2014 and paragraph 93 (a) and (c) of the National Planning Policy Framework 2021 which seeks to protect community facilities and guard against the unnecessary loss of valued services.</p>
<p>2.</p>	<p>No coal mining risk assessment has been provided and therefore the Council is therefore unable to make a judgement on the acceptability of the proposal in terms of the potential negative impact on the coal mining high risk area.</p>

Site Location Plan (not to scale)



- Legend**
-  Site Outline
 -  Green Belt

Photos

The Gardener's Inn



Site and neighbouring 3 dwellings under construction - 20/00298/FUL



View of site from opposite side of Awsworth Lane, Cossall



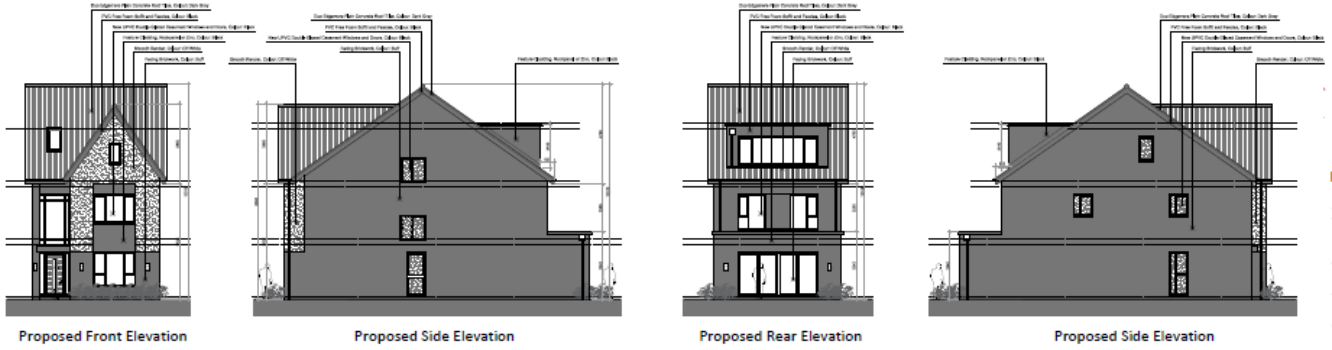
Proposed layout plan



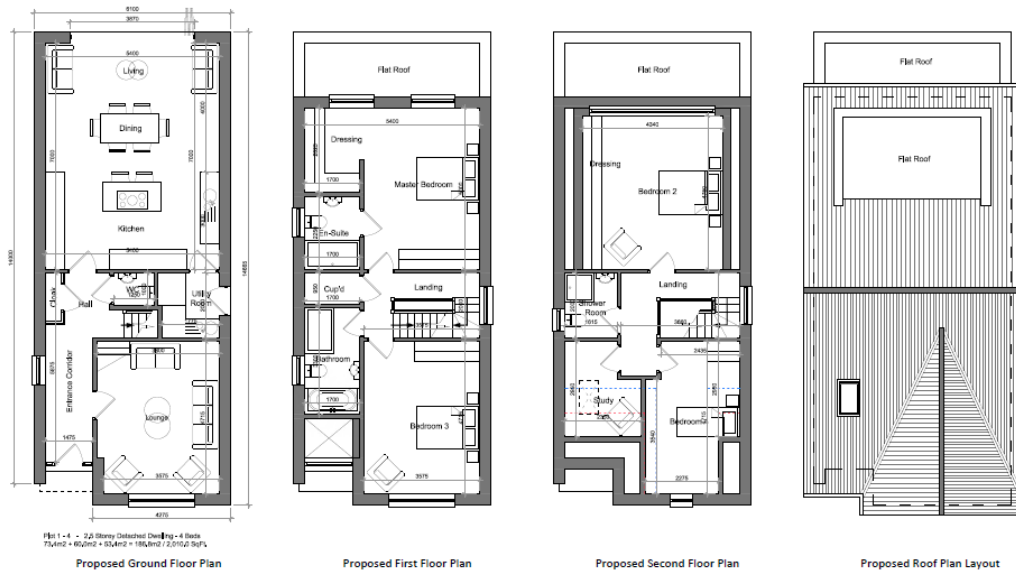
Proposed Street Scene



Proposed elevations plots 1-4



Proposed floor plans plots 1-4



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Report of the Chief Executive

Application Number:	22/00602/FUL
Location:	Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ
Proposal:	Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation, open space and great crested newt (GCN) mitigation (revised scheme)

Councillor D K Watts has requested this application be determined by Planning Committee.

1 Purpose of the Report

1.1 This is a major planning application seeking full planning permission to construct 60 dwellings to the west of Coventry Lane. This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.

1.2 Recommendation

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

1.3 A similar scheme (21/00555/FUL) was refused permission at Planning Committee on 9 March 2022 for the following reasons:

1. The development, by virtue of the proposed access arrangements, would prejudice the future development of the wider site allocation and would jeopardise future housing delivery, adversely impacting on the Councils 5-year land supply which would be contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Aligned Core Strategy (2014) and the NPPF (2021).

2. It has not been adequately demonstrated that the development would provide a net gain in biodiversity and comply with Policy 31 of the Part 2 Local Plan (2019), Policy 17 of the Aligned Core Strategy (2014), Section 15 of the NPPF (2021) and the Natural Environment section of the Planning Practice Guidance.

1.4 An appeal has been submitted for the refused application 21/00555/FUL, and a hearing has been agreed by the Planning Inspectorate for 7 March 2023.

1.5 The main differences between the plans submitted under 21/00555/FUL and this application are as follows:

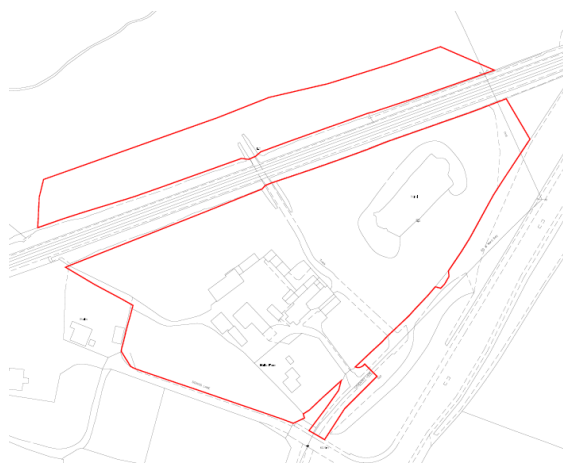
- Access from Sidings Lane has been amended that it will no longer prejudice the access or delivery of the wider allocation (20/00352/OUT)
- Minor amendments to the house types (names/design)
- Minor amendments to the layout but layout of roads remains the same.

- 1.6 This allocated site has been split into two and is being managed by two different developers. An outline application (20/00352/OUT) with all matters reserved apart from access has been approved for up to 190 dwellings on the majority of the site. A reserved matters application is currently awaiting determination for this site under reference 22/00619/REM. This application covers part of the wider allocation and relates to the top north east corner which is shown below.
- 1.7 The main issues relate to whether 60 dwellings on this site would be acceptable, if satisfactory means of access, additional connections and highway mitigation measures have been created, there is a sufficient buffer between the site and Bramcote Crematorium and Stapleford Hill, if enhanced Green Infrastructure corridors have been provided and there is an acceptable impact on neighbour amenity (all in line with Policy 3.4).
- 1.8 The benefits of the proposal would mean 60 additional homes within a sustainable, urban location with improvements to local infrastructure, on a site that has been allocated for housing. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.
- 1.9 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.
- 1.10 Financial Implications
- There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.
- 1.11 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.
- 1.12 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.
- 1.13 Background Papers
- As part of the application, a Health Impact Assessment, Arboricultural Assessment, Ecological Appraisal (Inc Great Crested Newt Survey/ Bat Survey), Biodiversity Metric Calculation Tool, Transport Assessment Addendum, Design and Access Statement, Planning Statement, Sustainability Assessment, Noise Assessment, Coal Mining Risk Assessment and Flood Risk Assessment and Drainage Strategy.

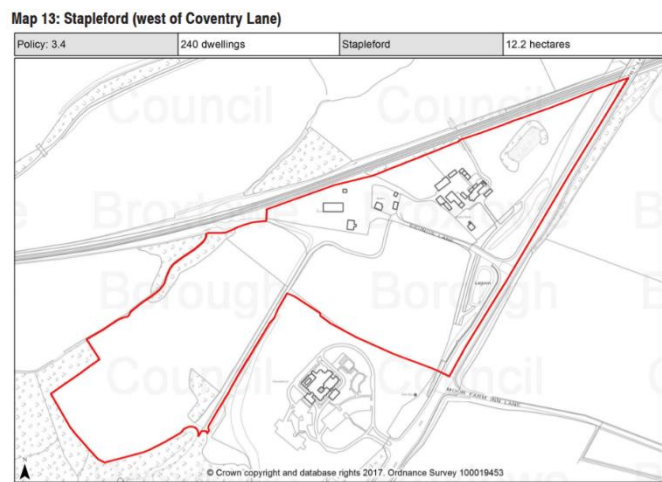
APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct 60 dwellings on a site to the west of Coventry Lane. This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.
- 1.2 Policy 3.4 of the Part 2 Local Plan (2019) refers to the whole allocated site and the ability to accommodate up to 240 houses. However, this application only refers to the north east corner of the allocation. A small section of land to the north west is included within the application site boundary but is separated by the railway line. A balancing pond is proposed within this section.



Site Location Plan (1:1250)



Wider allocation (Policy 3.4 of the P2LP 2019)

- 1.3 There is an existing access from Coventry Lane (Sidings Lane) which will be reconfigured with the inclusion of mitigation measures to Coventry Lane. The proposed changes are included within section 6.3 of this report.

2 Site and surroundings

- 2.1 The site is located to the north east of Stapleford District Centre and is situated in between Stapleford Hill (to the south), the railway line (to the north), Coventry Lane and Bramcote Crematorium to the east and the strategic Aligned Core Strategy allocation of Field Farm to the west. The wider allocation is mixed greenfield and brownfield and is used for equestrian, residential and as an engineering depot. The application site currently has farming and agricultural buildings and a pond surrounded by a small woodland. The entire allocated site is 12.2 hectares but the part of the site considered for development within this application is approximately 2.2 hectares.
- 2.2 The site is accessed from Sidings Lane, an industrial road, with a bell mouth junction connecting to the A6002, which leads to the A52 via the A6007 to the south and the A610 to Nottingham and M1 Junction 26, to the north. The site is approximately 4km from Ilkeston and Beeston (town centres) and 2km from Stapleford town centre. Nottingham city centre is approximately 8km east of the site.

- 2.3 Coventry Lane extends north-south over a distance of approximately 1.8km along the eastern boundary of the application site. To the north, Coventry Lane forms a signal-controlled junction with Bilborough Road, Nottingham Road, Trowell Road and Wollaton Vale. To the south, Coventry Lane forms a mini-roundabout with Ilkeston Road and beyond this, another mini-roundabout with Ilkeston Road and Hickings Lane.
- 2.4 The topography of the site is relatively flat. Land to the north and north west is Green Belt.
- 2.5 To the east of Coventry Lane is an allocated site for 500 dwellings which is largely greenfield and a former playing field which has been unused for a number of years and is associated with the adjacent secondary school. No applications have been submitted for this site.

3 Relevant Planning History

- 3.1 An application for an extension to a dwelling (85/00263/FUL) was granted permission in June 1985.
- 3.2 An application for a brick garden shed (90/00381/FUL) was granted permission in June 1990.
- 3.3 An application to demolish the existing buildings on site and erect 60 dwellings, including access and drainage infrastructure, substation and open space (21/00155/FUL) was refused permission in March 2022.

4 Relevant Policies and Guidance

4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces
- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan

4.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice

- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 20: Air Quality
- Policy 21: Unstable Land
- Policy 22: Minerals
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 28: Green Infrastructure Assets
- Policy 30: Landscape
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a Sufficient Supply of Homes.
- Section 8 – Promoting Healthy and Safe Communities.
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 15 – Conserving and Enhancing the Natural Environment.

5 Consultations

5.1 Council’s Business and Projects Manager (Environment):

Open Space Contribution:

The Section 106 contributions per dwelling:

Capital - £850.64 x 60 = £51,038.40

Maintenance - £651.49 x 60 = £39,089.40

= £90,127.80

Landscaping:

Landscaping General

Overall the built up areas look to be fairly sparsely planted, with quite a few front gardens paved. Hedgerows on the main route in offset this to a degree, but there is little structure or height.

Trees

A fair mix of native and ornamental, giving seasonal appeal and some biodiversity benefit, but numbers are also low. Could more be included on main route in to provide a greener approach? No requirement to be excessively tall selections.

Noted root directors included, this essential on shallow rooted species such as *Prunus spp.* Good sizes listed to give instant impact.

Shrubs and Herbaceous Planting

Mostly ornamental species in gardens, some also have positive wildlife benefits with edible berries and nectar rich flowers. Nothing suspected to be invasive or problematic with regular maintenance. Species and varieties chosen will give good year round appeal. Noted 3 litre pot grown to be used, this should help give instant impact – 5 per square metre recommended planting distances. Suggest using bark mulch to suppress weeds and retain moisture.

Hedges

Good to see hedgerows included in the design. Mostly ornamental, mixture provide flowering varieties, autumn berries and will give year round interest. Suggest container grown plantings at per linear metre, bare root *Carpinus* at 5 per linear metre. Mulch to suppress weed and retain moisture.

Open Space

Very little provision on site. Using the attenuation pond as open space is not ideal as it has very little amenity value as it is a water storage area.

No information on seating, bins, knee-rail/fencing included on the plans – is there intention to provide any?

Good to see native species used in open space plantings – native shrub belts around attenuation pond a welcome inclusion. Suggest all grassland areas to be maintained as “wildflower meadow” to be constructed with low nutrient subsoil rather than topsoil. This will keep grasses in check and allow wildflowers to establish.

The retained pond will make an excellent feature, both in terms of visual amenity and wildlife benefit. Water safety device may be required.

Biodiversity

Request for more bat/swift/sparrow boxes, one per house ideally.

Great to see hedgehog highways, but they do need foraging, nesting and hibernation areas which are absent.

The offsite provision adjacent to the development does look to be of an accommodating size. It will need to be enhanced and improved from medium to high distinctiveness and from moderate to good habitat condition. This includes the woodland and grassland. There is no net gain if offsite habitats aren't improved. Is there a plan in place for monitoring and reporting over the 30 year required period and who will deliver this?

A transitional habitat between the woodland and grassland needs to be maintained not a suitable location for a hedge. A hedge across the grassland might be better, with buffer strips either side maintained on a lower frequency cutting regime (and a gap for mower to access either side). Buffer strips along the Boundary Brook

would also be good. Buffer strips provide a refuge area for small mammals and the hedgerow would provide a migration route. A healthy small mammal population are more likely to see a barn owl using the nest box.

The offsite BNG area does help with habitat connectivity and works with the connected idea.

Accept newts could possibly migrate over railway line, but not convinced they will. It looks a little like the development red line has been extended north of the railway to avoid losing space south of the line for mitigation. Can the pond in the newt mitigation area be made bigger, with a deeper centre and shallower shelves around – ideally also a low lying damp area surrounding it? **(This issue is covered in the landscaping section of the report)*

5.2 **Council’s Tree Officer:** The main group of trees are around the pond area, provided that all the recommendations for tree work and tree protection measures as detailed within the Arboricultural survey report and the Arboricultural method statement are followed, no objection is raised to the proposal.

5.3 **Council’s Housing Strategy and Development Officer:** This development comes under Policy 3.4 and is allocated, therefore expect a minimum of 30% affordable housing. Would expect this to comprise of 20% affordable/social rented properties; 7.5% First Homes and 2.5% other low cost homeownership. Preference is shared ownership.

5.4 **Council’s Environmental Health Officer:** no objections subject to the following conditions/ recommendations:

Contamination: Further site investigation works will be required to test and further refine the preliminary Conceptual Site Model (CSM) that is presented, therefore, a condition is advised in respect of contamination is advised.

Noise: no objection raised and advise that the mitigation measures recommended for the side wide fenestration, passive fenestration ventilation and acoustic barriers are included within the development of the scheme.

5.5 **Council’s Waste and Recycling Officer:** advise bin requirements.

5.6 **Nottinghamshire County Council as Highways Authority:**

First Response 13.10.22: Site access has been amended that it no longer prejudices the wider allocation. Sidings Lane will retain its existing geometry.

The absence of a footway on the south side of the carriageway will encourage pedestrians to cross Sidings Lane within the mouth of its junction with Coventry Lane. The junction radius is relatively slack which allows vehicles (including HGV’s)

to maintain higher speeds around it when entering, thereby resulting in an increased likelihood of vehicle/pedestrian conflicts. The risks here can be mitigated by continuing the footway towards the site access.

The internal layout does not appear to have materially changed from the previous application. Off-street parking provision satisfies locally derived standards, but question the manner in which it has been provided at plot 53. The remote distance of the parking spaces from the entry point into the dwelling will increase the likelihood of on-street parking within the confines of a junction which contradicts the Highway Code. An alternative design should be provided.

The footway fronting plot 33 terminates in favour of a service margin that extends towards the end of the cul-de-sac. A continuous footway was originally proposed in this location and so would request it is retained, particularly as it provides a safe route for blind/partially sighted pedestrians to reach their destination. Furthermore, the NPPF requires development to prioritise the needs of pedestrians and to provide a safe means of access for all users. This has not been satisfied with sub-standard footway provision.

Plots 10, 11, 17, 18, 19, 20, 24, 25 have no dedicated EV charging spaces which should be corrected.

The tracking exercise has been undertaken with an incorrect size refuse wagon. It should be repeated with an Olympus Elite 6 8x4MS.

Second Response 10.11.22: Only outstanding issues relate to the parking arrangement for plot 53 is still not ideal but would not object if it remains in this position. Withdraw the request to substitute the service margin with a footway. Require a revised swept path analysis as the refuse wagon should consider an additional 1m for the bin lift.

Third Response 22.11.22: 1m for the bin lift is not usually required but can be requested if its absence is considered a safety issue. However, still request the swept path analysis is repeated. It would also appear the lorry will cross the service margin opposite plot 43 which needs addressing. Accept the Travel Plan addendum.

- 5.7 **Nottingham County Council (Via):** no objection.
- 5.8 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection.
- 5.9 **NHS Nottingham City Clinical Commissioning Group (CCG):** has made a health contribution request for £32,512.50 for primary health care.
- 5.10 **Network Rail:** no objection in principle but request the following conditions:
- Further clarity is required on the gate restricting access to railway line in relation to construction that will be undertaken for newt pond and request a condition in respect of this

- A Construction Methodology Statement is required to ensure development in undertaken safely and without impacting on the operation of the railways or safety.
- Provide a suitable trespass proof fence adjacent to Network Rails boundary
- Details to be provided of external lighting adjacent to railway

5.11 **Environment Agency:** Have reviewed the Phase I Desk Study and Coal Mining Risk Assessment report (January 2021) prepared by Georisk Management for residential development purposes. The report concludes that based on the known previous land usage of the site and surrounding area, the identified pollutant linkages and geological setting, it is considered that the site represents a very low

risk to controlled waters. Also the report states no further assessment of controlled waters is considered necessary unless significant contamination is identified at the site. Satisfied with this conclusion based on the information presented. However,

it is possible that areas of unsuspected contamination could exist on the site. In light of this, the proposed development will be acceptable if a condition in respect of any contamination being uncovered on site that hasn't already been found is addressed with a further remediation strategy.

5.12 **Coal Authority:** the application site falls within the defined Development High Risk Area; therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of the planning application. Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property. Advise conditions in respect of remedial stabilisation works to address land instability arising from shallow coal mining legacy and provide a signed statement to the LPA to confirm the site is safe and stable, completion of remedial works and any mitigation measures necessary to address the risks posed by past coal mining activity.

5.13 **Severn Trent Water:** A Section 106 sewer connection approval will be required for foul waste to connect into the public foul water sewerage.

5.14 **Nottinghamshire Wildlife Trust:**

First Response 3.11.22: satisfied with the design of the GCN mitigation. Therefore, recommend that specific management prescriptions are included within a LEMP to ensure that the newly created habitats are appropriately managed in perpetuity.

Confirm that the bat surveys have been undertaken following best practice and that the recommendations made within the report are satisfactory.

Unclear if Tree 7 (T7) will be lost, if it is to be removed, recommend an aerial inspection by bat ecologist and advise soft felling.

Recommended that barn owl box is installed at a safe distance from Coventry Lane.

Confirm that the surveys and report have been undertaken as per best practice, by suitably experienced ecologists.

- 5.15 **Nottingham Police Crime Prevention Design Advisor:** No objection.
- 5.16 **Nottinghamshire County Council Planning Policy:** seek a secondary education contribution of £262,540.00 (based on 10 places x £26,254) and a post 16 education contribution of £52,508.00 (based on 2 places x £26,254) to be used towards improving, remodelling, enhancing, or expanding facilities to provide additional permanent capacity within the Broxtowe South secondary planning area, to accommodate pupil growth from the development.
- Request a bus service contribution of £85,000.00 to improve local bus services to serve the site (this is a pro rata contribution as part of the response given to the neighbour site 20/00352/OUT relating to Policy 3.4 of the P2LP 2019).
- 5.17 **Nottingham NHS Trust:** request a financial contribution of £63,001.00 to provide additional health care services to meet an increase of patient demand as a result of this development.
- 5.18 Six neighbours/businesses were consulted and one site notice was posted. One observation was received stating that consideration to the access and speed limit on Coventry Lane must be given and that as many trees as possible are planted due to a loss of woodland in this area.

6 Assessment

- 6.1 The main issues for consideration are whether the principle of the development is acceptable, access and highways, design, layout, flooding, biodiversity and S106 contributions.

6.2 **Principle**

- 6.2.1 Following the adoption of the Part 2 Local Plan, land to the west of Coventry Lane was removed from the Nottingham-Derby Green Belt in order to facilitate the Council's 5-year housing land supply. The entire site is allocated for 240 homes; however, this application is for 60 homes in the north east corner of the allocation.
- 6.2.2 It is considered the principle of residential development on this site is acceptable given that it has been assessed as acceptable for housing through the adoption of the Part 2 Local Plan and is vital in providing the required number of homes to meet the Council's 5-year housing land supply.
- 6.2.3 Whilst it is acknowledged the previous scheme was refused on preventing development to the wider allocation due to the access arrangements from Sidings Lane and biodiversity, it is considered these matters have been addressed sufficiently that the principle of development is acceptable.

6.3 **Access and Highways**

- 6.3.1 The previous application was part refused on the access arrangements by stating the development, by virtue of the proposed access arrangements, would prejudice the future development of the wider site allocation and would jeopardise future housing delivery. The layout of the access road on Sidings Lane and site boundary

outside of plot 1 has been amended to ensure that should this scheme be built out before 20/00351/OUT, access to the southern part of the allocation would not be prevented due to the creation of a ransom strip.

6.3.2 The below diagrams show the proposed amended access arrangements under this scheme and previously refused access arrangements under 21/00555/FUL.



Proposed Highways Access Arrangement (Sidings Lane)



Previous Highways Access Arrangement (Sidings Lane) for 21/00555/FUL. Grey shaded area on road depicts area that would have prevented access to the wider allocation.

6.3.3 The proposed amendments to the access into the site and Coventry Lane are as follows:

Sidings Lane and access

- Widening of Sidings Lane to a minimum of 6.75m in width to accommodate a sufficient single point of access for the number of dwellings on site
- Pavement either side of Sidings, extending to 3m in width approaching junction to Coventry Lane for pedestrian/cycleway
- Refuge crossing in the centre of junction on Sidings Lane for safe pedestrian crossing

- Tactile paving at refuge crossing points and on junction crossing for pedestrians
- Existing access to Hulks Farm widened to 5.5m for the first 5m

Coventry Lane

- Improvements to junction corner radii to accommodate vehicle swept paths and reduce pedestrian crossing distances
- Replacement of existing traffic island on Coventry Lane south of Sidings Lane with a pedestrian crossing refuge and dropped kerbs with tactile paving each side
- Proposed speed limit reduction from 50mph to 40mph to the south (30mph retained to the north)
- Financial contribution towards bus service extension to be provided.

6.3.4 Discussions were undertaken throughout the determination of the previous application in regards to the requirement for a toucan crossing on Coventry Lane. It was concluded, with the agreement of the Highways Authority, that it would be unreasonable to this site to include this highway mitigation measure. The Highways Authority has not raised the requirement for a toucan crossing within this application.

6.3.5 Whilst it is acknowledged a toucan crossing will not be provided in conjunction with this development, the 20/00352/OUT application has committed to providing toucan crossing which would be sufficient to serve both sites west of Coventry Lane and the allocated site to the east of Coventry Lane under Policy 3.3 of the P2LP (2019).

6.3.6 Policy 3.4 refers to providing safe and pedestrian cycling routes including crossing points on surrounding roads linking to the redeveloped school, the development on the eastern side of Coventry Lane in Bramcote, the Field Farm development and the Erewash Valley Trail. The Transport Assessment submitted with the previous scheme stated the following: “...*the nearest bus stops and the majority of amenities within the desirable walking distances lie to the north and east of the site. In this respect, the pedestrian and cycling strategy includes a dropped kerb pedestrian crossing points with tactile paving and a pedestrian refuge at the mouth of the Coventry Lane/Sidings Lane junction. This will provide connectivity from the site to the existing shared footway along the western side of Coventry Lane. In addition, offsite improvements include upgrading the existing traffic island immediately south of Sidings Lane to become a pedestrian refuge island.*” It is considered this is still relevant in line with this application and is therefore considered to be sufficient in meeting this part of the policy.

6.3.7 The Transport Addendum states the following: *“the proposed improvements to existing pedestrian crossing facilities at the Coventry Lane/Sidings Lane junction are sufficient to meet the requirements of 60 dwellings at Hulks Farm. These improvements include a new central pedestrian refuge on Coventry Lane but do not in any way prejudice the future delivery of further improvements by the adjacent site developers.”* The Highways Authority has not raised any objection and have acknowledged the amendment to the access layout meaning either part of the allocation can be built out without prejudicing the other.

6.3.8 The proposed highway design measures are considered to be compliant with Policy 3.4 of the P2LP (2019).

6.3.9 Policy 3.4 refers to enhancing bus routes adjacent to or within the site. The developer has agreed to pay the £85,000.00 requested by the highway authority in order to provide improvements to local bus services to serve the site.

6.3.10 The Highway Authority raised specific concerns in relation to the following:

- The absence of a footway on the south side of the carriageway will encourage pedestrians to cross Sidings Lane within the mouth of its junction with Coventry Lane, the risks can be mitigated by continuing the footway towards the site access.
- The remote distances of the parking spaces from plot 53 will encourage on-street parking within the confines of a junction and an alternative design should be sought
- A continuous footpath was previously proposed fronting plot 33 and should be retained as it provides a safe route for blind/partially pedestrians to reach their destination

- Plots 10, 11, 17, 18, 19, 20, 24, 25 have no dedicated EV charging spaces which should be corrected
- The tracking exercise has been undertaken with an incorrect size refuse wagon. It should be repeated with an Olympus Elite 6 8x4MS.

6.3.11 The comments above were responded to and the layout amended where possible. A footpath was included on both sides of Sidings Lane to discourage pedestrians from crossing at the mouth of the junction. It was confirmed that the parking for plot 53 could not be relocated elsewhere and will remain as positioned. The footpath beside plot 33 has been extended; however, It has not been possible to extend the footpath around the south-eastern side of the pond due to the increase in footprint of the dwellings due to the changes in building regulation Part L. In any instance, the footpath around the south-eastern side is not considered to provide any benefit as it wouldn't serve any dwellings. EV chargers have been installed on all plots and the refuse tracking has been amended to incorporate the correct refuse wagon size.

6.3.12 The Highways Authority accepted the above amendments but commented that the parking for plot 53 was still not ideal but not would warrant an objection on this alone. A revised swept path analysis was requested again in respect of refuse wagon requiring an extra metre to account for the bin lift to the rear. This was contested by the agent and it was confirmed that the refuse vehicle could

manoeuvre the scheme appropriately that a retracking with a 1m offset isn't required.

6.3.13 To conclude, it is considered the proposed amendments to the site access and Coventry Lane are acceptable to facilitate the site's development for residential dwellings and do no prejudice the development of the wider allocation. Furthermore, the Highway Authority support the application subject to conditions.

6.4 Flood Risk and Drainage

6.4.1 The site is located within Flood Zone 1 which is land with a low probability (between 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted

with the application and the Environment Agency (EA) was consulted on the application. The EA raised no objection to the application subject to works stopping and a remediation strategy being submitted should contamination be found during works being undertaken. The Lead Local Flood Agency has also raised no objection to the application. Severn Trent Water have not raised any objection.

6.4.2 Paragraph 159 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere.

6.4.3 Boundary Brook is an ordinary watercourse and tributary of the River Erewash flowing in a westerly direction which is located 1200m south-west of the site. It has been identified that the site is at low risk of fluvial flooding.

6.4.4 Whilst there are some areas that may be prone to flooding which are shown on the map below, the majority of the site has been identified as being at 'very low risk' of surface water flooding. As there is a mix between some risk of flooding and low risk, the site has been identified overall as having a medium risk before being developed. However, following the implementation of a SuDS scheme, this risk has been reduced from medium to low once the site has been developed.

6.4.5 The risk of groundwater flooding post development has been identified as being low due to finished ground floor levels being set 300mm above existing ground levels.



6.4.6 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. A number of mitigation measures are recommended within the FRA which include floor levels being set no lower than 300mm above existing ground levels, a new foul sewer connection to connect to the existing foul

sewer on Sharnford Way and existing pond to be retained and a new flood attenuation pond to be created.

6.4.7 Severn Trent Water (STW) were consulted via the developer prior to the previous application and during the process of this application and have not raised any concerns regarding any potential for flooding or drainage capacity issues. A letter from STW commenting on the development has been provided with the FRA. Approval from STW will be required to connect to public sewers. STW have

advised that a gravity foul water sewer could be accommodated to connect to the Sharnford Way sewer but they would need to be advised on the details of a pumped connection. These details will be dealt with under a separate agreement with STW.

6.4.8 It is considered that flood risk and drainage matters have been adequately addressed and that the inclusion of conditions to ensure the works are carried out in accordance with the Flood Risk Assessment and Drainage Strategy. Furthermore, the Environment Agency, Lead Local Flood Agency and Severn Trent Water have not objected to the application.

6.5 Ecology

- 6.5.1 Policy 28 (Green Infrastructure Assets) and Policy 31 (Biodiversity Assets) of the P2LP seek to ensure no significant harm is caused to environmental assets, including protected habitats and species. Both policies share their main evidence base as the Council's Green Infrastructure Strategy. If significant harm is identified, then the P2LP policies require the benefits of the development, such as housing delivery, to clearly outweigh the harm.
- 6.5.2 The previous application was refused on biodiversity grounds by stating that the application did not adequately demonstrate the development would provide a net gain in biodiversity. A Biodiversity Impact Assessment, Ecological Appraisal, Bat Survey, Great Crested Newt Survey and an Ecological and Enhancements Plan and Biodiversity Metric Calculation Tool were submitted with the application.
- 6.5.3 Biodiversity net gain (BNG) is an approach to development that aims to leave the natural environment in a measurably better state than it was beforehand. Section 174 of the NPPF refers to minimising impacts on and providing net gains for biodiversity, including establishment of coherent ecological networks that are more resilient to current and future pressures. The measurable, minimum gain a development should demonstrate is a 10% increase on the difference between the pre-development and post development habitat. This can be secured on or off-site. This should be secured for a minimum of 30 years following approval of the scheme. In order to calculate biodiversity net gain, Natural England have published a tool, The Biodiversity Metric 3.1. As part of the application, The Biodiversity Metric 3.1 was incorporated into calculating the biodiversity net gain of the site. The findings of the calculations demonstrated the site would provide a 27% net gain off site to the north of the railway line which is above the 10% threshold and therefore demonstrates there is a sufficient net gain of biodiversity. This will be secured for a minimum of 30 years within the Section 106 Agreement.
- 6.5.4 The Nottinghamshire Wildlife Trust (NWT) were consulted as part of the application and raised the following points:
- Advise management of Great Crested Newt mitigation within a LEMP (Landscape Ecological Management Plan)
 - Clarification of whether Tree 7 (T7) will be lost and if it is, it should be assessed by a bat ecologist and soft felled
 - Barn owl box should be installed a safe distance from Coventry Lane
 - Advise on recommended grassland seed mixes
- 6.5.5 The agent confirmed that tree T7 was proposed for removal and provided a further aerial survey to confirm that no evidence of bats or the tree being used for roosting purposes was found. The Ecological Mitigation and Enhancements plan was updated to account for the barn owl box. It is considered that NWT's comments have been addressed accordingly.
- 6.5.6 The site within the red line plan does not directly adjoin any Local Nature Reserves (LNR). However, in regards to the wider allocation, a Local Nature Reserve (LNR) adjoins the site to the east (Stapleford Hill Woodland). Beyond this, to the south east of Stapleford Hill is Bramcote Hills Park Woodland LNR and to the west of Field Farm, Pit Lane Recreation Ground LNR. Together, these three LNRs form part of a secondary Green Infrastructure corridor extending from Erewash to

Wollaton Hall. Nottingham Canal LNR is located northwest of the site boundary but is not hydrologically linked to the proposed development. It is considered the site is a sufficient distance for there to be no direct or indirect impacts on these sites.

- 6.5.7 The red line plan is split into two parts. The red line plan encompassing land to the north of the railway track is proposed solely to accommodate Great Crested Newt mitigation and no built development will be included on this part of the site. The pond will not be connected to drainage infrastructure. All attenuation for the proposed development will be managed within the red line plan to the south of the railway line. The Section 106 will include a clause to ensure that no development, other than the newt pond, will be constructed north of the railway track within the red line plan.
- 6.5.8 It is considered the Ecological Appraisal satisfactorily assesses the impact the development could have on the site and surrounding area with suitable mitigation measures. NWT has raised minor concerns with the overall ecological impact of the site which are considered to have been satisfactorily addressed by the developer. Furthermore, they have not objected to the application or raised any concerns that the site does not achieve net biodiversity gain.
- 6.5.9 Policy 3.4 refers to providing enhanced Green Infrastructure corridors linking urban areas of Nottingham to the east with Bramcote and Stapleford Hills, Bramcote Park, Boundary Brook, Pit Lane Wildlife Site, Nottingham Canal and Erewash Valley Trail in the west. The site will link to existing and proposed pedestrian and cycle routes within the wider allocation, thus connecting to the wider area including Bramcote and Stapleford Hills, Bramcote Park and wider afield to Boundary Brook, Pit Lane Wildlife Site and Nottingham Canal and Erewash Valley Trail. This scheme is therefore considered policy compliant in this regard.
- 6.5.10 To conclude, the NWT has not raised an objection to the application and their concerns have been addressed satisfactorily with amendments to the application.

6.6 Amenity

- 6.6.1 The site is largely isolated from surrounding existing development and therefore it is considered there will not be an adverse impact on surrounding neighbours' amenity. The site will adjoin the 20/00352/OUT development to the south west. Whilst the reserved matters application has not yet been determined, it is considered from the information provided that there is an acceptable separation distance for neighbours abutting each of the sites boundaries.
- 6.6.2 As part of Policy 3.4 of the Part 2 Local Plan, it states that a buffer should be incorporated between the crematorium and Stapleford Hill to ensure the tranquil setting of the crematorium and that houses close to Stapleford Hill are not shaded for extended periods of time. As the allocated site has been split into two, this element relates to the top north eastern corner and is a significant distance from the crematorium. The 20/00352/OUT application and reserved matters application has and will address this part of the policy.

6.6.3 It is considered all the proposed house types provide an acceptable level of amenity, with adequate sized rooms, primary rooms having outward facing windows and access to private rear amenity space. Details in respect of the boundary treatments will be requested via condition.

6.6.4 Environmental Health have confirmed they raise no concerns or objections in respect of noise mitigation for future residents and agree with the methodology and conclusions of the noise report. They have requested that the mitigation measures recommended in respect of the site wide fenestration, passive fenestration ventilation and acoustic barriers and implemented in accordance with the details provided with the report.

6.6.5 To conclude, it is considered that the properties on site provide an acceptable amount of amenity provision for future occupiers, and the scheme would not adversely affect the amenity of other uses nearby.

6.7 Layout and Design

6.7.1 The site is relatively isolated from any existing residential development and there is no requirement to replicate nearby design styles. However, the proposed properties are considered to reflect a part traditional/contemporary approach with varying styles and designs with a varying pallet of materials (e.g. render and bricks) and are not dissimilar to development in the wider area. There will be a mixture of two to three storey dwellings, detached, semi-detached and terrace properties. The proposed corner plots are considered to address the street scene appropriately with dual facing elevations. Below shows an example of three street scene elevations to show the varying types of houses, materials and levels.



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE C-C @ 1:200

6.7.2 The layout of the scheme is considered to be acceptable and functional. At the entrance of the site, there are two dwellings with dual aspects to address the street

scene and act as a gateway feature, the properties varying in height, design and materials gives variation to the scheme and provides memorable focal points when navigating through the estate and there is an opportunity for soft landscaping to the front of properties and existing.

6.7.3 Public spaces will be identified by boundaries, materials and built form but will also be naturally overlooked by residents which will ensure natural surveillance. The existing pond and majority of the trees surrounding it will be retained but further details of boundary treatments and landscaping will be secured by condition.

6.7.4 To conclude, it is considered the layout is acceptable and appropriate for the site.

6.8 Landscaping

6.8.1 A comprehensive landscaping scheme has been proposed within the application and has been amended in line with some of the comments raised by the Landscape Officer.

6.8.2 The landscaping plan was updated to include additional planting along the spine road, increased density of shrub planting, meadow seeding to open areas and grass to front gardens.

6.8.3 Whilst the attenuation basins will form as open space which isn't ideal as being useable space, this concern was not raised with the previous application and was accepted. Furthermore, the site is considered to be relatively small to warrant further open spaces that would compromise the number of houses that can be built. In addition, the site is connected to areas of open space that can be utilised by future occupants.

6.8.4 The agent has declined to address comments on biodiversity by the Landscape Officer. It is considered this would not warrant refusal given that comments have been addressed to a satisfactory level from NWT. Further, there is no requirement to amend the size or the configuration of the newt pond. Furthermore, the Section 106 will secure 30 years of biodiversity net gain which is considered a positive aspect of the scheme.

6.8.5 To conclude, whilst not all comments of the Landscape Officer have been addressed, it is considered the landscaping plan proposed is acceptable for this sized scheme.

6.9 Financial Contributions

6.9.1 A residential development of this scale generates the need for financial contributions towards affordable housing, education, open space and integrated transport measures.

6.9.2 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), planning obligations can only be used if they are: 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.

- 6.9.3 Policy 15 of the Part 2 Local Plan requires 30% affordable housing on the newly allocated sites in Stapleford. The Council's Housing Strategy and Development Officer has requested that 12 houses are rented and six are shared ownership with a preference for shared ownership. The developer has confirmed a split of 12 affordable rent, 5 first home and 1 shared ownership. The Housing Strategy and Development Officer has raised no objection to this.
- 6.9.4 A total open space maintenance contribution of £90,127.80 as a commuted sum (£850.64 for provisions and £651.49 for maintenance per dwelling) would usually be required. However, as all open space on site is to be managed by way of a private management company, no open space contribution is required. The setup and running of the private management company will be dealt with through the Section 106 Agreement as this affords the Council more security and detail for the management of the public open space on the site.
- 6.9.5 A secondary education contribution of £262,540.00 (based on 10 places x £26,254) and a post 16 education contribution of £52,508.00 (based on 2 places x £26,254) has been requested to be used towards improving, remodelling, enhancing, or expanding facilities to provide additional permanent capacity within the Broxtowe South secondary planning area, to accommodate pupil growth from the development.
- 6.9.6 NHS Nottingham City Clinical Commissioning Group (CCG) has made a health contribution request for £32,512.50 for primary health care which has been agreed to be paid by the agent.
- 6.9.7 A transport contribution of £85,000.00 to provide improvements to local bus services to serve the site has been requested by Nottinghamshire County Council as Highway Authority and has been agreed to be paid by the agent.
- 6.9.8 The NHS Trust has requested a financial contribution of £63,000.00 to provide additional health care services to meet an increase of patient demand as a result of this development. The agent has declined to pay this contribution. As there is no requirement within Broxtowe's adopted planning policy to a contribution of this nature to be requested, it would not be justifiable to refuse this application based on this reason.
- 6.9.9 In conclusion on S106 matters, the proposed obligations are considered to meet the tests set out in the NPPF in terms of being necessary, directly related and fairly and reasonably related in scale and kind to the development.
- 6.9.10 The S106 heads of terms have been agreed and the S106 document is currently being drawn up and finalised with the Council's legal department.

7 Planning Balance

The benefits of the proposal are that it would provide 60 dwellings including affordable dwellings, short term jobs created from the construction of the development and financial contributions. In addition to this, the issues from the previous scheme in relation to the scheme not achieving a net biodiversity and the

access prejudicing the development of the wider allocation are considered to have been sufficiently addressed. Whilst it is accepted that there will be an increase in traffic in the area and some impact on surrounding neighbours' amenity, the site is largely isolated that it is considered this will not be detrimental to the wider community. On balance, the positives of the scheme are considered to significantly outweigh the negatives, and as such this scheme is recommended for approval.

8 Conclusion

8.1 To conclude, it is considered the proposed outline scheme has included enough preliminary information to determine that this allocated site is acceptable for housing and therefore is recommended for approval.

<p><u>Recommendation</u></p> <p>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990</p> <p>(ii) the following conditions:</p>	
<p>1.</p>	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 25 July 2022:</p> <ul style="list-style-type: none"> • Site Location Plan ref: M028-STN-XX-DR-M2-A-02 Rev A • Twin Garage ref: M028-STE-XX-DR-M2-A-G_01 Rev A • Single Garage ref: M028-STE-XX-DR-M2-A-G_02 Rev A • Arboricultural Method Statement page 'Tree Retention Plan' ref: 9864-T-02 Rev H <p>Received by the Local Planning Authority on 3 November 2022:</p> <ul style="list-style-type: none"> • Refuse Tracking Layout ref: 13 Rev C <p>Received by the Local Planning Authority on 14 November 2022:</p>

- Planning Layout with dimensions ref: M028-STN-XX-DR-M2-A-08 Rev C
- Planning Layout ref: M028-STN-XX-DR-M2-A-01 Rev AA
- Planning Layout (aerial) ref: M028-STN-XX-DR-M2-A-01 Rev AA
- Cross Sections ref: M028-STN-XX-DR-M2-A-05 Rev D
- Boundary Treatment Plan ref: M028-STN-XX-DR-M2-A-06 Rev G
- Access Track Details ref: M028-STN-XX-DR-M2-A-07 Rev D

Received by the Local Planning Authority on 15 November 2022:

- Street Scenes ref: M028-STN-XX-DR-M2-A-04 Rev G

Received by the Local Planning Authority on 16 November 2022:

- Planting Plan 09864-FPCR-XX-XX-DR-L-0001 rev P09

Received by the Local Planning Authority on 18 November 2022

- Broughton-M028-STN-BRO-DET-AS-PLUS-DR-A-01
- Coniston-M028-STN-CON-DET_AS-PLUS-DR-A-01
- Coniston-Weaver-Semi-M028-STN-CONWEA-SEMI-AS-PLUS-DR-A-01
- Coniston-Weaver-SEMI-M028-STN-CONWEA-SEMI-AS-PLUS-DR-A-02
- Darwell-M028-STN-DAR-semi-AS-REN-DR-A-01
- Darwell-M028-STN-DAR-semi-AS-REN-DR-A_02
- Harland-M028-STN-HAR-semi-AS-PLUS-DR-A-01
- Harland-M028-STN-HAR-semi-AS-PLUS-DR-A-03
- Harland-M028-STN-HAR-Ter-AS-PLUS-DR-A-02
- Harland-M028-STN-HAR-Ter-AS-PLUS-DR-A-04
- Kentmere-M028-STN-KEN-Semi-AS-Plus-DR-A-01
- Kentmere-M028-STN-KEN-Semi-AS-Plus-DR-A-02
- Killington-M028-STN-KIL-DET-AS-STA-DR-A-01
- Leadmill-M028-STN-LEA-APA-AS-PLUS-DR-A-01
- Leadmill M028-STN-LEA-APA-AS-PLUS-DR-A-02
- Oldbury M028-STN-OLD-DET-AS-REN-DR-A-01
- Roundhill M028-STN-ROU-SEMI-AS-PLUS-DR-A-01 Rev A
- Roundhill M028-STN-ROU-SEMI-AS-PLUS-DR-A-02 Rev A
- Sherbourne-M028-STN-SHE-DET-AS-PLUS-DR-A-01
- Sherbourne-M028-STN-SHE-DET-AS-Ren-DR-A-01
- Stanford-M028-STN-STA-END-AS-STA-DR-A-01
- Stanford-M028-STN-STA-END-AS-STA-DR-A-02
- Thirlmere-M028-STN-THI-DET-AS-REN-DR-A-01
- Thirlmere-M028-STN-THI-DET-AS-STA-DR-A-01
- Weaver – M028-STN-WEA-DET-AS-PLUS-DR-A-01
- Weaver – M028-STN-WEA-DET-AS-REN-DR-A-01
- Whitewater M028-STN-WHI-DET-AS-PLUS-DR-A-01

	<p>Received by the Local Planning Authority on 22 November 2022:</p> <ul style="list-style-type: none"> • Materials Plan ref: M028-STN-XX-DR-M2-A-03 Rev L <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>No development shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:</p> <ul style="list-style-type: none"> (a) site access for construction vehicles (b) the parking of vehicles of site operatives and visitors (c) loading and unloading of plant and materials (d) storage of plant and materials used in constructing the development (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate (f) wheel washing facilities (g) measures to control the emission of dust and dirt during construction (h) agreed construction hours (i) communication strategy for recording, investigation and dealing with complaints with a suitable point of contact <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>No development shall commence until remedial stabilisation works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance</p> <p>Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigation measures necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary</i></p>

	<p><i>to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>5.</p>	<p>No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:</p> <ul style="list-style-type: none"> a) pipes over 200mm in diameter capped off at night to prevent animals entering b) netting and cutting tools not to be left in the works area where they might entangle or injure animals c) No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal d) construction lighting proposals <p>The development shall be constructed in accordance with the agreed CEMP.</p> <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
<p>6.</p>	<p>No development shall commence until evidence has been provided to demonstrate that an application to reduce the speed limit along Coventry Lane to 40mph has been made.</p> <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences in the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<ul style="list-style-type: none"> a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems. b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-

	<p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution and in accordance with the aims of Policies 1 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>8.</p>	<p>Development shall not commence until a Construction Methodology Statement has been submitted to and approved in writing by the Local Planning Authority. The construction methodology statement shall evidence consultation with Network Rail. The development shall be carried out in strict accordance with the approved construction methodology statement unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>9.</p>	<p>Development shall not commence until details of a suitable trespass proof fence adjacent to Network Rail’s boundary have been submitted to and agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>10.</p>	<p>No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <p>a) All necessary remedial measures stated within condition 8 have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>b) A verification report based on the information provided in accordance with condition 8 has been submitted and agreed in writing by the Local Planning Authority that demonstrates that the necessary remedial measures have been implemented in</p>

	<p>full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: In the interest of public health and safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
11.	<p>No buildings pursuant to this permission shall be first occupied until:</p> <ul style="list-style-type: none"> • the off-site highway works as shown for indicative purposes on drawing S278 104 Rev B, S278 103 Rev B, S278 102 Rev B, S278 101 Rev B, S278 100 Rev E have been provided and; • respective driveways are drained 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 <p><i>Reason: In the interests of highway safety, and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
12.	<p>Prior to the occupation of the first dwelling hereby approved, the ecological mitigation and enhancements shown on drawing 9864-E-09 received by the Local Planning Authority on 11 November 2022 shall be completed in full.</p> <p><i>Reason: In the interests of residential amenity and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
13.	<p>Prior to the occupation of the first dwelling hereby approved, details of site boundary treatments, curtilage boundary treatments, seating and bin stores have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details.</p> <p><i>Reason: In the interests of residential amenity, railway safety and the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
14.	<p>Prior to the occupation of the first dwelling hereby approved, details of any external lighting should be submitted to and approved in writing by the Local Planning Authority. The development should be built in accordance with the approved details.</p>

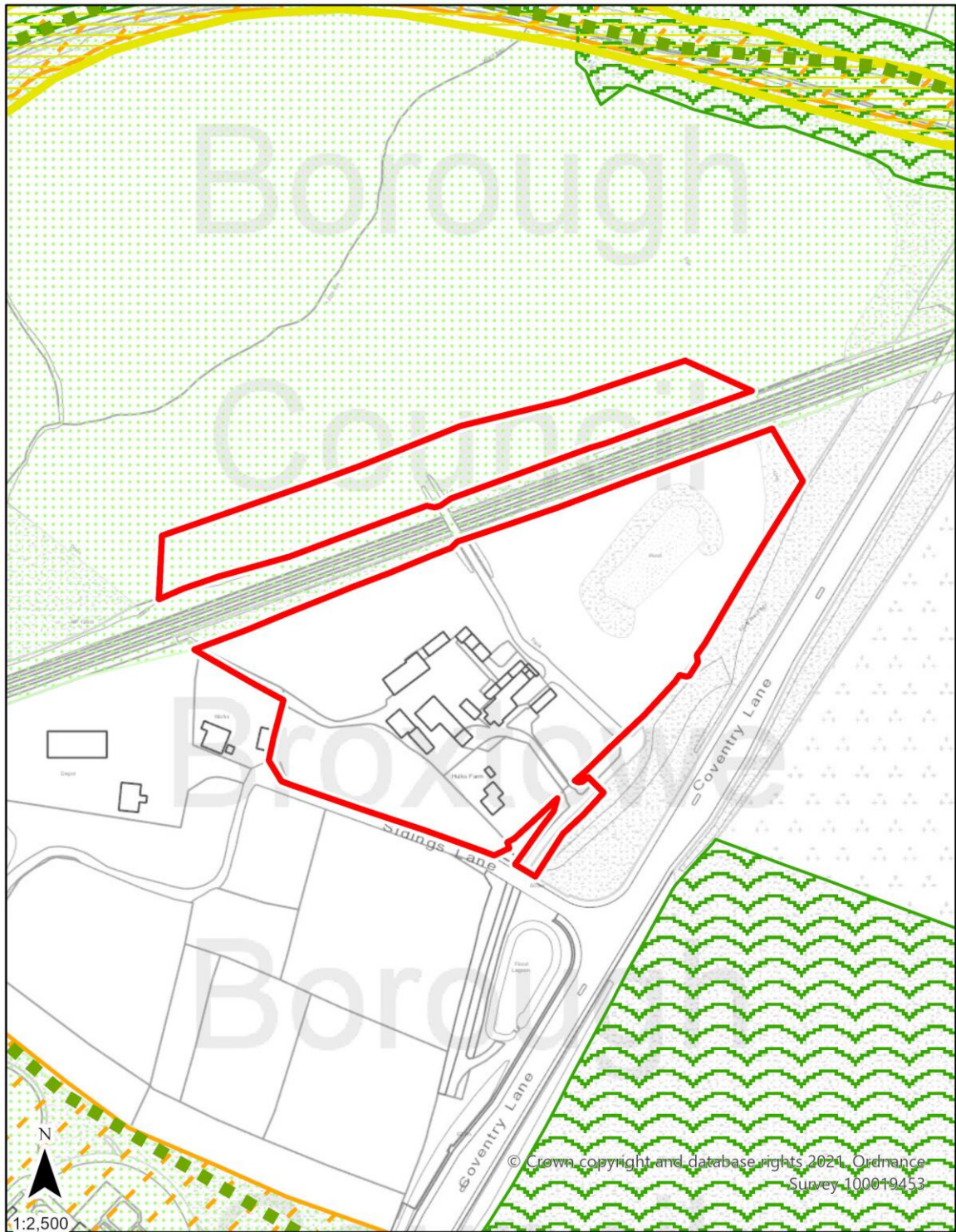
	<p><i>Reason: To safeguard the operations of the railway and in accordance with the aims and in accordance with the aims of Policies 17 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<p>Prior to the occupation of the first dwelling hereby approved, the mitigation measures in respect of fenestration on pages 19-22 of the Noise Risk Assessment & Acoustic Design Statement dated 8 July 2022 received by the Local Planning Authority on 23 August 2022 shall be completed in full.</p> <p><i>Reason: In the interests of residential amenity and in accordance with the aims of Policies 17 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
16.	<p>The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy dated July 2022 received by the Local Planning Authority on 25 July 2022.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
17.	<p>The development hereby permitted shall be carried out in accordance with the 'Tree Protection Measures' in Section 7.0 of the Arboricultural Assessment Rev F by FPCR dated July 2022.</p> <p><i>Reason: In the interests of ecology and in accordance with the aims of the NPPF, Policies 17 & 31 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 & 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
18.	<p>If any trees or plants within the approved landscaping scheme, die or are removed or have become seriously damaged or diseased, within a period of 5 years, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: In the interests of ecology and in accordance with the aims of the NPPF, Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>

19.	<p>If no development has commenced within 12 months of the date of this planning permission, no development shall take place until a badger survey has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with any recommendations contained within the updated survey.</p> <p><i>Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
20.	<p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.</p> <p><i>Reason: To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
21.	<p>No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted without the consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.</p> <p><i>Reason: To protect groundwater from contamination and in accordance with the aims of Policies 1 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.</p>

3.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
4.	Burning of commercial waste is a prosecutable offence. All waste should be removed by an appropriately licensed carrier.
5.	In order to carry out off-site works, you 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 you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. The applicant is advised to contact the County Council Highways team for details on hdc.south@nottscc.gov.uk
6.	The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
7.	The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the developer by Via East Midlands at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.
8.	Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9.	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 buildings.
10.	The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email: assetprotectionline@networkrail.co.uk
11.	All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

12.	<p>Excavated materials that are recovered via a treatment operation can be re-used on-site under the Development Industry Code of Practice. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. You should refer to the Environment Agency’s Position statement on the Definition of Waste: Development Industry Code of Practice and https://www.gov.uk/government/organisations/environmentagency</p>
13.	<p>Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority’s website at: https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</p>
14.	<p>Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:</p> <ul style="list-style-type: none"> • Duty of Care Regulations 1991 • Hazardous Waste (England and Wales) Regulations 2005 • Environmental Permitting (England and Wales) Regulations 2010 <p>The Waste (England and Wales) Regulations 2011</p>
15.	<p>As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>

Map



Legend

-  Site Outline
-  Green Infrastructure Corridor
-  Local Nature Reserves
-  Local Wildlife Site
-  Open Spaces
-  Green Belt

Photos



View towards north west of site



Existing access drive into site



Existing farm and residential buildings



View towards north east of site

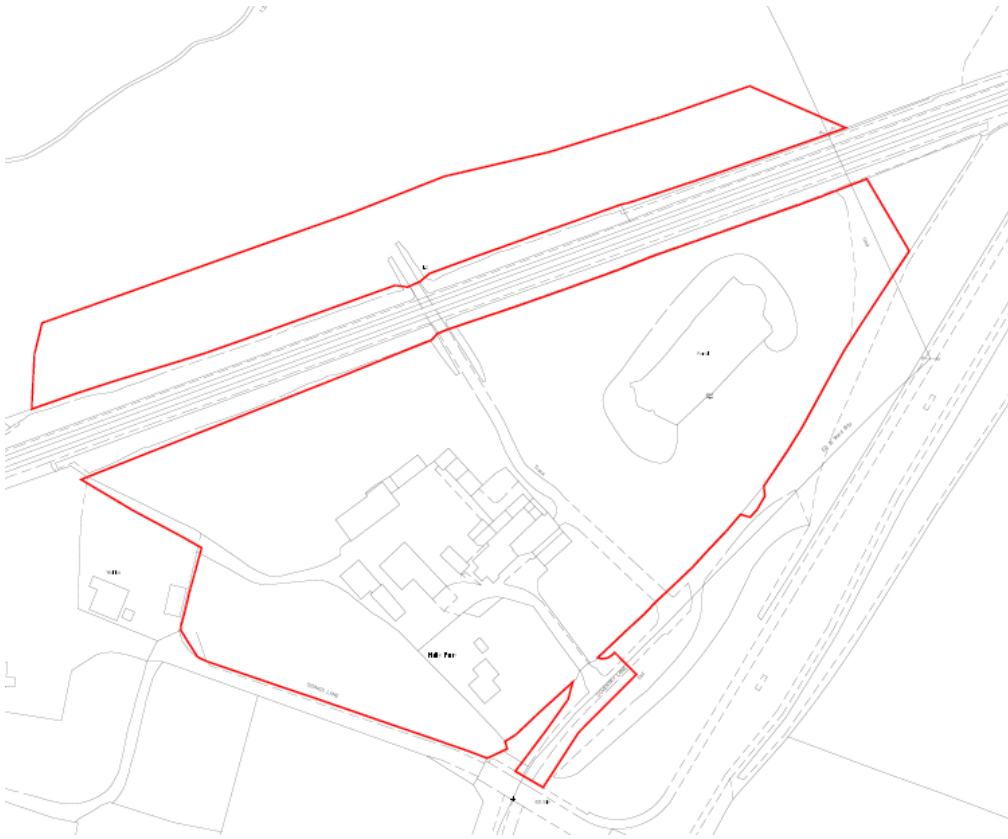


Existing gate to railway line



Existing pond with surrounding trees

Plans (not to scale)

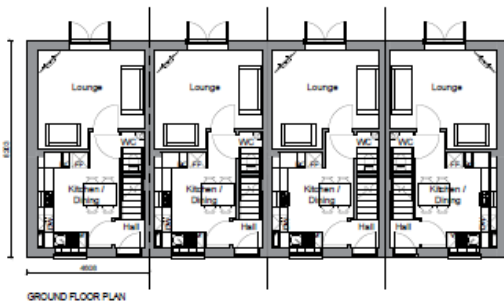
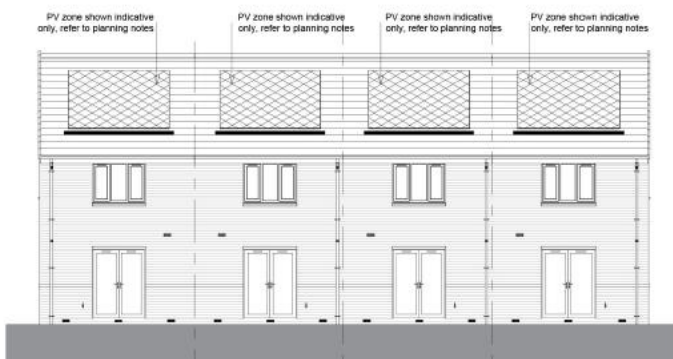
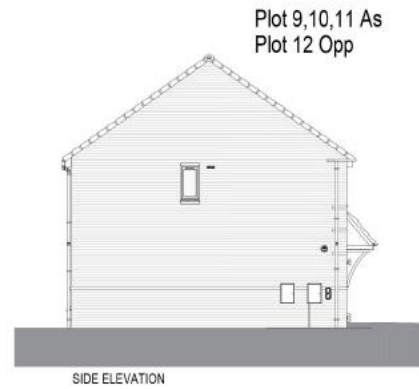


Site Location Plan



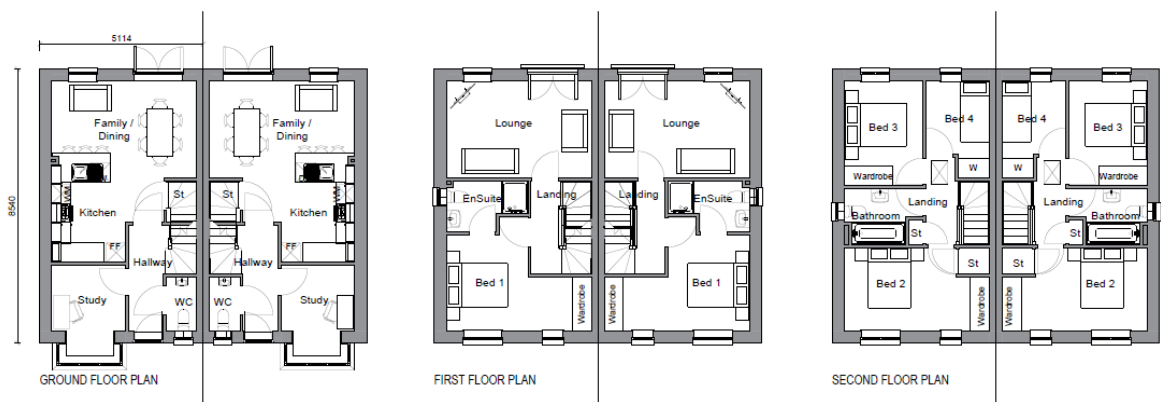
Layout plan

Plans (not to scale)



Harland House Type

Plans (not to scale)



Roundhill House Type

Report of the Chief Executive

APPLICATION NUMBER:	20/00826/FUL
LOCATION:	Land at end of Braemar Avenue, Eastwood, Nottinghamshire
PROPOSAL:	Construct 240 Dwellings including Estate Roads, Public Open Space and Drainage

1.1 Purpose of Report

This application is brought to the Committee upon the request of Councillor M Handley and Councillor M Radulovic MBE.

1.2 Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix and to the signing of a Section 106 (S106) Agreement.

1.3 Detail

- 1.3.1 This is a Major Planning Application seeking full planning permission to construct 240 dwellings with associated infrastructure including estate roads, public open space and drainage. The proposed dwellings comprise a mix of single storey and two storey buildings varying from two to four bedrooms. It is proposed that 24 dwellings will be provided as affordable housing, comprising 12 social rented properties and 12 shared ownership, as advised by the Council's Housing Officer.
- 1.3.2 The proposed point of access to the site is located via land between numbers 157 and 159 Chewton Street, with the demolition of a carport serving number 159. The site is currently accessed on foot from Halls Lane, a public bridleway which runs along the eastern boundary of the site. Public Rights of Way are proposed through the development site linking the bridleway to the existing public right of way leading to Commons Close and beyond.
- 1.3.3 The application as originally submitted proposed the provision of a total of 251 dwellings. Following the submission of amended plans the total number has been reduced down to 240, including the provision of eight single storey dwellings located within the northern section of the site backing onto existing single storey dwellings located on Commons Close.
- 1.3.4 The main issues relate to whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity, whether there would be any detrimental impact on highway safety, contamination of the land, flood risk and the impact on local wildlife/biodiversity.
- 1.3.5 The benefits of the proposal are that the residential development would see the development of a site within a sustainable urban location outside of the Nottinghamshire Green Belt. The proposed dwellings are not considered to be

harmful to the character of the surrounding area, will not have an unacceptable significant impact on neighbouring amenity or highway safety and contamination can be mitigated against through the implementation of conditions. Financial contributions in respect of improved bus services, monies to Eastwood Library, Health Centre and existing Public Open Space improvements will benefit the wider community of Eastwood along with the provision of a total of 24 Affordable dwellings on the site.

1.3.6 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix and to the signing of a S106 Agreement.

1.4 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.

1.5 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.

1.6 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.

1.7 Background Papers

- Design and Access Statement;
- Planning Statement;
- Statement of Community Involvement;
- Economic Benefits Report;
- Economic Impact Assessment;
- Health Impact Assessment;
- Building for Life Assessment;
- Air Quality Assessment;
- Acoustic Assessment;
- Tree Survey;
- Arboricultural Impact Assessment;
- Energy Statement;
- Transport Assessment;
- Travel Plan;
- Flood Risk Assessment;
- Ecology Report;
- Ground Investigation Reports;
- Coal Mining Risk Assessment.

APPENDIX

2. Details of the Application

2.1 This application seeks full planning permission to construct 240 dwellings with associated infrastructure including estate roads, public open space and drainage. The proposed dwellings comprise a mix of single storey and two storey buildings varying from two to four bedrooms. It is proposed that 24 dwellings will be provided as affordable housing, comprising 12 social rented properties and 12 shared ownership. The breakdown of residential units is as follows:

- 8 x 2 Bed Semi-detached/detached bungalow;
- 40 x 2 Bed Semi-detached houses;
- 86 x 3 Bed Semi-detached houses;
- 70 x 3 Bed Detached houses;
- 34 x 4 Bed Detached houses.

2.2 The proposed point of access to the site is located via land between numbers 157 and 159 Chewton Street, with the demolition of a carport serving number 159. The site is currently accessed on foot from Halls Lane, a public bridleway which runs along the eastern boundary of the site. Public Rights of Way are proposed through the development site linking the bridleway to the existing public right of way leading to Commons Close and beyond.

3. Site and Surroundings

3.1 The site has a total area of 22.98 Acres, with a net developable site area of 17.22 Acres and Public Open Space equating to an area of 3.18 Acres. The land is classed as greenfield land having not been previously developed. The fields are bordered to the south and west by the former landfill site. The site is largely grassland with a hedgerow running across the site from east to west. There is also a hedge running the length of the bridleway on the eastern boundary of the site. The whole site slopes gradually from the north to the south with residential development to the north, in the main being on a higher level, whilst the immediately adjacent properties on Braemar Avenue to the west are situated at a lower level than the site.

3.2 The eastern boundary of the site is marked by a bridleway which connects to two footpaths which run across the site, joining Commons Close to the north. On the other side of the bridleway there is a residential development. The residential properties to the north of the site on Commons Close are bungalows, whilst dwellings on Wyvern Close and Chewton Street are two-storey houses. The two residential properties which abut the site on Braemar Avenue are bungalows.

4. Relevant Planning History

4.1 In 2005 planning permission was granted for ground investigation works to determine ground and groundwater conditions adjacent to and within the former landfill site.

4.2 In 2006 a planning application for 314 dwellings with associated infrastructure, open space provision and the construction of a bentonite wall was submitted. This was subsequently withdrawn in September 2006 following a number of concerns regarding the impact on existing properties, the proposed highway layout, position of the proposed public open space, insufficient information with regard to the Bentonite wall and the impact on the SINC.

4.3 In 2007 a planning application for 317 dwellings with associated infrastructure, public open space and site access from Chewton Street and Halls Lane was refused due to concerns over the future management and maintenance of the mitigation measures proposed in respect of migrating gases from the former landfill site and the public safety concerns that this raised.

5. Relevant Policies and Guidance

5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

5.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A – Presumption in favour of sustainable development
- Policy 1 – Climate change
- Policy 2 – The spatial strategy
- Policy 8 – Housing mix and choice
- Policy 10 – Design and enhancing local identity
- Policy 14 – Managing travel demand
- Policy 18 – Infrastructure
- Policy 19 – Developer Contributions

5.2 **Part 2 Local Plan 2019**

5.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 15 – Housing size, mix and choice
- Policy 17 – Place-making, design and amenity
- Policy 19 - Pollution, Hazardous Substances and Ground Conditions
- Policy 20 - Air Quality
- Policy 21 - Unstable Land
- Policy 24 – The Health and Wellbeing Impacts of Development
- Policy 26 – Travel Plans
- Policy 31 – Biodiversity Assets
- Policy 32 – Developer Contributions

5.3 National Planning Policy Framework (NPPF) 2021:

5.3.1 The National Planning Policy Framework (NPPF) 2021, outlines a presumption in favour of sustainable development, that planning should be plan-led, decisions should be approached in a positive and creative way and high quality design should be sought.

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

6. Consultations

6.1 Nottinghamshire County Council Highways

6.1.1 First Consultation

The application site is an open field that sits between Chewton Street to the north, the A610 to the south, Braemar Avenue to the west, and Halls Lane to the east. It does not feature as an allocated site for residential use within Broxtowe Borough Council's Part 2 Local Plan, but was previously refused permission by the LPA under reference 07/00468/FUL for non-highway reasons. Whilst the former submission was for 314 dwellings served from two points of access, the current proposal now has a reduced quantum of development for 251 dwellings with a single point of access.

Drawing P101 revision G shows that vehicular access into the site will be from a 6.75m wide carriageway between no.'s 157 and 159 Chewton Street. Footways on both sides will measure 2m in width. The access has been formed by absorbing the driveway and garage/car-port associated to 159 Chewton Street, yet it would appear no formal provision has been made to accommodate the displaced vehicles. Further details to clarify where this parking will take place should be submitted for assessment.

Visibility splays at the access measure 2.4m x 43m in both directions which is commensurate to vehicle speeds of 30mph. The junction radii have a rather abrupt alignment to the carriageway and so a smoother kerbline will need to be provided to avoid vehicles clipping them as they pass. Tracking should be submitted to show that vehicles do not encroach into the oncoming lane of traffic when turning into the site.

Bus Stop BR0017 will need to be relocated to form the access. It is understood that my public transport colleagues have requested a condition to this effect.

Drawing P101 revision G shows a kink in the carriageway fronting plots 5 and 19. Drivers will be slowing down on the approach to the turning head and so the alteration to the alignment is not required, particularly as drivers will simply cut

across the centre line through the bend. The geometry should be amended accordingly.

The parking associated to plots 8, 9, 11, 40, 41 and 47 will require vehicles to be driven along the footway when taking access/egress which is a safety issue. An alternative arrangement should be sought here.

Drivers tend to park in close proximity of the main entry point to a dwelling for ease of access and to maintain an element of security if the vehicle is visible from the property. The front door to plots 3 & 249 are located within the confines of a junction which all site users need to negotiate to reach their destination. Any parking in this location will force drivers into the path of oncoming traffic thereby increasing the likelihood of conflicts. Amendments to the layout are required to show how this situation will be resolved.

The speed table fronting plots 231 – 239 is too much like a shared surface and by virtue of its length provides very little incentive for drivers to curb their speed. Such features should only reside at key junctions over a short length, supported by ancillary measures where necessary. A proliferation of this type of traffic calming has made it difficult to establish what is actually being proposed and so further details are required to clarify how vehicle speeds will be curbed to 20mph.

The private drive serving plots 29 - 33 scales at 4.5m wide when it should measure 4.8m wide. It would make sense to re-orientate the refuse collection point so that it is perpendicular to the footway to reduce the likelihood of bins being stored on the highway on collection days.

There are two cul-de-sacs fronting plots 47 and 50 that could be continued through to form a loop. Not only would this promote pedestrian connectivity, but it would also provide an alternative route for drivers to continue their journey should the main thoroughfare become compromised. As the site is served from a single point of access, the number of turning heads should be kept to a minimum and loops created where possible. The layout should be amended accordingly.

Swept path analysis has been undertaken with an edited version of an Olympus refuse wagon. The correct specification should be applied to the wheelbase to avoid skewing its turning ability. Furthermore, it should be demonstrated that a refuse wagon and car can pass simultaneously around all bends. Further details should be provided for assessment.

Private drives serving plots 139 – 142, and 124 – 128 should be fronted by domestic crossings and not radii kerbs.

There are two public footpaths that run through the site which currently have a linear route. It would be beneficial to annotate their full extent on the new layout to determine whether any alterations are required to the legal alignment.

Table 7.1 of the Transport Assessment (TA) predicts the development will generate 136 and 117 trips in the AM and PM peaks respectively. The Highway Authority's own interrogation of the TRICS database has not produced the same results but

they are not significantly different to those put forward in the document (133 and 125 for the same period).

Development traffic has then been distributed around the network in accordance with 2011 Census data. Background traffic flows were surveyed during the CV-19 pandemic but have then been growthed to reflect pre-pandemic levels which is acceptable.

The following junctions were modelled:

Site access / Chewton Street – The modelling identified no capacity issue in the 2025 with development scenario.

Newthorpe Common / Chewton Street - The modelling identified no capacity issue in the 2025 with development scenario.

Chewton Street / Nottingham Road - The modelling identified no capacity issue in the 2025 with development scenario.

Newthorpe Common / Nottingham Road - The modelling identified no capacity issue in the 2025 with development scenario.

Nottingham Road / Giltbrook Crescent / Smithurst Road – The Nottingham Road South arm is shown to operate at 86.5% capacity in the PM peak, with anticipated queue lengths of 24 vehicles (2025 base scenario). The proposed development increases the level of saturation to 90.2% with 28 queuing vehicles in the 2025 base + development scenario.

Giltbrook Interchange - The proposed trip rates and likely distribution are such that the development is unlikely to generate significant volumes of additional traffic through the gyratory. Google journey planner has also identified the quickest way to Nuthall Island from the site access is to join the A610 from either Newmanleys Road or Gilt Hill. Routing along Nottingham Road and through the Interchange takes the most time. On this basis, it has not been included within the model.

6.1.2 **Second Consultation**

The indicative layout shows the site will be accessed from the same position as that originally proposed i.e. between 157 and 159 Chewton Street. The arrangement here has been achieved by absorbing the parking associated to no.159 which is now located within its respective curtilage but requires a change to its layout so that drivers can enter/exit perpendicular to the carriageway. It is also noted this area of land is not contained within the red line boundary which should be amended accordingly.

The junction radii onto Chewton Street appear quite tight, but no details have been provided to demonstrate how two-way flows can be accommodated without vehicles clipping the kerb. Track templates showing a refuse wagon passing a car should be submitted for assessment. The junction also needs to tie into Chewton Street more gradually to avoid an abrupt deviation to the kerb line.

We would expect a single driveway to measure 3.0m wide, with an additional 0.3m for each side that is bound. These dimensions have not been satisfied in a number of locations which will mean the future occupiers may find it difficult to carry their bins

from the rear to the front of their property whilst the spaces are fully occupied. This scenario is exacerbated in those locations where refuse bins need to be taken through their corresponding garage to reach the highway threshold. Justification as to why proposed dimensions are acceptable should be provided.

All driveways/parking spaces should measure no less than 5.5m in length, and where garages are present must be fitted with a roller shutter door. A minimum driveway length of 6.1m is required for garages with an “up and over” door. Tandem style parking requires an additional 5m length to accommodate the second vehicle. There are many locations where these dimensions have not been achieved and require correcting. It would be helpful if the dimensions were annotated on a plan.

The position of house numbers 243 and 244 will restrict visibility splays of 2.0 x 25m for drivers exiting plots 243 and 242. They should therefore be nudged back outside the splay, and a general landscaping condition applied to prevent future planting/structures above 0.6m high within the splay. The same principle also applies at plots 65, 171 and 172.

Forward visibility splays of 25m should be annotated on all bends to determine whether any additional land is required for safety/adoption purposes. Swept path analysis should also be provided to determine whether there is sufficient room for a refuse wagon and car to pass without bumping up the kerb.

The private drive serving plots 184 to 186 effectively creates a second access within the mouth of a new junction. It is not clear which driver has priority and so there is a risk of collisions when drivers enter the driveway whilst other traffic exit the junction. It may be possible to resolve this situation by moving the houses towards the public footpath and relocating the access further into the cul-de-sac.

All shared private drives should measure 4.8m wide for the first 8m behind the highway boundary. This has not been achieved at the following plots: 29 – 31, 46 – 50, 182 – 183, 184 – 186, 209 – 210, 239 – 241,

The turning heads that front the private drives serving plots 120 – 131 have no highway function. A domestic crossing arrangement should be provided to retain continuity for pedestrians on their desire line.

The proposal shows a series of traffic calming features in the form of a shared surface. Although footways have been delineated, they will sit at the same height as carriageway where they can be easily overrun by vehicles. Whilst these features may be acceptable over short distances as entry treatments to junctions, the absence of a kerbed footway is such that a Quality Audit must be prepared to justify that the design ensures accessibility for vulnerable road users is not prejudiced to the detriment of highway safety. Alternatively, those shared surfaces forming cul-de-sacs should be omitted from the proposal with alternative measures put in place to curb vehicle speeds to 20mph.

The parking associated to plot 314 parking too remote from the entry point into the dwelling which will encourage on-street parking along the spine road. It must be repositioned to prevent such practice.

Plot 153 is a 4 bedroomed house with 2 parking spaces, when we would expect it to generate a demand for a third space. Any displacement to the highway will take place

on a bend, and force drivers into the lane of oncoming traffic with restricted forward visibility. A third space should be provided within the curtilage.

The indicative site layout shows mature trees in close proximity of access point where their presence may reduce visibility for drivers exiting. All trees should be planted outside of the splays (2.0m x 25m) to maintain safety.

There is scope within the site to promote healthy and safe communities by providing a 3m wide link for pedestrians and cyclists towards 29 and 31 Braemar Avenue. The same provision should be made by widening the proposed path fronting plot 99 so that cyclists can reach the public bridleway.

It would appear the existing public footpaths will remain on their original alignment at 2m wide. Confirmation of their surfacing details are sought for consideration.

6.1.3 **Third Consultation**

It would be our preference for the junction radii on Chewton Street to be feathered in more gradually, however, this can be resolved through the S.38 process.

The off-street parking arrangement to 159 Chewton Street should be positioned closer towards the plot to maximise the distance from the junction. It doesn't need the "in-plot" turning facility, but drivers must be able to enter/exit perpendicular to the carriageway. A boundary treatment should be provided on the north side of the access towards Chewton Street to prevent drivers cutting across the bell-mouth when entering the driveway.

Visibility for drivers exiting plot 242 will be obstructed by vehicles stationed on the driveway of plot 243. We would therefore want this property to be served from the adjacent shared driveway.

It would make sense to extend the traffic calming feature fronting plot 220 across the shared driveway to plots 41 – 45. Further details should be provided for consideration.

The alignment of the carriageway between plots 51 and 173 appears to chicane which could impact of the ability of a refuse wagon being able to progress along its route. It should therefore be tracked around the bends with an element of on-street parking to determine how journeys will be completed.

The junction between plots 196 and 186 has a tight radius on the west side, with the opposite encroaching into the desire line of drivers on the spine road. The layout here will increase the likelihood of vehicles overring the footway which is a safety issue. Standard radii should be provided on both sides, although it may be necessary to rotate the alignment of the cul-de-sac to achieve this. Further details should be provided for assessment.

A bin store should be provided at the shared driveway to plots 33 – 38. A Management Company must be secured by S.106 prior to planning permission being granted to maintain the driveway which accommodates more than 5 dwellings. Such provision will however place a financial burden on the future occupiers to purchase public liability insurance, and to contribute fees towards subsequent maintenance programmes.

Properties served by the private drive must have appropriate legal covenants to prevent any future action by residents against the Highway Authority. The indemnity should normally be a legal covenant placed on the properties to prevent petitioning. The Highway Authority must approve the wording of the covenant. Street nameplates should also be erected to reinforce the private nature of the drive.

The materials used to surface the public footpath does not appear to have been provided. Further details should be provided for confirmation.

6.1.4 **Fourth Consultation**

Following on from previous consultations and responses, all issues have now been dealt with. The “Indicative Site Layout” drawing shows the ramped table adjacent to plots 186 and 196 has now been removed which is acceptable. The same drawing also annotates a hedge fronting plots 230 and 240 which if left to grow may restrict the view of oncoming traffic. The hedge must therefore be removed. There are no highway objections subject to conditions.

6.2 **Nottinghamshire County Council Rights of Way** – No objections.

6.3 **Nottinghamshire Wildlife Trust** – No objections subject to conditions relating to Reasonable Avoidance Measures (RAMs) and the submission of a Landscape and Ecological Management Plan (LEMP).

6.4 **The Coal Authority** – No objections subject to conditions.

6.5 **Council’s Waste Collection** – Provide general advice regarding bin storage requirements.

6.6 **Environmental Health** – I write with reference to the revised information submitted for the above application following my comments and discussions with Hydrorock. The following have been revised and re-submitted:

- Hydrorock Consultants Ltd., *Remediation Statement and Verification Plan*, ref 14266-HYD-XX-XX-RP-GE-1002, dated 10th June 2022
- Hydrorock Consultants Ltd., *Desk Study Review and Ground Investigation Report*, ref 14266-HYD-XX-XX-RP-GE-1001-S2-P05, dated 10th June 2022

These revisions to the documents have taken into account previous comments as such I would recommend we look to remove permitted development rights from properties, to ensure that any future development is safe and suitable for use. A condition is recommended in respect of no building to be erected pursuant to this permission shall be occupied or brought into use until all necessary remedial measures have been completed in accordance with details approved (Hydrorock Consultants Ltd, Remediation Statement and Verification Plan) and it has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full.

6.7 **Greasley Parish Council** – Object to the application on the grounds of:

- There are already currently 4 developments going ahead in the immediate vicinity of this application, which will result in an additional 231 new dwellings. This will put additional pressure on the existing, already busy highways and local facilities.
- We and local residents have concerns that this development is in close proximity to the former landfill site known locally as “Matkins Tip” and any potential disturbance of the land adjacent to this, could result in increased emissions of the already identified hazardous substances from the landfill site.
- We therefore seek assurances that should any development of this land go ahead all necessary mitigating measures will be put in place to prevent any harm to local residents and the environment.
- The proposal is to develop the site with additional dwellings and it seems that there will only be a single entrance and exit onto Chewton Street. Chewton Street is an already busy road particularly in the morning and evenings having the Florence Nightingale Academy (formerly Brookhill Leys Primary School) close by and any additional development of this site will only add to the congestion in the area.

6.8 **Councillor Margaret Handley** as Ward Councillor objects to the application on the grounds of Health and Safety through the development of a former landfill site, loss of green open space and increased traffic issues in the area.

6.9 **Environment Agency** – No objections subject to various conditions.

6.10 **Natural England** – Refers to Standing advice.

6.11 **The Coal Authority**

6.11.1 **First Consultation**

Objected to the application in the absence of a Coal Mining Risk Assessment.

6.11.2 **Second Consultation**

We are pleased to see that the submission is now supported by a Coal Mining Risk Assessment, dated 16th September 2021 and prepared by Hydrock. This report has been informed by an appropriate range of sources of information.

In respect of surface mining activity the report authors conclude that there is no evidence that extractive activities have taken place within the site. In regard to the potential for unrecorded shallow coal workings the report authors conclude that the coal seams encountered during the site investigations were found to be intact, with no evidence of voids or shallow workings.

In respect of both of these recorded features the report authors conclude that no further measures are necessary. In respect of the recorded mine entry noted as being close to the site boundary the report authors state that it should be searched

for in order to establish if it lies without the application site. They state that if found to be in the site the mine entry will need to be treated and capped and subject to an appropriate development layout stand –off. Reference is also made to a further potential unrecorded mine entry but this appears to be off-site and close to the recorded feature. The presence of any unrecorded mine entries within this part of the site will therefore be established by the site investigations proposed. We note that no built development is proposed in the corner of the site where the mine entry is reported.

The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

Mine Gas. It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

The Coal Authority raise no objections subject to conditions.

- 6.12 **Nottinghamshire Police Designing Out Crime** - Since the proposed development is currently green field there is no specific crime detail available for

the location. As a result it is necessary to use crime data from across the whole of the appropriate Police Safer Neighbourhood Area to identify likely risk at this location. Crime statistics indicate that the development will be situated in a lower crime area however Nottinghamshire Police encourage all developers to minimise the potential for all forms of crime and in specifically acquisitive crime which can be designed out at the planning stage of any new developments.

It is recognised that the developers specify in the Design and Access statement that they intend building to the principles of Secured by Design. However, the application makes no reference to the proposed external property lighting for the properties and their curtilage vehicle parking. In addition, it is unclear why post and wire fencing is proposed for rear boundary divisions when Secured by Design recommends a provision of 1.8m high fencing between neighbouring properties. This can consist of 1.5m solid fencing with a 300mm trellis topping. Nottinghamshire Police are opposed to the post and wire boundary divisions and seek further clarity on the proposed in curtilage property lighting schemes

- 6.13 **Nottinghamshire County Council** – Request contributions via a S106 Agreement for education, bus stop improvements and library provisions.
- 6.14 **Nottinghamshire County Council Local Lead Flood Risk Authority** – Raise no objections subject to a condition relating to the submission of a detailed surface water drainage scheme.
- 6.15 **The Councils Tree Officer** - It appears that the majority of the trees and hedge lines on the site are to remain, there are no tree protection order (TPO) trees on site and it is not within a Conservation Area, so I have no objections to the proposal
- 6.16 **The Councils Housing Officer** - Advises the greatest demand in Eastwood is for one bedroom properties as can be seen from the demand on our waiting list and data provided in the Social and Affordable Housing Needs Study in 2018. However, there is need for all property sizes. As one bedroom properties are not being provided the Council would seek a mixture of two bedroom, three bedroom and four bedroom properties. This was agreed at 10% (50/50 split 12 Rented and 12 Shared Ownership. 10% Affordable Housing would be required with a 50/50 split of 12 Rented and 12 Shared Ownership.
- 6.17 **NHS Nottingham and Nottinghamshire CCG:** Advise no S106 contributions are required due to the overall number of dwellings.
- 6.18 **Written representations** – Four site notices were originally posted, a press noticed published and a total of 141 neighbouring properties were consulted and over 400 responses were received, with 1 letter of support and the remainder raising objections. The grounds of objection are summarised as follows:
- Loss of greenfield land;
 - Loss of views;
 - Loss of wildlife;
 - Impacts on local facilities such as schools, doctors, dentists;
 - Highway safety;
 - Traffic generation;

- Increased traffic along Chewton Street;
- Over development of the area;
- Land previously being a landfill site containing toxic waste;
- Impact on public health from methane etc;
- Ground gas exposure risk leading to unacceptable levels of air pollution;
- Loss of privacy;
- Overlooking;
- Loss of daylight/sunlight;
- Sense of enclosure;
- Noise/dust during construction;
- Excessive Housing density and volume;
- Proposal being contrary to both Local and National Planning Policies.

6.19 A further 500 plus responses were received following re-consultations on amended plans all objecting on the same grounds as mentioned above.

7. Assessment

7.1 Principle

7.1.1 The main issues relating to this application are the principle of development, design and the impact upon visual amenity of the area, residential amenity and highway safety, the ability to safely develop the site and ensure that there would be no future risk to public safety, flood risk, loss of wildlife and impact on biodiversity. These are discussed in turn as follows:

7.2 Principle

7.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.

7.2.2 The site has previously been an allocated housing site within the Broxtowe Local Plan (2004). However, due to the lack of any certainty about its delivery, given that it had been allocated for the preceding 15 years without coming forward for development, this allocation was not carried forward to the Part 2 Local Plan.

7.2.3 The site is greenfield land in that it has not been previously developed and is located within the housing market of Eastwood in a sustainable location outside of the Nottinghamshire Green Belt. The site is within an urban location on the edge of the town of Eastwood, with many facilities within walking distance of the site. The principle of development of the site for residential purposes is considered acceptable, subject to the consideration of other material planning considerations.

7.3 Design and Visual Amenity

- 7.3.1 Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy states design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. Policy 17 of the Part 2 Local Plan states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 7.3.2 The housing stock in Eastwood is generally mixed in character with the older housing stock largely being a mix of terraced, semi-detached and detached and newer developments consisting of semi-detached and detached properties. Along Chewton Street there is a mix of two storey terraced, semi-detached and detached. The residential properties to the north of the site on Commons Close are bungalows, whilst dwellings on Wyvern Close are two-storey houses. The two residential properties which abut the site on Braemar Avenue are bungalows, with there also being a mix of house types further along Braemar Avenue. To the south east there is also a relatively new housing development located off Smithurst Road and to the west there are new residential developments located to the side of the A610 Bye Pass located off Newmanleys Road.
- 7.3.3 Access into the site is via a one single point of access through land between numbers 157 and 159 Chewton Street. The access point will lead to the loss of a linear section of land to the side of number 159 which is currently overgrown and a carport serving the dwelling. A clearly defined road network within the site will make the site easily accessible by car, bike and foot with an internal loop road providing the primary circulation around the site with a variety of smaller cul-de-sacs providing pedestrian friendly streets. Existing footpath links through the site will be retained linking the site up to the wider area. A variety of public open spaces are located within the site.
- 7.3.4 The application was originally submitted proposing the provision of a total of 251 dwellings. Following on from the original plans submitted, a design review by Design Midlands was carried out by a multidisciplinary Design Review Panel. The report included a variety of recommendations to improve the original layout of the proposed residential development to allow for better movement around the site, improved public open space provision and cycle/footpath connections and to allow for views through the site over the adjacent fields beyond to the south west and towards Bennerley Viaduct and further afield.
- 7.3.5 Following on from the Design Review amended plans were submitted reducing the number of dwellings from 251 to 244. Further amendments have also since been made to include the provision of 8 single storey dwellings adjacent the northern boundary of the site backing onto the single storey dwellings located on Commons Close, reducing the total number of dwellings to 240.
- 7.3.6 The proposed dwellings comprise a mix of single storey and two storey buildings varying from two to four bedrooms, with various plots benefitting from either integral, attached or detached garages. The development will include a variety of different house types of individual design which add to the individual appearance

of the internal layout of the development. The revised layout still provides one single point of access between numbers 157 and 159 which leads to a road into the site which splits to the east and west. The small section of road to the west will consist of a variety of differing house types fronting onto the highway, with gardens backing onto existing properties on Chewton Street and onto the open space to the rear. A variety of landscaping in the form of small shrubs and trees are proposed to help integrate the development into the local area.

7.3.7 Leading to the east the road continues into the site again with dwellings fronting onto the main road. Various sections of open areas are proposed with driveways to the front of dwellings with the dwellings fronting onto small open spaces, again with a variety of shrubs and trees proposed to be planted. Moving further into the site there are roads situated off the main access road into the site which provide a loop road around the site. From this point the siting of the dwellings will be integrated into and take account of the sloping nature of the land from north to south. A balancing pond is also proposed in the lower levels of the site adjacent the footpath to the east.

7.3.8 In terms of existing hedgerows within the site and along the south east boundary adjacent Halls Lane Public Right of Way these are to be retained. To complement the existing hedgerows, additional landscaping is proposed and this is indicated in detail on the submitted Landscape Plans. The proposed public open space within the site will be managed by the developers and this will be secured through a maintenance company via a S106 Agreement.

7.3.9 To conclude, the variety in appearance of the house types throughout the development along with the open spaces and proposed landscaping will create an interesting and pleasant environment. Whilst it is acknowledged that the character of the site will change from that of a field to one of built development, this will not be at odds with the residential character of the area. The proposal is not considered to have any significant detrimental impact upon the visual amenity of the area and is in accordance with policy 10 of the Aligned Core Strategy and policy 17 of the Part 2 Local Plan.

7.4 Residential Amenity

7.4.1 Objections have been received from neighbouring properties in respect of loss of views, loss of privacy, overlooking, loss of daylight/sunlight, sense of enclosure and noise/dust during the construction period.

7.4.2 The main access road into the site will be situated between existing dwellings fronting Chewton Street numbers 157 – 159. To the rear of numbers 159 – 171 a variety of different two storey house types are proposed. These properties are served by large rear gardens, with a variety of different boundary treatments along the rear boundary with the application site and are set at a higher level. Plot 7 is sited fronting onto the access road into the site and side facing to numbers 159 and 161 Chewton Street. Plots 4 – 8 provide back to back gardens with a separation distances in excess of 25m with numbers 163 – 169 Chewton Street. Plot 9 is also positioned side facing to the rear of number 171 Chewton Street, which again is served by a large linear garden.

- 7.4.3 To the end of the adjoining road to the north west of Braemar Avenue, there are two single storey dwellings numbers 29 and 31. It should be noted that there are no windows on the side facing elevation of these two properties. To the side of number 31 a two storey detached dwelling is proposed (plot 12). To the side of number 29, three two storey dwellings are proposed (plots 9 – 11). These plots will be side by side gardens in excess of 10m. A 1.8m high timber fence is proposed to be erected to the rear of these plots.
- 7.4.4 Further into the site there are existing dwellings located on Wyvern Close which consists of two storey dwellings either backing onto the side or side facing. A variety of two storey detached and semi-detached dwellings are proposed to the rear of these properties with either back to back gardens or rear facing the side elevations of existing dwellings. The plots will be served by rear gardens in excess of 10m, with separation distances in excess of 20m where gardens are back to back. Again a 1.8m high timber fence is proposed along the rear boundary of these plots.
- 7.4.5 As a general rule it is usually considered that gardens serving new dwellings should have a minimum depth of 10m, not only because of the desire to create an adequate separation distance between neighbouring properties, but also to ensure that there is an acceptable amount of usable amenity space.
- 7.4.6 Beyond Wyvern Close there are existing single storey dwellings backing onto the site located on Commons Close. These properties are set slightly higher than the application site and are served by a mix of long linear gardens to the beginning of Commons Close which gradually reduce in length when travelling along the road. Along the rear boundaries of these properties there are various boundary treatments and the properties have been extending over the years to the sides/rear.
- 7.4.7 Plots 214 – 216 are two storey in nature and back onto numbers 43 and 45 Commons Close. These two properties are set at an angle to the proposed plots and there is a separation distance in excess of 20m. Plots 209 – 213 are single storey in nature and are served by rear gardens in excess of 10m. Between plots 208 – 209 there is an area of public open space proposed with a footpath link leading through the centre of the open space connecting with the existing footpath. Further beyond the area of open space a variety of two storey dwellings are proposed backing onto properties located on Commons Close, with the exception of plots 190, 202 and 203 which are single storey, however, these are served by long linear gardens, set away from the boundary with separation distances in excess of 21m from the existing properties located on Commons Close.
- 7.4.8 The remainder of the site will be set within the confines of the overall residential development away from any other residential boundaries. General plot sizes are in excess of 10m and provide adequate separation distances were the plots are sited back to back. The submitted boundary treatment indicates the provision of a 900mm high post and wire fence between plots, with a 1.8m high timber fence along rear boundaries and open boundaries with public open space etc.
- 7.4.9 A condition is recommended restricting the hours of operation on the site to protect the amenity of occupiers of surrounding residential properties.

7.4.10 Whilst the character of the site will change from that of an open field to one of built development, this will not be at odds with the residential character of the area. In view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.

7.5 Highway Safety

7.5.1 The application site is an open field that sits between Chewton Street to the north, the A610 to the south, Braemar Avenue to the west, and Halls Lane to the east. It does not feature as an allocated site for residential use within Broxtowe Borough Council's Part 2 Local Plan 2019, but was previously refused permission under reference 07/00468/FUL for non-highway reasons. Whilst the former submission was for 314 dwellings served from two points of access, the current proposal now has a reduced quantum of development for 240 dwellings with a single point of access.

7.5.2 The proposed point of access to the site is located via land between numbers 157 and 159 Chewton Street, with the demolition of a carport serving number 159. An existing bus stop will require to be re positioned at the developer's expense. It has been advised by the applicant that other access points have been considered and investigated by the applicant, however this single point of access into the site off Chewton Street is the only available access point due to land ownership blocking any other access into the site.

7.5.3 Table 7.1 of the Transport Assessment (TA) predicts the development will generate 136 and 117 trips in the AM and PM peaks respectively. The Highway Authority's own interrogation of the TRICS database has not produced the same results but they are not significantly different to those put forward in the document (133 and 125 for the same period).

7.5.4 Development traffic has then been distributed around the network in accordance with 2011 Census data. Background traffic flows were surveyed during the CV-19 pandemic but have then been grown to reflect pre-pandemic levels which is acceptable. The following junctions were modelled:

- Site access / Chewton Street – The modelling identified no capacity issue in the 2025 with development scenario.
- Newthorpe Common / Chewton Street - The modelling identified no capacity issue in the 2025 with development scenario.
- Chewton Street / Nottingham Road - The modelling identified no capacity issue in the 2025 with development scenario.
- Newthorpe Common / Nottingham Road - The modelling identified no capacity issue in the 2025 with development scenario.
- Nottingham Road / Giltbrook Crescent / Smithurst Road – The Nottingham Road South arm is shown to operate at 86.5% capacity in the PM peak, with anticipated queue lengths of 24 vehicles (2025 base scenario). The

proposed development increases the level of saturation to 90.2% with 28 queuing vehicles in the 2025 base + development scenario.

- Giltbrook Interchange - The proposed trip rates and likely distribution are such that the development is unlikely to generate significant volumes of additional traffic through the gyratory. Google journey planner has also identified the quickest way to Nuthall Island from the site access is to join the A610 from either Newmanleys Road or Gilt Hill. Routing along Nottingham Road and through the Interchange takes the most time.

7.5.5 During the processing of the planning application various revisions to the layout have been requested by The Highway Authority and these have in turn been submitted to overcome concerns regarding the layout of the development. The Highway Authority have no objections to the proposal subject to various conditions.

7.5.6 It is considered that the proposal is of an acceptable design, provides adequate off street parking provision per plot and there will be no significant detrimental impacts upon the surrounding highway network. There are no highway safety issues relating to this proposal.

7.6 Developer Contributions

7.6.1 The application constitutes a major scheme and Policy 19 from the Aligned Core Strategies requires that a planning obligation is sought from the developer. In line with the NPPF any planning obligation should meet the tests of being necessary in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

7.6.2 Full open space contributions of £360,511.20 have been requested for the provision of capital and maintenance contributions to fund improvements to Coronation Park.

7.6.3 Nottinghamshire County Council have requested contributions of £3,950.00 towards bus stop improvements, £180,000 towards bus service support and £8,457 towards Eastwood Library. A further request of £977,652 has also been requested towards secondary education provision, £183,778 towards Post 16 education provision and £90,322 towards Special Education Needs and Disabilities (SEND) in the Broxtowe North Planning Area.

7.6.4 Nottingham and Nottinghamshire NHS Clinical Commissioning Group (CCG) have requested £136,010.62 to invest in Newthorpe Medical Practice, Eastwood Primary Care Centre and Church Walk Surgery.

7.6.5 In accordance with policy 15 - Housing size, mix and choice of the Part 2 Local Plan 2019, a total of 24 dwellings on the site are required to be affordable (50/50

split 12 Rented and 12 Shared Ownership). This will be secured with a suitably worded clause within the Section 106 for the dwellings to be secured on site.

- 7.6.6 In terms of the above financial contributions, the applicant has not disputed the contributions through the submitted of a Viability Statement and has agreed to pay to the required financial contributions through the signing of a S106 Agreement along with the provision of the 24 Affordable Housing Units.

7.7 Landscape and Biodiversity

- 7.7.1 Policy 31 of Part 2 Local Plan 2019 states that all development proposals should seek to deliver a net gain in biodiversity and geodiversity and contribute to the Borough's ecological network. Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation or geological value, together with species that are protected or under threat. Support will be given to the enhancement and increase in the number of sites and habitats of nature conservation value, and in particular to meeting objectives and targets identified in the Nottinghamshire Biodiversity Action Plan. It continues to state that in all cases permission will not be granted for development that results in any significant harm or loss to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm.
- 7.7.2 No statutory or non-statutory protected areas will be adversely affected by the proposals. Whilst the application site immediately abuts the Eastwood By-Pass Dismantled Railway Local Wildlife Site (LWS) this is not readily accessible by members of the public as it comprises woodland on a very steep slope. Furthermore, a new species-rich hedgerow shall be planted on the edge of the site completely separating it from the LWS, providing a further buffer and an additional habitat link. Indeed, proposals to create a SuDS basin close to the LWS, and to surround this basin on three sides with native hedgerow, will provide a natural extension to the LWS. The SuDS basin itself shall be seeded with a wildflower meadow mix for wetlands, with the banks supporting a tussocky grassland mix, to maximise its ecological value, and areas of open space will also be seeded with a wildflower meadow mix.
- 7.7.3 In addition to this, proposals involve the planting of 985 metres of new species-rich hedgerow, and whilst some of the existing hedgerow habitat shall be lost, there will be a net gain of circa 100 metres of hedgerow overall, with the new hedgerow being more species-rich and better-connected than that which is due to be lost.
- 7.7.4 Provision will also be made within the housing stock for nesting birds and roosting bats; 10% of the properties (25 in total) shall be constructed within integrated bird boxes built into them, whilst an additional 10% (25 units) shall receive integrated bat boxes. Roosting bats and cavity nesting birds, such as swift, are therefore likely to benefit substantially from the proposals.
- 7.7.5 Detailed landscaping plans have been submitted with the application indicating detailed landscaping throughout the layout of the development. Nottinghamshire Wildlife Trust raise no objections subject to conditions relating to Reasonable Avoidance Measures (RAMs) and the submission of a Landscape and Ecological Management Plan (LEMP).

7.7.6 It is considered there will not be any impact on the ecology of the site and the surrounding area and given the conditions regarding biodiversity net gain the proposal complies with the NPPF and appropriate policies.

7.8 Contamination

7.8.1 Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Part 2 Local Plan 2019 states that Permission will not be granted for development which would result in an unacceptable level of pollution, or is likely to result in unacceptable exposure to sources of pollution or risks to safety. The condition also states that development of land potentially affected by contamination will not be permitted unless a site investigation has been carried out to assess the nature and degree of contamination, using a method agreed in writing with the Council, and details of effective and sustainable remedial measures required to deal with any contamination has been agreed in writing with the Council, taking into account actual or intended uses.

7.8.2 The application site is located adjacent to an historic landfill site that is known to be producing gas due to decomposition of waste. At present there is a gas management regime in place that monitors the gas being produced and this is the responsibility of the land owner. The integrity of this regime is regulated by Nottinghamshire County Council via a previous Section 106 Agreement.

7.8.3 Monitoring the tipped area has previously revealed the presence of landfill gas. Landfill gas primarily consists of methane and carbon dioxide, which has the potential to cause harm to human health under specific circumstances. Landfill gas can migrate to land surrounding its source through the ground, and therefore this issue should be considered and where necessary mitigated if adjacent land is developed. The development site is adjacent land where landfill gas is potentially migrating and as such there is a duty on the land owner/developer to ensure that the site is suitable for its proposed end use.

7.8.4 During the processing of the planning application, the submitted Desk Study Review and Ground Investigation Report and Remediation Statement and Verification Plan submitted by Hydrorock Consultants Ltd have been updated to include further testing/information regarding the site upon the request of the Council's Environmental Health Officer. To mitigate against the risk posed by the development of the site for residential purposes, the following are proposed:

- **Repair of the sewer** - Excavate and disposal of the affected soils and subsequent confirmatory soil sampling and testing.
- **Ground Gas** - Mitigation required by the construction of a passively ventilated subfloor void and installation of suitable gas resistant membrane to all buildings (inc. detached garages). To be installed by trained installer, validated and verified.
- **Further Assessment** – once final site levels are established further assessment may be required around the areas where coal measures are near surface.

7.8.5 In view of the above, the Council's Environmental Health Officer raises no objections to the application but recommends conditions to remove permitted

development rights from the dwellings for extensions etc to ensure that any future development is safe and suitable for use. A further condition is also recommended requiring no building to be occupied or brought into use until all necessary remedial measures have been completed in accordance with details approved (Hydrorock Consultants Ltd., Remediation Statement and Verification Plan); and it has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified. Furthermore, in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once this 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 then be undertaken in accordance with the requirements above, 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.

7.9 Flood Risk

7.9.1 Concerns have been raised in respect of the existing drainage system within the area being insufficient to take on the additional 240 dwellings. The application site is not located within a flood zone and it is proposed that both surface water and sewage would be connected to existing services, which would require separate permission from Severn Trent Water. Furthermore, this matter would be adequately dealt with under Building Regulations. A surface water attenuation pond is also proposed to bottom section of the site, for which Nottinghamshire County Council have raised no objections subject to a condition requesting the submission of a surface drainage water drainage strategy to be submitted.

8 Planning Balance

8.1 On balance this scheme would enable the provision of a residential development of 240 dwellings to be constructed on an existing greenfield site in a sustainable location close to the town centre and amenities of Eastwood. The scheme complements the existing built form of the area, without impinging on amenity of those residents currently bordering the site. There are no significant constraints to developing this site that cannot be addressed by conditions, and on balance therefore, it is considered the scheme is acceptable.

9 Conclusion

9.1 Having regard to all material considerations, the proposed development is required to assist in meeting the borough's overall housing requirement. As the site is located in the main built-up area of Eastwood, this carries significant weight as the location is sustainable. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix and to the signing of a S106 Agreement.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with:</p> <ul style="list-style-type: none"> • Site Location Plan 1: 100 – EA-A-P001-A received by the Local Planning Authority on 24 November 2022. • 201 Dwelling Type – 201/1G; • 405 Dwelling Type – 405/1E; • 250 Dwelling Type – 250/1B; • 301 Dwelling Type – 301/1H; • 303 Dwelling Type – 303/1E; • 314 Dwelling Type – 314/1; • 315 Dwelling Type – 315/1A; • 337 Dwelling Type – 337/1; • 339 Dwelling Type – 339/1; • 401 Dwelling Type – 401/1G; • 403 Dwelling Type – 403/1J; • Detached Single Garage – SD1700; • Detached Double Garage – SD1701 received by the Local Planning Authority 01 March 2021. • 254 House Type – 21-254-U-0001-CO3 received by Local Planning Authority on 21 July 2022. • Proposed Street Scenes – 0767-EA-A-P502E; • Proposed Site Sections – 0767-EA-A-P501E; • Elevation Treatment Plan – 0767-EA-A-P105D; • Proposed Boundary Treatments – 0767-EA-A-P104W; • Proposed Site Colour Layout – 0767-EA-A-G001F; • Proposed Site Layout 1 of 3 - 0767-EA-A-P101T; • Proposed Site Layout 2 of 3 - 0767-EA-A-P102T; • Proposed Site Layout 3 of 3 - 0767-EA-A-P103T received by the Local Planning Authority on 19 October 2022. • Detailed Landscape Proposal 1 of 5 – 3677/4G;

	<ul style="list-style-type: none"> • Detailed Landscape Proposal 2 of 5 – 3677/5G; • Detailed Landscape Proposal 3 of 5 – 3677/6G; • Detailed Landscape Proposal 4 of 5 – 3677/7G; • Detailed Landscape Proposal 5 of 5 – 3677/8G received by the Local Planning Authority on 07 November 2022. <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>No building operations shall be carried out until details of the manufacturer, type and colour of the materials to be used have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>No demolition or construction hereby approved shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ol style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials; e) a scheme for the recycling/disposal of waste resulting from demolition/construction works; and f) details of dust and noise suppression to be used during demolition and construction; g) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; h) wheel washing facilities. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect nearby residents from excessive disturbance and loss of amenity, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i></p>
<p>5.</p>	<p>No construction, demolition or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p>

	<p><i>Reason: To protect nearby occupants from excessive construction and demolition noise and vibration, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i></p>
<p>6.</p>	<ul style="list-style-type: none"> • No building to be erected pursuant to this permission shall be occupied or brought into use until:- <ul style="list-style-type: none"> (i) All necessary remedial measures have been completed in accordance with details approved (Hydrorock Consultants Ltd., Remediation Statement and Verification Plan); and (ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified. • In the event that contamination is found at any time when carrying out the approved development that was not previously identified 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. <p>An assessment must be undertaken in accordance with the requirements above, 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.</p> <p><i>Reason: In the interest of public health and safety, in accordance with Policy 19 of the Part 2 Local Plan 2019.</i></p>
<p>7.</p>	<p>No development shall commence until;</p> <ul style="list-style-type: none"> a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and; b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. <p><i>Reason: In the interest of public health and safety and in accordance with Policy 19 of the Part 2 Local Plan 2019.</i></p>

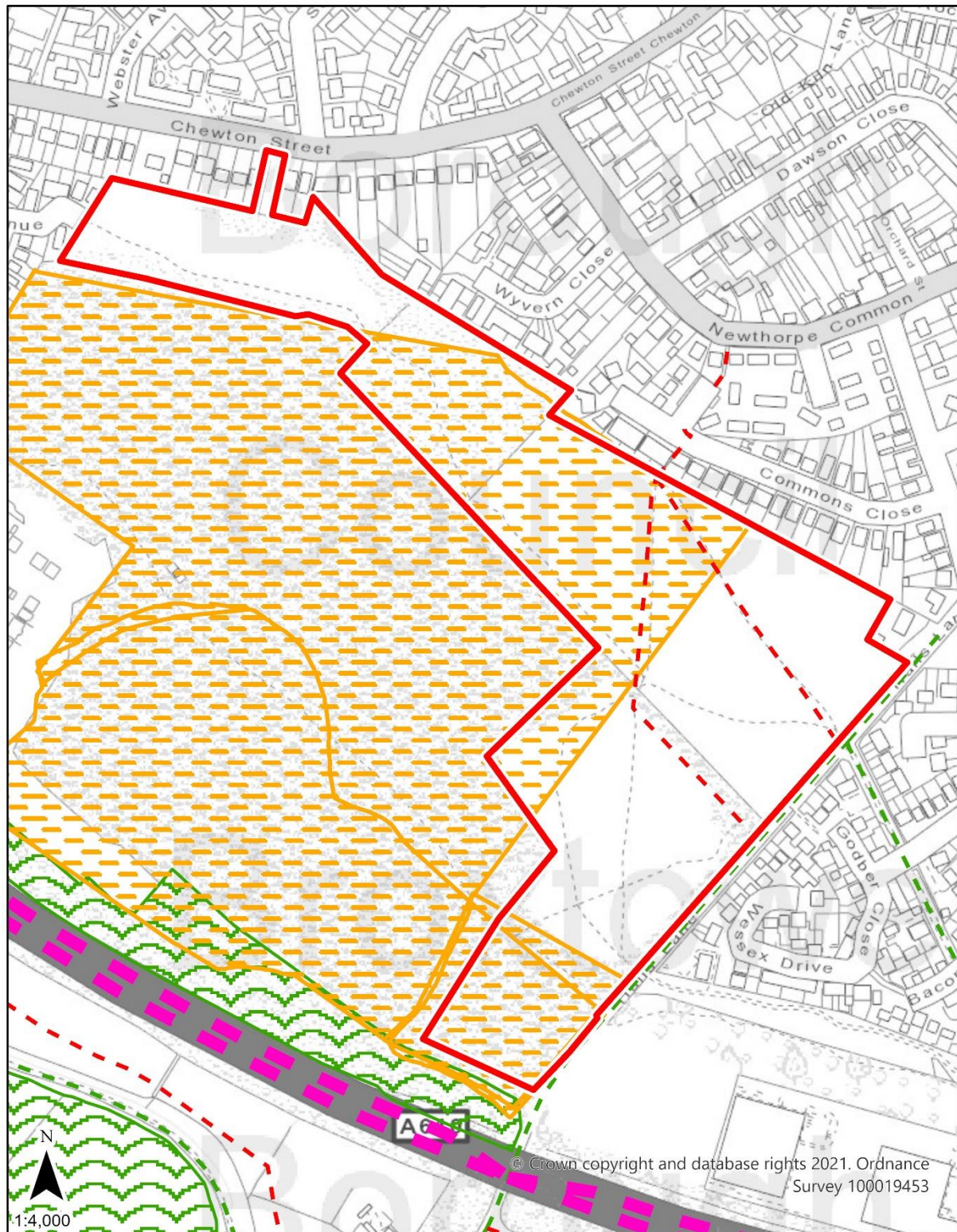
<p>8.</p>	<p>Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: In the interest of public health and safety and in accordance with Policy 19 of the Part 2 Local Plan 2019.</i></p>
<p>9.</p>	<p>No planting/obstructions to visibility above 0.6m in height shall be provided within 1 metre behind the highway threshold fronting plots 230 and 240.</p> <p><i>Reason: To maximise the view of oncoming traffic, in the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>10.</p>	<p>No part of the development hereby permitted shall take place until bus-stop BR0017 has been relocated in accordance with details first submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To satisfactorily maintain public transport services, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>11.</p>	<p>Occupation of the proposed dwellings shall not take place until their respective driveway/parking areas have been provided and 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/parking areas 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.</p> <p><i>Reason: In the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>12.</p>	<p>Occupation of the proposed dwellings shall not take place until the site access as shown for indicative purposes on drawing 19/300/SKH/001 Revision A has been provided.</p>

	<p><i>Reason: To ensure a satisfactory means of access, in the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>13.</p>	<p>The buildings shall be constructed in accordance with the mitigation measures within section 6 of the Spectrum Acoustic Consultants ref DP600/20368/Rev dated 17/11/20.</p> <p><i>Reason: To protect future occupiers from excessive environmental noise, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i></p>
<p>14.</p>	<p>a) No removal of hedgerows, trees, or scrub shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period.</p> <p>b) No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect mammals including badger and hedgehog, from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:</p> <ol style="list-style-type: none"> 1) creation of sloping escape ramps (mammal ladders) for badgers (and other mammals potentially using the site), which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; 2) open pipework greater than 150 mm outside diameter being blanked (capped) off at the end of each working day; 3) Keeping all fuel and other harmful substances in a locked area; 4) Ensuring any spillages are treated with spill kits; 5) Night work should be avoided where possible, and any flood lighting should face away from the Site boundaries; and 6) If any fresh sett digging is observed notify an ecologist immediately and leave a 20m buffer around the area until an assessment can be made. <p>c) If common amphibians are found during works then they should be carefully moved to a safe place off site, in an area that will be unaffected by works and ideally of a similar habitat type.</p> <p>d) To minimise the effect of the proposals on existing habitats, storage of materials and machinery should be on hardstanding and must avoid the root protection zone of trees. Any trees that will be unaffected should be adequately</p>

	<p>protected during the construction works, in line with BS5837:2012.</p> <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
<p>15.</p>	<p>No development, including site clearance shall commence until a Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing. Details to be included within the LEMP include:</p> <ul style="list-style-type: none"> • ▪ All mitigation recommendations laid down within the ecology report including those for badgers, nesting birds, hedgehogs, and bats; • ▪ A plan showing the location of retained and created habitats, including details of appropriate species to plant (eg native species and those with known benefits to wildlife); • ▪ Locations of bat boxes, bird boxes, hedgehog highways, and habitat piles (include specifications/installation guidance/numbers); • ▪ Mitigation recommendations in relation to retained / created habitats (eg. no spraying of herbicide, fires, or storage of materials adjacent to the LWS); • A comprehensive list of the plant / tree species to be planted on site (these should be native species with known benefits to wildlife); • Appropriate management prescriptions, aimed at increasing biodiversity benefits (for example, mowing regimes timed to allow flowers / grasses to flower and set seed, and timings of hedgerow maintenance to retain a foraging resource for wildlife); and • Schedules for any required post-monitoring and / or maintenance (for example integrated bird / bat boxes). <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
<p>16.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwellings shall be erected without the prior approval of the local planning authority, by way of a formal planning application.</p> <p><i>Reason: In the interest of public health and safety, in accordance with Policy 19 of the Part 2 Local Plan 2019.</i></p>
	<p>NOTES TO APPLICANT</p>

1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	The development makes it necessary to construct a vehicular crossing over a footway/verge of the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended), and therefore land over which you have no control. You are therefore required to contact licences@viaem.co.uk to arrange for the necessary permissions prior to works taking place.
4.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
5.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
6.	<p>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.</p> <p>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.</p>

	<p>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 <u>essential</u> 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@nottsc.gov.uk</p> <p>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.</p> <p>In order to carry out the off-site works required you 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 you have no control. In order to undertake the works you will need to enter into an appropriate agreement. Please contact hdc.south@nottsc.gov.uk for details.</p>
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Legend

-  Site Outline
-  Classified Road
-  Byway open to all traffic
-  Bridleway
-  Footpath
-  Historic Landfill Sites
-  Local Wildlife Site

Photographs

Proposed Access Point between Numbers 157 – 159 Chewton Street



Views from end of Braemar Avenue



Rear of Dwellings Located on Commons Close





Halls Lane Bridleway





Typical House Types

Notes
On any scale from this drawing if in need of further detail refer back to the Technical Department

FRONT ELEVATION SIDE ELEVATION REAR ELEVATION SIDE ELEVATION

GROUND FLOOR PLAN

FLOOR AREA
61.0m², 656ft²

0m 1m 5m 10m 12m

CO1	Lounge window changed	13.06.22
CO2	Issued for construction	20.04.21
CO3	Issued for construction	27.09.21
PO1	Final issue	23.04.21
Rev.	Comments	Date

Gleeson Homes Shared Office
Unit 5, Europa Court (Sheffield Business Park 1, Sheffield) South Yorkshire | S15 1JH
01142 612000
www.gleesonhomes.co.uk

254 House Type
Urban

Planning Drawing

Scale	1:100 @ A2	Date	22.04.21	OS	GE
Project	21-254-U-0001		Sheet	C03	

FRONT ELEVATION REAR ELEVATION SIDE ELEVATION

GROUND FLOOR PLAN FIRST FLOOR PLAN

FLOOR AREA
70.04m², 753ft²

0m 1m 5m 10m 12m

PLANNING DRAWING

250 dwelling type

GLEESON HOMES & REGENERATION

Scale	1:100 @ A2
Date	Oct.19
Sheet	2501B



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Report of the Chief Executive

APPLICATION NUMBER:	21/00672/REM
LOCATION:	Boots Campus, Beeston, Nottinghamshire
PROPOSAL:	Construct 397 dwellings (reserved matters relating to reference 14/00515/OUT – plots R1 to R11 inclusive and plots G2, 3 and 4 only)

1. Purpose of the Report

The application is brought to the Committee as it is a reserved matters application for a large major residential development.

2. Recommendation

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

3. Detail

3.1 The application seeks approval of reserved matters for the residential areas of the site following the granting of outline planning permission under reference 14/00515/OUT. The reserved matters are: Access; Appearance; Landscaping; Layout; and Scale.

3.2 The application site, which forms part of the Boots Enterprise Zone adjacent to and encompassing the new link road between Thane Road to the north east and Lilac Grove / Humber Road South to the north west, refers to residential development plots R1 to R11 inclusive as well as development plots G2, G3 and G4, these three plots being earmarked for green space. Plots R1 to R7 and G2 and G3 are within Broxtowe Borough Council boundary, with plots R8 to R11 and G4 in the Nottingham City Boundary. There is a parallel reserved matters application submitted to Nottingham City Council for the plots within that local authority boundary (Nottingham City reference no. 21/01729/PRES4). 397 dwellings are proposed within the Broxtowe Borough Council boundary, and 207 in Nottingham City, equating to 604 dwellings over the whole site.

3.3 The main issues relate to whether the proposed accesses, layout and scale is acceptable; whether the design and appearance of each property and the development as a whole is acceptable; whether there would be unacceptable impact on the amenity of future occupiers; whether the design and appearance of the proposed green and blue infrastructure is appropriate and would result in enhancement and safeguarding of biodiversity within and adjacent to the site; and whether the proposal would have an unacceptable impact on highway safety.

3.4 The benefits of the scheme are that the proposal would provide a wide range of size and type of accommodation which would contribute to the delivery of housing stock within the borough; would provide affordable housing of an amount that would accord with Local Plan policy; it would be set within a layout

which encourages sustainable modes of transport with connections to both the built up area of Beeston and to green spaces such as the Nottingham - Beeston Canal and beyond; and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

4. Financial Implications

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

4.2 There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with Section 106 (S106s) (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 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

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

7. Background Papers

- Design and Access Statement
- Design Code
- Flood Risk Assessment
- Noise Assessment
- Ecological Appraisal
- Environmental Management Plan
- Drainage Strategy
- Landscape Maintenance Strategy and Schedule
- Refuse Strategy
- Parking Strategy
- Proposed Adoption Strategy

APPENDIX

8. Details of the Application

- 8.1 The application seeks approval for all matters reserved following granting of outline planning permission reference 14/00515/OUT.
- 8.2 The new link road running through the site linking Thane Road to Lilac Grove is now open to traffic. The residential development is proposed to be on the development plots to the north west and south east of the link road.
- 8.3 It is proposed that 397 dwellings would be provided within the Broxtowe Borough Council boundary, and 207 within Nottingham City Council (the latter being the subject of a separate application to that authority), making a total of 604 dwellings overall. In the Broxtowe Authority boundary, the 397 dwellings would consist of 71 x 2 bedroom, 246 x 3 bedroom and 74 x 4 bedroom two and three storey dwellings, 1 x 1 bed apartments and 5 x 2 bed apartments. All dwellings would either be Affordable Rent, Shared Ownership or Private Rented Sector. All dwellings would have parking within each plot curtilage, and would have a private rear garden with space for bin and cycle storage. Shared facilities would be provided for the apartments.
- 8.4 The existing right of way footpath which runs along the south west boundary of the site would be re-aligned so as to go through the development site, alongside the retained water feature and via a newly created green landscaped link down to the canal area, where it re-joins the original right of way and bridge over. Opportunities for formal and informal play would be included within the landscaped link. Additional play areas would be provided within the Nottingham City part of the site. Details of any play equipment, railings, surfacing and associated infrastructure for the areas of open space and around the blue infrastructure to be secured by condition.
- 8.5 Secondary roads would be accessed from the link road, with some dwellings being served off a private shared drive.

9. Site and Surroundings

- 9.1 The proposed development is located to the south east section of the 'Boots' campus and is bound by the Nottingham – Beeston Canal to the south east, Thane Road to the north east, Severn Trent Water sewage treatment site to the south west, and the industrial buildings / uses of the Boots campus to the north west. The local authority boundary crosses the site in a north west / south east direction such that parts of the application site adjoin and share roads and facilities within Nottingham City boundary. The site is part of the Boots Enterprise Zone, which allocates the land for a mix of uses as set out below in paragraph 10.1.
- 9.2 The site is cleared of all buildings aside from a small pumping house located adjacent to the canal to the south east of the site. This is to be retained. The

site is within flood zones 2 and 3, with zone 2 being to the north east and zone 3 to the south west.

10. Relevant Planning History

10.1 There have been numerous planning applications relating to the wider ‘Boots’ campus, however, the most relevant history which directly relates to this site is as follows:

- 14/00514/FUL – site and public infrastructure works including new primary vehicle link road, canal bridge, demolition works, earthworks, remediation, utilities and drainage infrastructure. Granted conditional permission December 2014
- 14/00515/OUT – Outline application for mixed use development comprising employment (office, research and development, industrial and general industrial, storage and distribution); residential institutions; non-residential institutions; small retail uses including food and drink; up to 675 residential units; and associated works. Granted conditional outline permission July 2021 following signing of a Section 106 Agreement. This application covered the majority of the ‘Boots’ campus site.
- 21/00670/ROC – removal of condition 28 of permission reference 14/00515/OUT (phasing of build). This application remains to be determined as at the date of this report.

11. Relevant Policies and Guidance

11.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 7: Regeneration
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

11.2 **Part 2 Local Plan 2019:**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 9: Retention of Good Quality Existing Employment Sites
- Policy 15: Housing Size, Mix and Choice

- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

11.3 National Planning Policy Framework (NPPF) 2021:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

12. Consultations

- 12.1 **County Council as Highway Authority:** Following concerns regarding parking layout, access points, and siting of traffic calming measures, discussions have taken place and amended plans received, which, subject to conditions, are now found to be satisfactory.
- 12.2 **County Council as Lead Local Flood Authority:** No objection, subject to conditions regarding surface water management imposed on the outline planning application being discharged or alternatively, repeated in any decision.
- 12.3 **Council's Environmental Health Officer:** Will need to be satisfied that houses proposed close to the sewage works would not be unduly affected by odour; that houses close to the employment uses (existing and proposed) would not be unduly affected by noise; need further details in respect of ground and gas contamination.
- 12.4 **Council's Parks and Green Spaces Officer:** Need clarification on soft landscaping details. More detail required in respect of the children's play area in terms of fencing, surfacing and equipment. The maintenance strategy and schedule is good and covers all the relevant points.
- 12.5 **Council's Waste and Recycling Officer:** No objections subject to developer purchasing first time bin provision and to properties being allocated sufficient bins. All bins / bags to be presented at curtilage of adopted highway, and be no more than 15m from nearest adoptable road.

- 12.6 **Council's Housing Officer:** Overall, the site provides 40% affordable properties, with the split being 22% shared ownership and 18% being affordable rent. This exceeds our requirements and we would be happy for the developer to proceed on this basis.

For the Broxtowe side of the site, 26% of the properties (102) are shared ownership and 25% (100) are affordable rent properties (equating to 51%). This exceeds the requirements set out in the Social and Affordable Housing Need Study (GL Hearn report) which is minimum 30% affordable housing.

- 12.7 **Environment Agency:** Details submitted to satisfy conditions imposed under the outline planning application are satisfactory. The implementation of the FRA as revised would need to be secured by condition on the reserved matters application and should relate only to the residential development. Officer comment: It is noted that conditions imposed under the outline application require the development to be carried out in accordance with any agreed FRA addendum pertinent to each development unit.
- 12.8 **Cadent:** Cadent to be contacted and consulted by the developer before construction work commences due to presence of high powered gas pipeline to the bottom boundary of the development.
- 12.9 A site notice was posted and a press notice published with no comments received.

Assessment

13. Principle

- 13.1 The principle of residential development has been established through the granting of outline planning permission under reference 14/00515/OUT. The site has been cleared ready for development and the link road is now in use.
- 13.2 A small development plot (G2), allocated in the outline approval for green space, would be re-allocated for housing. It is considered that this is acceptable given the small size of that plot, and that the layout overall would provide ample opportunity for the provision or enhancement of green space throughout the site. As such there would be no detriment to the scheme by allowing residential to replace green space for this plot only.
- 13.3 As the proposal is classed as a major residential development, it would need to be assessed in respect of the Building for Life 12 criteria as set out in the Part 2 Local Plan. Aside from criteria 2 – facilities and services, which would score an amber, the site would score green for the other 11 criteria. The reason for the amber score would be that as the residential development is the first phase of the overall development of the Boots Enterprise Zone and whilst the development would provide parks and play areas, and be sited close to workplaces, facilities and services such as community uses, shops and other

uses would follow and be sited in the development plots allocated for those uses.

- 13.4 A Health Impact Assessment has been carried out, in line with the requirements of the Part 2 Local Plan Policy 24. For those criteria that are relevant, the majority are positive impacts and as such it is considered that the development would have a significant positive impact on both the development and the wider area.
- 13.5 The development as a whole would provide a total of 26% of dwellings being for shared ownership and 25% for affordable rent on the Broxtowe side of the site, resulting in over 50% of the dwellings being classed as affordable properties. This exceeds that required to meet the criteria set out in Policy 15 of the P2LP.

Reserved Matters

14. Appearance, Scale, Layout and Landscaping

- 14.1 A Design Code for the residential development area has been submitted to and agreed as part of the outline planning permission. This sets out the masterplan for the site and considers both the constraints and the opportunities of the site, including consideration of views and vistas both from outside the site and throughout the site.
- 14.2 The dwellings would be of modular design, that is, constructed in modules off site, then transported and installed on site. This would result in a shorter on site construction phase so that occupation can be achieved as and when the units have been fitted out internally.
- 14.3 The dwellings would be a mix of two and three storeys, some with gable roofs and some three storey dwellings with flat roofs. The external finishes would be a mix of either brick with some having render finish to the first floor and a feature band of contrasting banding between the ground and first floors, and some brick to ground and first floors, and second floor finished in a glazed blue brick (flat roof option). The apartments would have grey brick finish to the ground floor, blue ceramic tile to the upper floors, with glazed white brick as feature bands between each floor. The apartment block would have a flat roof and be of three storeys in height. The design, scale and massing are considered to be appropriate and provide variety and interest across the development which would be reflected and continued into the City Council authority side of the site.
- 14.4 The layout has been led by the position of the link road, 'no build' zones (where infrastructure runs from the industrial site towards the canal, e.g. water pipes), and by the indicative parcelling of plots as approved under 14/00515/OUT.
- 14.5 In respect of the highway hierarchy, there would be three principal junctions within the authority boundary leading off the link road, which in turn then lead

to secondary roads and cul-de-sacs. These would mainly be laid in a grid pattern so as to take advantage of views towards the canal, to the south east.

- 14.6 Within the layout, and in order to take advantage of and utilise no build zones and water features within the site, there are areas of landscaping incorporating informal and formal play areas. The main green area would include the proposed re-aligned public right of way, which currently runs to the south west of the site, adjacent to the sewage works. It is considered that the re-aligned PRow would provide improved access and a safer route for all users, and would also provide an attractive vista for vehicles and pedestrians alike when approaching from the north west. Management and Maintenance of the attenuation ponds / water features and all other open space not allocated to be within any private curtilage would be by way of a privately managed scheme where new, the details of which have been submitted as part of the discharge of conditions imposed on the outline application.
- 14.7 Street trees would be proposed along the link road, within the service strip at the back edge of pavement. Trees and shrubs and other soft landscaping would be provided to the landscaped areas. Details of landscaping, including boundary treatments, railings / street furniture and play equipment would need to be approved under the conditions imposed on the outline application.
- 14.8 Each dwelling would have a minimum of one parking space, with most having two. The parking spaces would be either to the front of the dwelling or to the side, so as to provide a mix of parking options. Parking for the apartment block would be by way of a shared courtyard. Each dwelling would have access to an enclosed rear garden, with provision for bin and cycle storage.
- 14.9 In respect of refuse collection, the layout demonstrates that each dwelling would be within a satisfactory distance of the adopted highway for leaving bins out on collection days.
- 14.10 In conclusion, the layout is considered to be acceptable and would provide a legible and accessible development with attractive and usable green spaces.
15. Access
- 15.1 The layout has been determined following discussions between the developers, Notts County as Highway Authority, and officers at Nottingham City Council in order to achieve a layout which is both attractive and functional. Speed reduction measures in the form of raised tables at junctions have been included along the link road. Off street parking for each plot has been carefully considered in order to ensure that entering and exiting each plot would not have an impact on highway safety in terms of conflict with oncoming traffic, particularly along the link road. The majority of the highway would be adopted, with some unadopted highways where a shared access is serving a short run of dwellings at the end of a cul-de-sac or where a shared access off the link road.

- 15.2 Bus stops have been located at convenient points along the link road and sited so as to not result in a conflict with use of the off street parking spaces, and to ensure safe use by pedestrians.
- 15.3 The Public Right of Way would be re-routed through the site, to the benefit of the users as the existing PRoW is via an enclosed footpath to the south west of the site. The proposed new route would ensure a safer, lit, route to and from the canal front and the play areas.
- 15.4 In respect of traffic generation, the principle has been established under the outline application and the highway designed accordingly to accommodate the amount of development proposed. The secondary highway routes have been designed to be of an appropriate width to serve the properties along them.

Other Matters

All relevant conditions from 14/00515/OUT, where not discharged or addressed as part of the current application, would need to be discharged as part of the Outline application in accordance with the wording set out in those conditions in respect of timescales. Notwithstanding this, the matters set out below have been a material consideration in the assessment of the application.

16. Amenity

- 16.1 There are no residential properties directly immediate to the application site, with the nearest being on Leyton Crescent, in Beeston Rylands, to the west of the site. The Severn Trent sewage works separate the site from these properties and as such it is considered that there would be no significant impact on neighbour amenity in terms of loss of light, outlook or privacy.
- 16.2 Industrial and employment uses are to the north west of the site, and the outline application allocates the area between the residential and these uses as employment (yet to be built). As such it is considered that the residential development would not have a significant impact on the amenities of the existing or proposed future uses.
- 16.3 In terms of the future occupiers, the layout provides for each property to have access to private outdoor amenity space and storage for cycles / bins. The layout allows for adequate spacing between each property in order to safeguard privacy. Internally, the design and layout allows for satisfactory access to natural light and to an outlook, and the dwellings conform to the DCLG's Technical Housing Standards in terms of internal floor space.

17. Biodiversity

- 17.1 Currently, aside from the link road through the site and planting to the edge along the canal and also adjacent to the public right of way to the south west, the site has been cleared and there is little vegetation. The proposed site layout would introduce areas of landscaping to public areas and to the roadside, and additionally would retain and enhance existing 'blue' infrastructure (streams, bunds and other outlets) within the site. These measures would significantly

increase the amount and range of green infrastructure on the site, and result in a Biodiversity Net Gain of significantly greater than the 10% usually required. A Landscape Maintenance Strategy and Schedule has been submitted as part of the discharge of conditions application.

- 17.2 Conditions were imposed on the outline planning permission (reference 14/00515/OUT) in respect of safeguarding protected species and the requirement for an Ecological Mitigation Strategy. Reptile and Great Crested Newt Surveys were also required by condition. Details of these surveys and reports have been submitted for discharge under the outline application.

18. Flood and Drainage

- 18.1 The application site falls within both Flood Zone 2 and Flood Zone 3. Whilst the site appears to be generally level, there are points within the site that are at a higher risk of flooding. The developer has worked with the Environment Agency to ensure that occupiers and property are not at risk of flooding. Some dwellings, mainly to the centre of the site, along the link road, would be built in a slightly elevated position so as to address this risk.

- 18.2 The Environment Agency have reviewed the latest Flood Risk Assessment (FRA) submitted as part of the discharge of conditions application for the outline application where it relates to the residential development, and have no objections. The County Council as Lead Local Flood Authority have no objections subject to details of surface water management and implementation in accordance with any approved details, which is the subject of a condition imposed under 14/00515/OUT.

19. Sustainability

- 19.1 An Energy Strategy has been submitted as part of the Design and Access Statement. The strategy states that the standard approach would be to reduce emissions through fabric improvements and not by the use of technology so as to achieve a net saving in both carbon and energy for the lifetime of the dwellings. The improved fabric specification, high quality construction and air tightness achieved through the off-site modular construction in itself would achieve a 10% reduction in carbon emissions. In addition to this, Part L of the Building Regulations would require either PV or Heat Pump technology. This is stated to be determined as to which is most appropriate at a later date. A condition imposed under the outline application requires submission of details to demonstrate a minimum of 10% energy supply to be provided by way of renewable or low carbon energy supply.

- 19.2 The layout of the site has been designed so as to encourage sustainable modes of transport such as walking and cycling by creating a re-aligned public right of way through the site and links to the canal frontage and to the Boots campus / other employment sites nearby, to the south west and north / north east. The link road through the site has been designed so as to accommodate a designated cycle path along the south side of the footway. Cycle storage would

be provided to each dwelling or communal cycle storage to the apartment building.

- 19.3 It is proposed to provide all houses with an individual Electric Vehicle Charging Point (EVC), and provide apartments with a ratio of one EVC to three apartments. In this respect the development would promote the use of electric vehicles over petrol / diesel vehicles and is welcomed.
- 19.4 Provision for a bus route to run through the site has been accommodated which includes bus stops at appropriate distances through the site, giving easy and convenient access for all residents.

20. Noise and Pollution

- 20.1 In respect of contaminated land, it is recognised that the land, being previously part of the Boots campus, would potentially be contaminated. The outline planning application required details to be submitted of a mitigation strategy. The mitigation strategy would need to be approved and measures implemented in accordance with the relevant conditions imposed on the outline application.
- 20.2 The site is also adjacent to potential sources of noise, these being the existing industrial / employment uses within the Boots campus and also in the wider area. Plots to the north west of the site are also safeguarded for future employment / non-residential uses and as such the occupiers of the proposed dwellings would need to be protected from these sources of noise. A Noise Assessment has been submitted in respect of the residential development under the outline application and the contents considered satisfactory. The noise assessment would need to be approved and measures implemented in accordance with the relevant conditions imposed on the outline application.
- 20.3 There is a sewage treatment works to the south west of the site and as such measures would need to be implemented so as to ensure the residents would not be unduly affected by odour. Details are awaited and as such the relevant condition would need to be discharged under the outline permission, prior to commencement of the development.

21. Developer Contributions

- 21.1 Developer contributions have been secured by way of a Section 106 Agreement under outline planning permission reference 14/00515/OUT. No further contributions or obligations are sought.

22. Conclusion

- 22.1 The benefits of the proposal are that the development would provide additional affordable housing, in a sustainable location, and which could contribute to the housing targets for the Borough and provide a wide range of size of housing to meet the needs of the community. The development would see the re-use of a previously developed site and have an economic benefit to the Borough.

- 22.2 The design and layout would see a range of dwelling types using a complementary palette of material finishes in order to achieve an attractive street scene. The layout is well thought out and would create a safe, inclusive and healthy environment with attractive green spaces, and would be legible in order to provide clear and easy movement through the site and connections outside of the site.
- 22.3 There would be no neighbour amenity concerns given the location of the site, however, the amenity of the future occupiers would be safeguarded through appropriate measures in respect of contamination, noise and other pollution.
- 22.4 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 22.5 It is recommended that planning permission is granted, subject to the conditions set out below and subject to the relevant conditions imposed under outline permission, reference 14/00515/OUT and in line with the previously agreed S106.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development to which this approval relates shall be begun no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved. <i>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.</i>

2.	<p>This permission shall be read in accordance with the following plans:</p> <p>Received by the Local Planning Authority on 30.07.21:</p> <ul style="list-style-type: none">• 0104 Proposed First Floor Site Plan (1 of 3) rev C• 0105 Proposed First Floor Site Plan (2 of 3) rev C• 0106 Proposed First Floor Site Plan (3 of 3) rev C• 0107 Proposed Second Floor Site Plan (1 of 3) rev C• 0108 Proposed Second Floor Site Plan (2 of 3) rev C• 0109 Proposed Second Floor Site Plan (3 of 3) rev C• 0110 Proposed Third Floor Site Plan (1 of 3) rev C• 0111 Proposed Third Floor Site Plan (2 of 3) rev C• 0112 Proposed Third Floor Site Plan (3 of 3) rev C• 0113 Proposed Roof Plan (1 of 3) rev C• 0114 Proposed Roof Plan (2 of 3) rev C• 0115 Proposed Roof Plan (3 of 3) rev C <p>Received by the Local Planning Authority on 27.06.22:</p> <ul style="list-style-type: none">• 0001 Site Location Plan rev B• 0050 Site Constraints Plan rev C• 0150 Proposed Street Elevations (1 of 4) rev F• 0151 Proposed Street Elevations (2 of 4) rev D• 0152 Proposed Street Elevations (3 of 4) rev D• 0153 Proposed Street Elevations (4 of 4) rev E• 0201 Proposed Block Plan – Block 1 First Floor – Roof Plan rev D• 0230 Block Section rev A• 0231 Block Stair and Entrance Study rev A• 0300 Proposed Unit Plans – Holt rev D• 0301 Proposed Unit Plans – Dalby rev D• 0302 Proposed Unit Plans – Weston semi rev D• 0303 Proposed Unit Plans – Weston detached rev D• 0304 Proposed Unit Plans – Dallington rev D• 0305 Proposed Unit Plans – Rockingham rev D• 0307 Proposed Unit Plans Delamare rev D• 0310 1b2p Flat Type 1 B rev B• 0311 1b2p Flat Type 2 B rev B• 0312 1b2p Flat Type 3 B rev B• 0316 2b4p Flat Type 1 B rev B• 0317 2b4p Flat Type 2 B rev B• 0318 2b4p Flat Type 3 B rev B• 0319 2b4p Flat Type 4 B rev B• 0320 Proposed Unit Elevations Holt rev D• 0321 Proposed Unit Elevations Holt rev D• 0322 Proposed Unit Elevations Holt rev C
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- 0330 Proposed Unit Elevations Dalby rev D
- 0331 Proposed Unit Elevations Dalby rev D
- 0332 Proposed Unit Elevations Dalby rev C
- 0340 Proposed Unit Elevations Weston rev D
- 0341 Proposed Unit Elevations Weston rev C
- 0342 Proposed Unit Elevations Weston rev C
- 0343 Proposed Unit Elevations Weston rev E
- 0344 Proposed Unit Elevations Weston rev E
- 0345 Proposed Unit Elevations Weston rev B
- 0350 Proposed Unit Elevations Dallington rev D
- 0351 Proposed Unit Elevations Dallington rev D
- 0352 Proposed Unit Elevations Dallington rev D
- 0360 Proposed Unit Elevations Rockingham rev E
- 0361 Proposed Unit Elevations Rockingham rev E
- 0370 Proposed Unit Elevations Delamere rev E
- 0371 Proposed Unit Elevations Delamere rev D
- 0001 Schedule of Accommodation rev B
- 0002 Material Schedule rev B
- 0003 Schedule of Accommodation plot by plot rev B

Received by the Local Planning Authority on 30.06.22:

- 0930 Site Sections rev C
- 0931 Site Sections rev C

Received by the Local Planning Authority on 01.07.22:

- 2910 Soft Landscape Schedule rev A
- 2911 Maintenance Schedule rev A

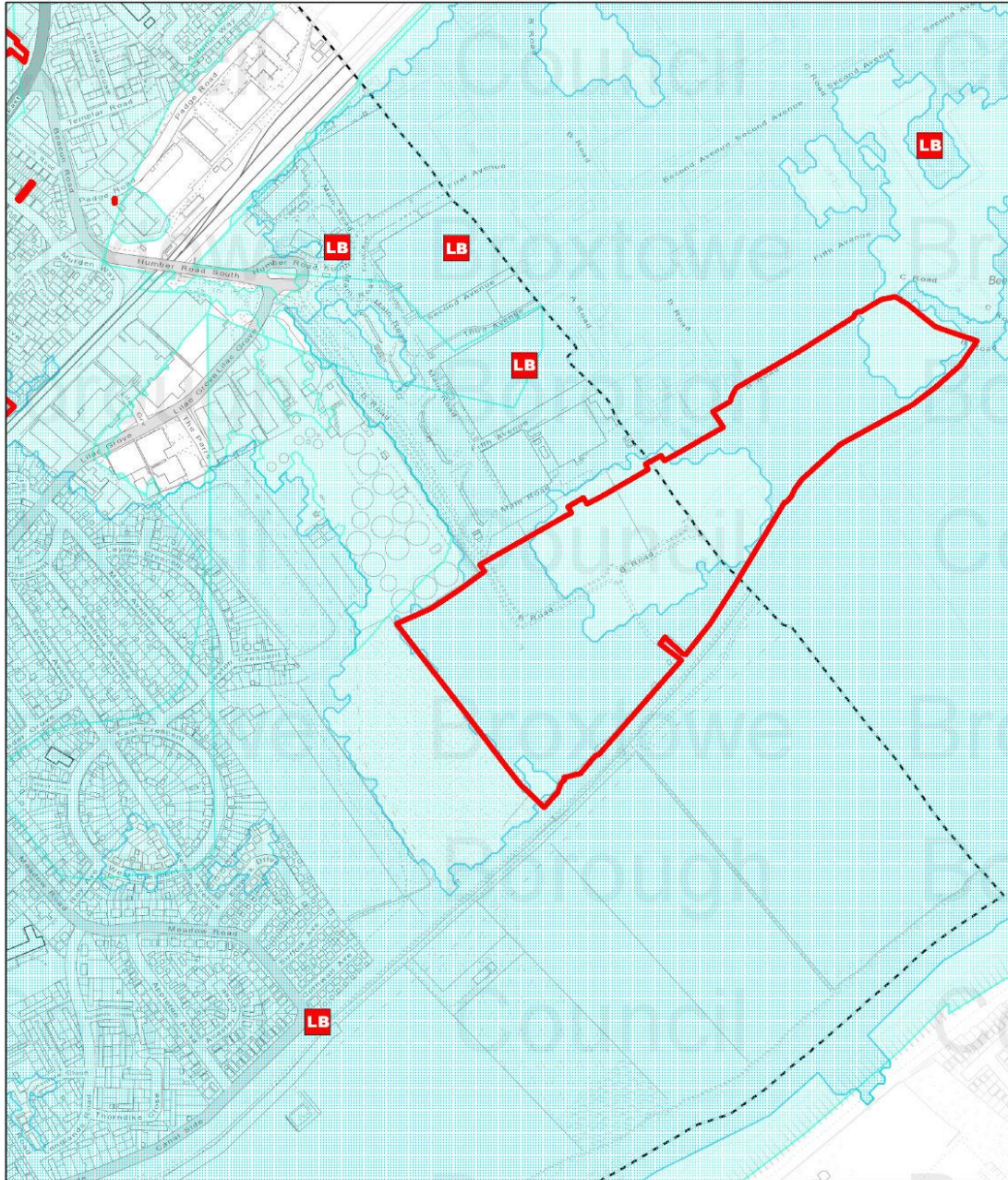
Received by the Local Planning Authority on 11.10.22:

- 0100 Proposed site layout rev P
- 0101 Proposed Ground Floor Site Plan (1 of 3) rev B
- 0102 Proposed Ground Floor Site Plan (2 of 3) rev B
- 0103 Proposed Ground Floor Site Plan (3 of 3) rev B
- 0120 Proposed Access rev F
- 0121 Proposed elevation Materials rev D
- 0122 Proposed Refuse Strategy rev A
- 0123 Proposed Adoption Strategy rev A
- 0125 Proposed Bike Storage rev A
- 0126 Proposed Parking Strategy rev A
- 0200 Proposed Block Plan – Block 1 – Ground Floor rev F
- 0390 Proposed Block Elevations - Block 1 rev B
- 0900 Illustrative Landscape Masterplan rev E
- 0901 Landscape General Arrangement 1 of 2 rev E
- 0902 Landscape General Arrangement 2 of 2 rev E





	<ul style="list-style-type: none"> • 0910 Landscape General Arrangement Planting Plan 1 of 2 rev D • 0911 Landscape General Arrangement Planting Plan 1 of 2 rev D <p>Received by the Local Planning Authority on 09.11.22:</p> <ul style="list-style-type: none"> • 6104 Proposed Plot and Garden Cross Sections rev P02 • 0932 Site Sections 1 of 2 • 0933 Site Sections 2 of 2 <p><i>Reason: For the avoidance of doubt</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The associated S106 Agreement and all relevant conditions on the outline permission (14/00515/OUT) must be complied with.
3.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.

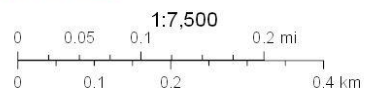
Site Location Plan

Boots Campus



11/28/2022, 8:44:57 AM

-  Flood Zone 2
-  Flood Zone 3
-  Listed Building
-  Site



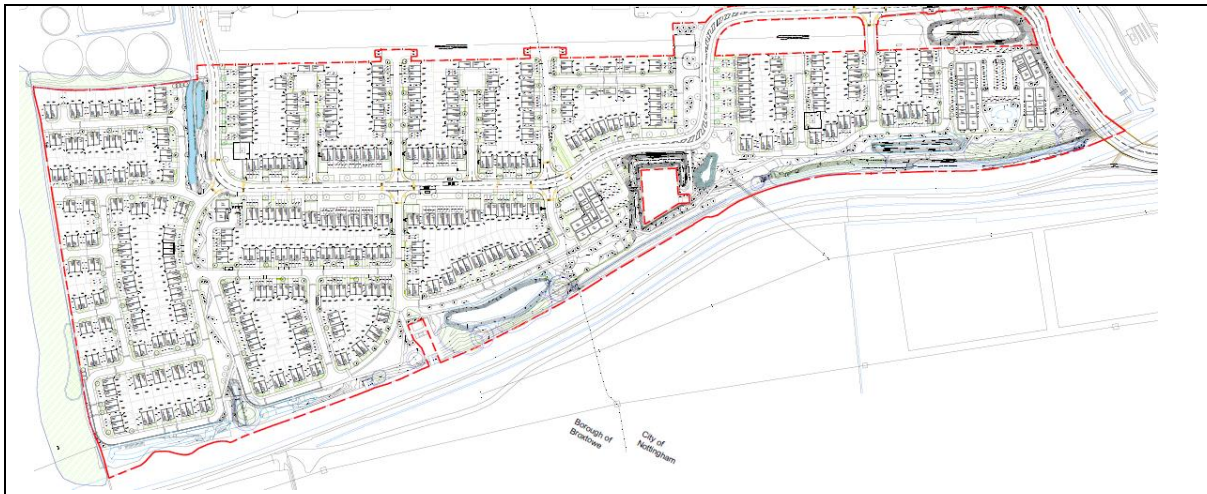
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Photos

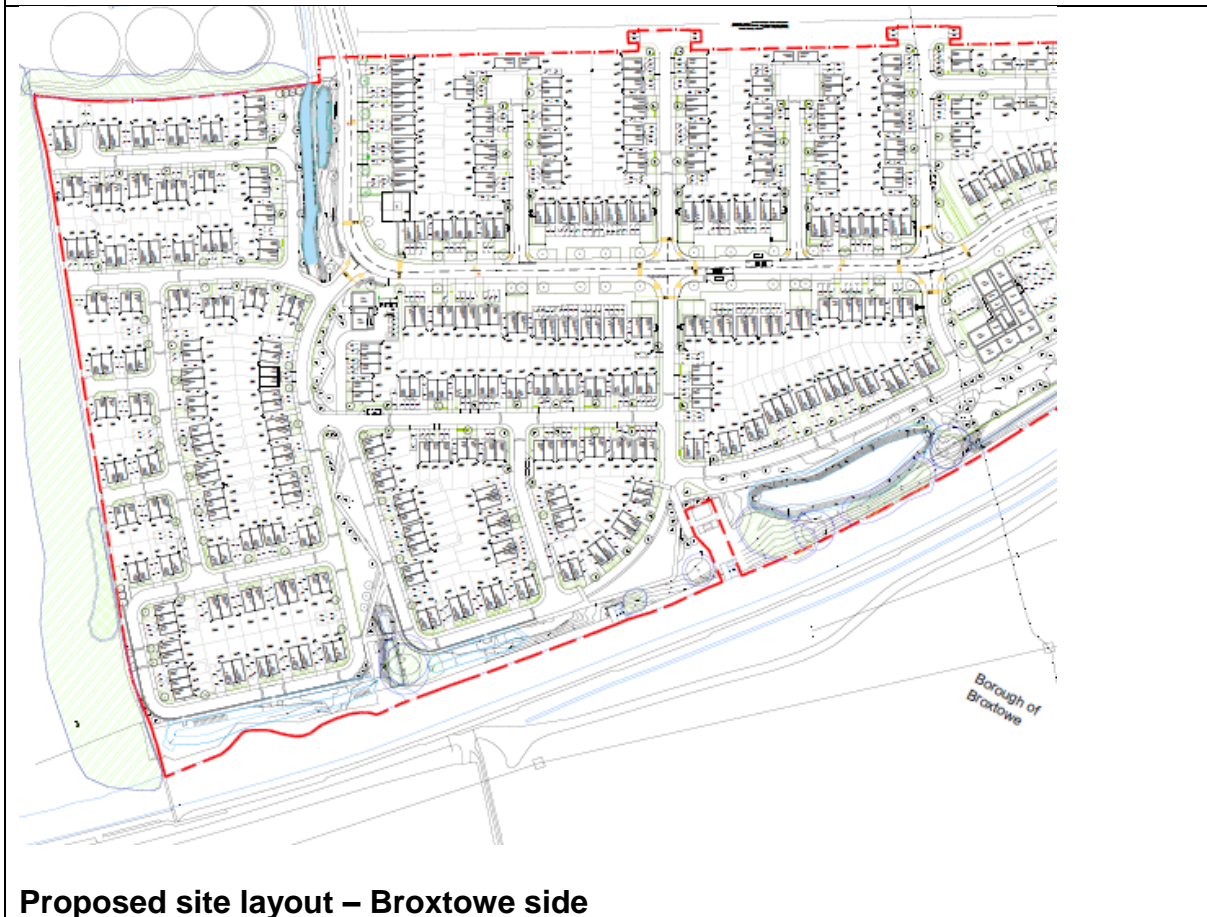


Aerial view – black and white dotted line denotes Authority boundary, with Broxtowe Borough Council to the left, and Nottingham City Council to the right

Plans (not to scale)



Proposed site layout



Proposed site layout – Braxtowe side



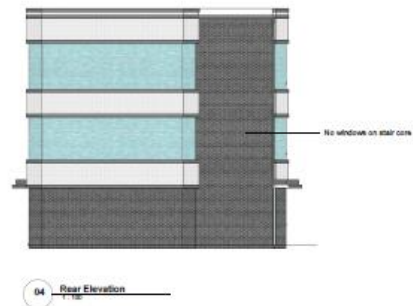
Illustrative CGI of street scene viewed from canal towpath



Illustrative CGI of typical internal street scene



Typical house materials



Apartment elevations

The image displays four architectural drawings of front elevations for a dwelling, arranged in a 2x2 grid. Each drawing includes height markers on the left side and a scale of 1:100. The drawings are labeled '1 Front Elevation'.

- Top Left:** Shows a two-story brick building with a gabled roof. The roof ridge is at 8520. The eaves are at 8513. The first floor head height is 2100, and the second floor head height is 2700. The ground level (FFL) is at 8000.
- Top Right:** Shows a two-story brick building with two gables. The roof ridge is at 8520. The eaves are at 8513. The first floor head height is 2100, and the second floor head height is 2700. The ground level (FFL) is at 8000.
- Bottom Left:** Shows a two-story brick building with a central vertical element. The roof ridge is at 8540. The eaves are at 8533. The first floor head height is 2100, and the second floor head height is 2700. The ground level (FFL) is at 8000.
- Bottom Right:** Shows a two-story brick building with two gables and a side extension. The roof ridge is at 8450. The eaves are at 8443. The first floor head height is 2100, and the second floor head height is 2700. The ground level (FFL) is at 8000.

1 Front Elevation
1:100

1 Front Elevation
1:100

1 Front Elevation
1:100

1 Front Elevation
1:100

Typical dwelling elevations



Landscape Masterplan (Broxtowe side)

Report of the Chief Executive

APPLICATION NUMBER:	22/00295/FUL
LOCATION:	Cricket Pavilion and Sports Ground, Greenhills Road, Eastwood, Nottinghamshire, NG16 3FT
PROPOSAL:	Installation of two lane cricket practice net facility to north west of the cricket ground

1.1 Purpose of Report

This application is brought to the Committee as the Council is the landowner.

1.2 Recommendation

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

1.3 Detail

1.3.1 This application seeks full planning permission to install a two lane cricket practice net facility to be used by Eastwood Cricket club's younger teams and adults.

1.3.2 The main issues relate to whether the principle of the practice net facility would be acceptable and if there would be any significant detrimental impact upon the residential amenity of the immediate neighbouring properties.

1.3.3 The benefits of the proposal are that it would provide an artificial surface practice facility for the club that do not currently have the benefit of. As well as benefitting the club by providing a safe high quality surface to train on, it will allow the club to run training sessions and matches concurrently and maximise the use of the ground. On balance, the scheme is acceptable and should be approved.

1.3.4 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix

1.4 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.

1.5 Legal Implication

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.

1.6 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.

1.7 Background Papers

Planning Application Statement.

APPENDIX

2. Details of the Application

- 2.1 This application seeks full planning permission to install a two lane cricket practice net facility to be used by Eastwood Cricket Club's younger teams and adults.
- 2.2 The practice lane facility will be positioned within the north west corner of the cricket ground in an area least susceptible to surface water build up and outside of the cricket wicket and boundary. The practice surface will be permeable and will be laid on a 220mm deep layer of porous aggregate. Galvanised steel post will be concreted into the ground which will support a net on the sides and over the top.

3. Site and Surroundings

- 3.1 The application site is located off Greenhills Road and currently consists of a pavilion building and associated cricket pitch. Directly to the south and west there are residential dwellings located on Greenhills Road and Robey Drive, along with residential dwellings located to the north located on Meadow Close. Further along to the south there are open fields with Greasley Park located to the east. Along the north and east boundaries there are mature trees, with a Public Right of Way (PRoW) located beyond the boundary fence to the North.

4. Relevant Planning History

- 4.1 Planning permission was granted under reference number 10/00125/FUL to replace a building with a garage.

5. Relevant Policies and Guidance5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 5.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate change
- Policy 10: Design and Enhancing Local Identity
- Policy 16: Green Infrastructure, Parks and Open Space

5.2 **Part 2 Local Plan 2019**

- 5.2.2 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 1: Flood Risk
- Policy 17: Place-making, Design and Amenity
- Policy 28: Green Infrastructure Assets

5.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making

- Section 8: Promoting healthy and safe communities
- Section 12: Achieving Well-designed Places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

6. Consultations

6.1 **Environmental Health** – No objections, advise that as the nets and associated activity may generate activity noise which could impact on surrounding residential properties, a condition should be attached to the planning permission restricting the use between 08.30 – 20.00 hours Monday to Sundays, Bank Holidays and other public holidays.

6.2 38 neighbouring properties were consulted on the application, with one letter having been received raising no objections and three letters of objection having been received raising concerns in respect of:

- Associated noise from the use of the practice net.

7. Assessment

7.1 The main issues relate to whether the principle of the practice net facility would be acceptable and if there would be any significant detrimental impact upon the residential amenity of the immediate neighbouring properties.

7.2 Principle

7.2.1 Policy 28 – Green Infrastructure Assets states that development proposals which are likely to lead to increased use of any of the Green Infrastructure Assets as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Asset(s), including Playing Pitches. In all cases, permission will not be granted for development that results in any harm or loss to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm.

7.2.2 The application site is identified on the Policies Map under Policy 28.1b as The Breach Cricket Ground. Eastwood Town Cricket Club currently has no artificial surface practice facilities and uses 2 mobile nets for practice on the square. The increase in membership of juniors and women and the varied formats has meant that time pressure on ground availability for practice and games has also increased. It is therefore vital that the club invest in a 2-lane fixed net practice area on the perimeter of the ground. As well as benefitting the club by providing a safe high-quality surface to train on, it will allow the club to run training sessions and matches concurrently and maximise the use of the ground. Eastwood Town are currently the only club in the top 3 divisions of the South Nottinghamshire Cricket League without non-turf practice facilities so a new practice system will help increase the attractiveness of the club to prospective junior and senior players, will assist the club's retention of all players by providing increased on-site facilities and subsequently allow coaches and leaders to provide coaching sessions even during spells of wet weather. As there are currently no indoor net facilities in the Broxtowe

area, this will be a great asset particularly at the start of the season when the ground is too wet.

- 7.2.3 Given the siting of the proposed practice net on the perimeter of the ground which will allow for cricket matches to be played along with training sessions, it is not considered the proposal results in any harm or loss to the Green Infrastructure Asset in the form of the existing cricket ground. The principle of the development is therefore considered to be acceptable.

7.3 Design and Visual Amenity

- 7.3.1 The practice net facility will be positioned within the north west corner of the cricket ground in an area least susceptible to surface water build up and outside of the cricket wicket and boundary. The structure will be set in from the northern boundary away from the existing mature trees. The practice surface will be permeable artificial grass and will be laid on a 220mm deep layer of porous aggregate. Galvanised steel post will be concreted into the ground which will support a net on the sides and over the top.
- 7.3.2 The proposal is not considered to have any significant detrimental impact upon the character of the street scene or visual amenity of the area.

7.4 Residential Amenity

- 7.4.1 Concerns have been raised by local residents in respect of potential noise from the associated use of the practice nets. The structure will be set in from the boundary of the cricket ground and set a significant distance away from the immediate neighbouring properties located on Green Hills Road, Robey Drive and Meadow Close. Information provided on the submitted Planning Statement indicates that in line with the current ground usage, the practice net facilities will be used during daylight hours on weekday evenings during the season with the possibility of occasional weekend use. The Council's Environmental Health Officer raises no objections to the proposal but does acknowledge that the proposed nets and associated activity may generate activity noise which could impact on the surrounding residential properties. In view of this a condition is recommended to be attached to the planning permission restricting the use of the nets between 08.30 – 20.00 hours Monday to Sundays, Bank Holidays and other Public Holidays to protect nearby residents from excessive operational use.
- 7.4.2 The proposal is not considered to have any significant impact upon the residential amenity of nearby residential properties in respect of associated noise.

7.5 Other Issues

7.6 Flooding

- 7.6.1 Whilst the proposed practice net will be partly located in both Flood Zones 2 and 3, The practice surface will be permeable artificial grass and will be laid on a 220mm deep layer of porous aggregate. The practice surface will be permeable artificial grass and will be laid on a 220mm deep layer of porous aggregate. It is not considered the proposal will give rise to any flooding issues.

8 Planning Balance

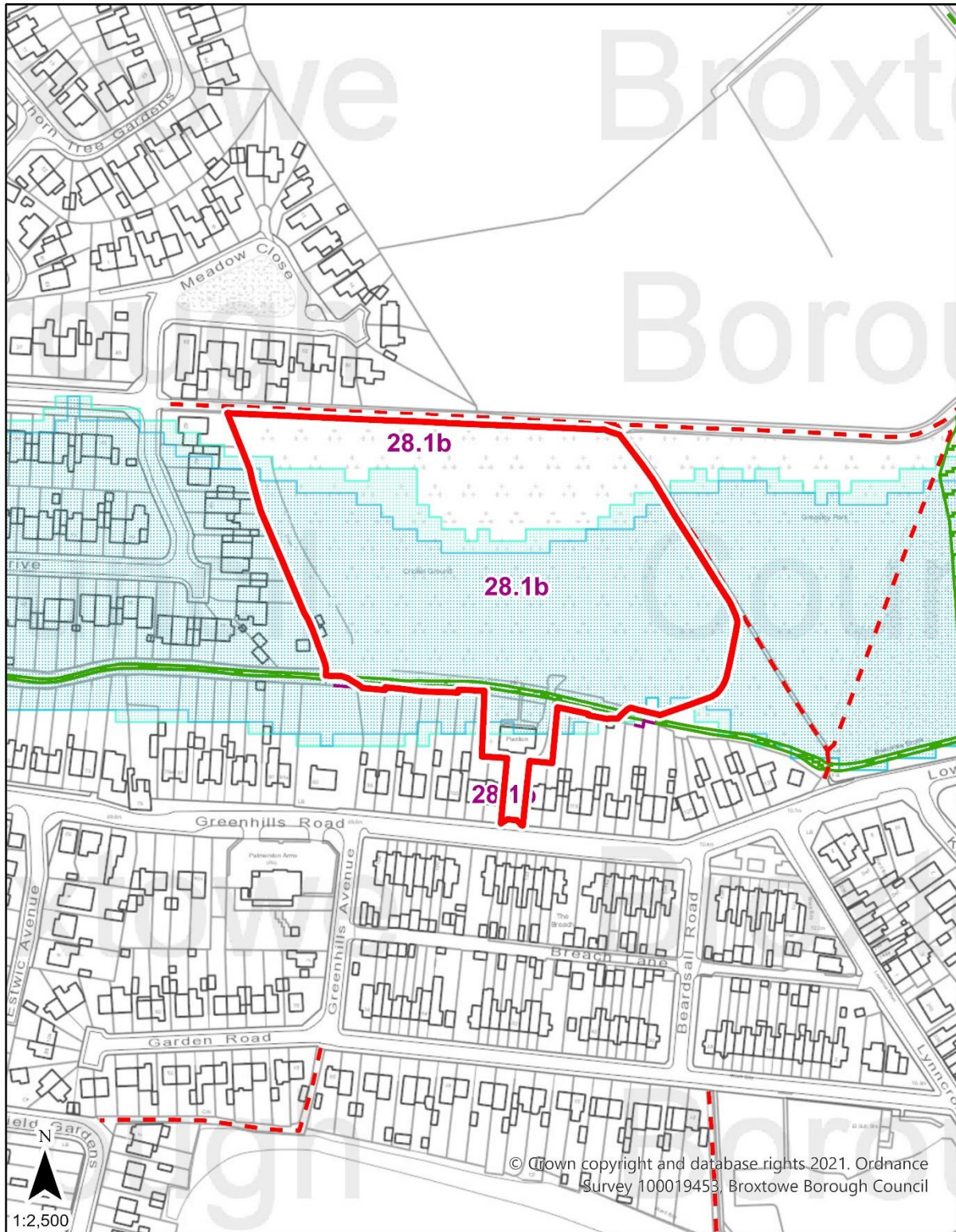
8.1 The benefits of the proposal are that it would provide an artificial surface practice surface facility for the club that do not currently have the benefit of. As well as benefitting the club by providing a safe high quality surface to train on, it will allow the club to run training sessions and matches concurrently and maximise the use of the ground. On balance, the scheme is acceptable and should be approved.

9 Conclusion

9.1 To conclude, it is considered the principle and design of the development is acceptable and there would not be a significant impact on the amenity of surrounding neighbours and therefore the application should be approved.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with Site Location Plan 1: 1250, Elevations and Perspective Views and Details received by the Local Planning Authority on 17 June 2022 and Proposed Block Plan 1: 500 received by the Local Planning Authority on 14 July 2022. <i>Reason: For the avoidance of doubt.</i>
3.	The proposed cricket nets shall not be used except between 08.30-20.00 hours Monday to Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority. <i>Reason: To protect nearby residents from excessive operational noise, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i>
4.	No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays. <i>Reason: To protect nearby occupants from excessive construction noise and vibration, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i>

<p>5.</p>	<p>No lighting/floodlighting shall be installed or operated in association with this permission</p> <p><i>Reason: To protect nearby occupants from excessive light nuisance, in accordance with Policy 19 of the Part 2 Local Plan (2019).</i></p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>



Legend

- | | |
|---------------------------|---------------------|
| Site Outline | Footpath |
| Playing Pitches | Local Wildlife Site |
| Byway open to all traffic | Flood Zone 3 |
| Bridleway | Flood Zone 2 |

Photographs

Location of Practice Nets



Neighbouring Properties



Cricket Pitch and Pavilion

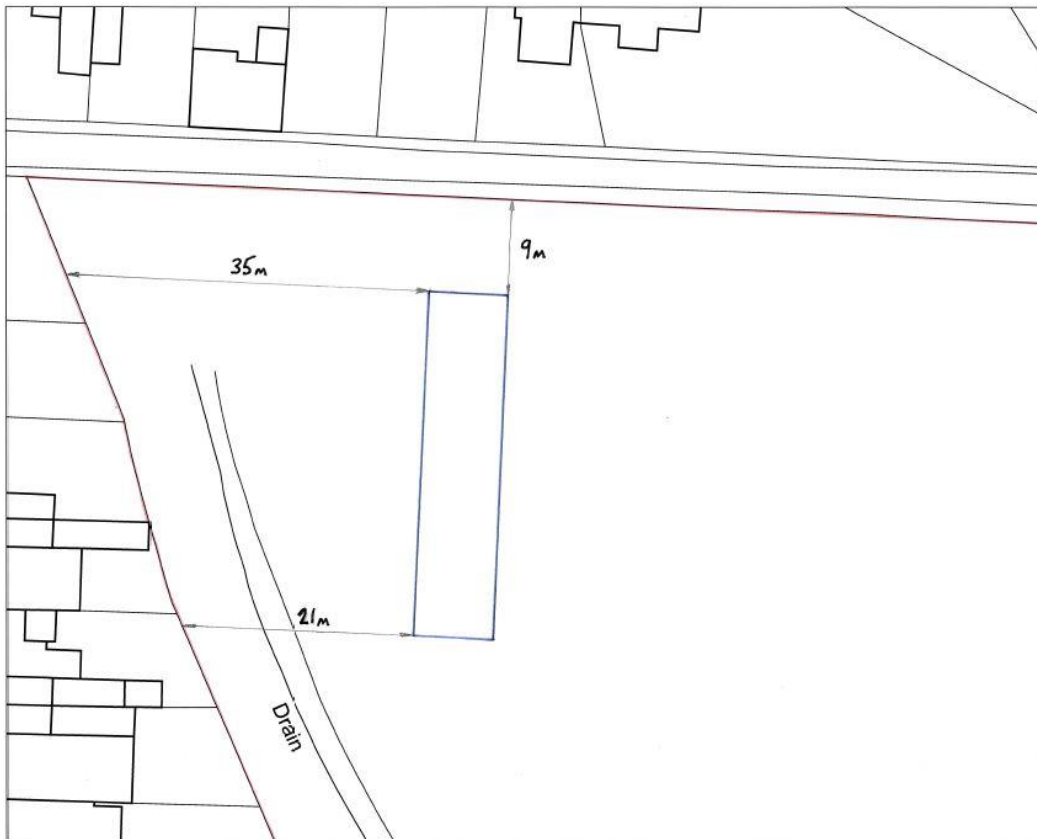


Plans (not to scale)

Aerial Photograph Showing Location of Practice Nets



Block Plan



FRONT PERSPECTIVE
Scale: 1:50

REAR PERSPECTIVE
Scale: 1:50

CAGE POST INSTALLATION
Scale: 1:10

TOP CORNER DETAIL
Scale: 1:10

Labels for Front Perspective:
 - TPE Carpet Mat - 18°C with Green border (3.60m One piece carpet, length to suit facility)
 - 7mm TFS Shockpad (Batting End)
 - 7mm TFS Shockpad (Bowling End)
 - 50 - 60mm Primary Layer Durable Coarse Aggregate (0 - 10mm)
 - Flexible Bi-axial Polypropylene Geogrid
 - 100 - 100mm Secondary Layer of Hardcore Aggregate (0 - 40mm)
 - Steel Cage Socket

Labels for Cage Post Installation:
 - 48mm Diameter Galvanized Steel post
 - Kerf Stone Foundations
 - 100 x 50mm Concrete Kerf Stone
 - Concrete Foundation for Steel Cage Socket

Labels for Top Corner Detail:
 - Galvanized corner with through tube
 - Galvanized hook
 - 48mm Galvanized Steel Tube

Other labels:
 - 2 x 7.3m Batting Curtains installed between the bays

total-play

PERFORMANCE
 DURABLE
 SAFETY
 EASY TO INSTALL
 EASY TO MAINTAIN

PROJECT NO. 2022/001
 DATE 07/12/2022
 DRAWN BY: [Name]
 CHECKED BY: [Name]

EN 03

Report of the Chief Executive

APPLICATION NUMBER:	21/00242/ENF
LOCATION:	Bistro 66 (formerly The Circle), 66 High Road, Beeston, Nottingham
PROPOSAL:	Unauthorised air extraction units

The application is brought to the Committee as requested by Councillor D K Watts.

1 Background

- 1.1 This matter was initially brought to the Council's attention in August 2021 at which time a noise complaint had been raised by a local resident with the Environmental Health Team.
- 1.2 Upon inspection it was found that two new extraction units had been installed on a first floor roof to the rear of the premises which were allegedly installed to replace an older unit. No evidence has been provided to substantiate this claim. The new units do not benefit from any rights of permitted development and therefore a retrospective planning application was invited in an attempt to regularise the units. Despite our best efforts, no valid application has been received for consideration to date.

2 Recommendation

The Committee is asked to RESOLVE that at this time the matter is not expedient and that no further action should be taken.

2 Appraisal

- 2.1 The ground floor of this terraced property is a restaurant in the town centre. On the first floor to either side of the premises are residential flats. These are accessed at the rear of the property. The air conditioning units are not visible in the street scene, being situated at the rear of the property above ground floor level.
- 2.2 The units in question serve the kitchen of the premises and only operate when the kitchen is in operation.
- 2.3 Noise diary sheets were issued to the complainant by Environmental Health at the outset of the complaint but no evidence was ever provided and the case was subsequently closed. No further complaints in relation to the units have been received by Planning Enforcement.

3 Conclusion

- 3.1 Whilst it is recognised that a breach of planning control has occurred, no evidence has been provided to suggest that the units are causing a noise nuisance, nor have any further complaints been received by the Council. Therefore, further enforcement action is not considered to be expedient in this case.

4 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.

5 Legal Implication

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

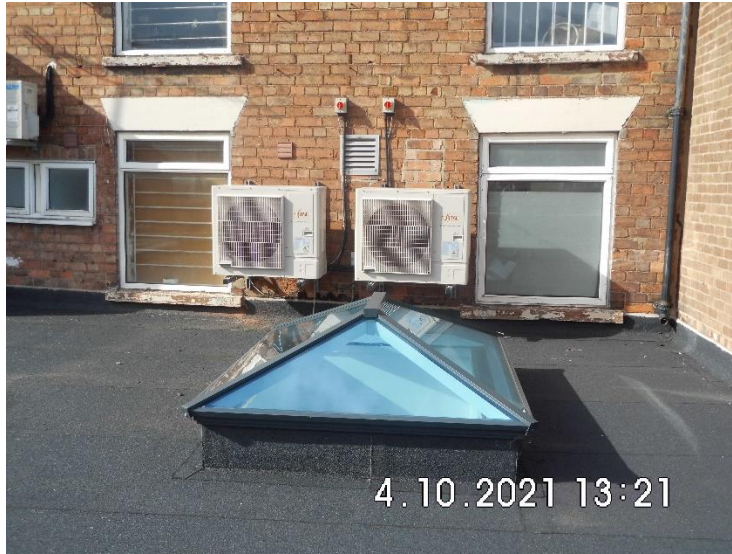
The Council's planning enforcement powers are discretionary and we should not take further action simply because there has been a breach in planning control. Enforcement action should only be taken where the Council is satisfied that it is 'expedient' to do so, having regard to the provisions of the development plan and to any other material planning considerations. In making this assessment the Council will have gathered evidence regarding the nature and scale of the breach, and whether it unacceptably affects public amenity. As stated in the report there is no evidence to suggest that the units have caused a significant enough degree of harm to warrant further action.

6 Data Protection Compliance Implications

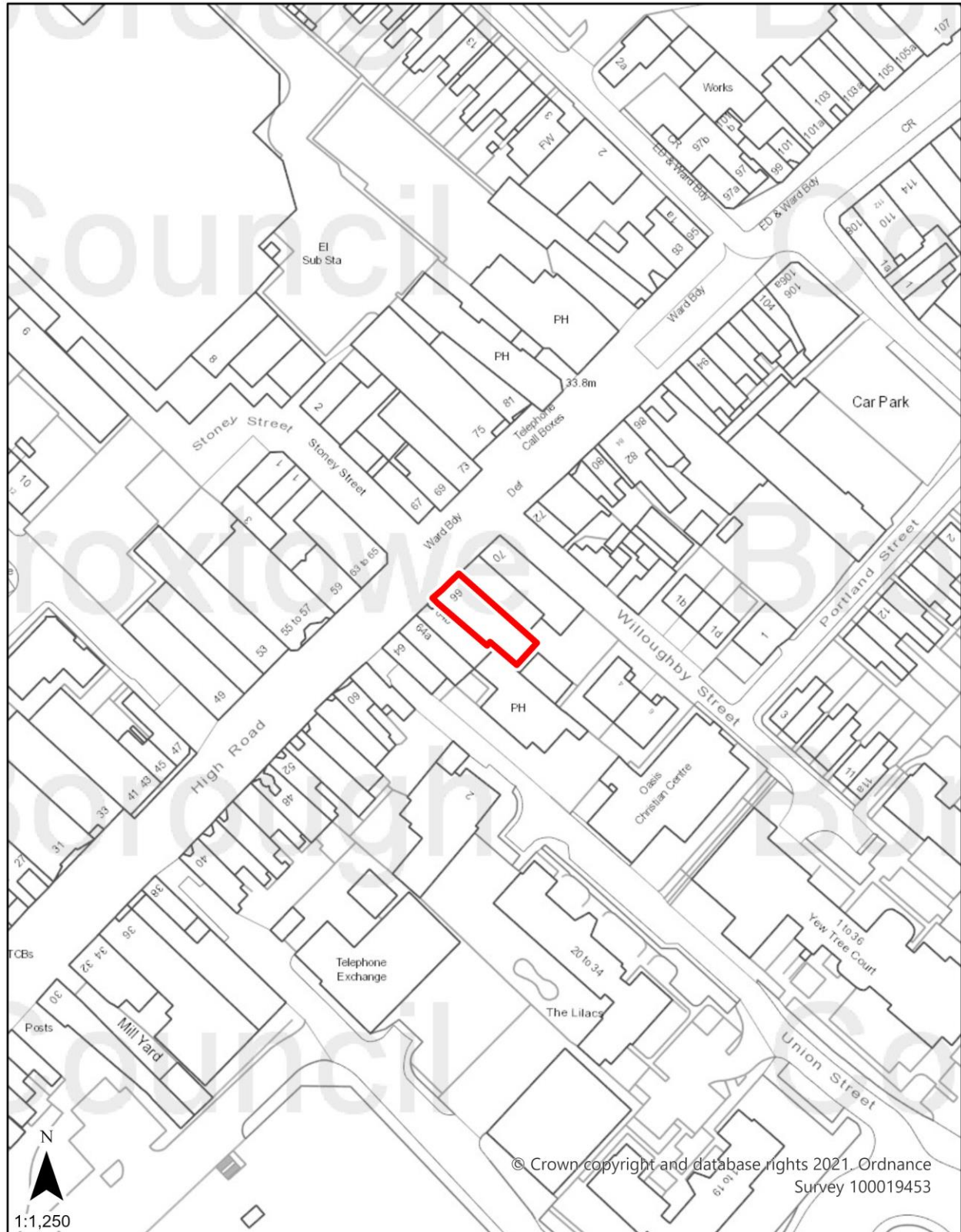
Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7 Background Papers

Planning Application Statement.



Map



Legend

 Site Outline

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00856/FUL
LOCATION:	Scrivens Opticians, 44 High Road, Beeston, Nottinghamshire, NG9 2JP
PROPOSAL:	Construct single storey extension and replace shelter over external stair and change of use from Commercial (Class E) to Class C4 (HMO) for first and second floors

APPEAL ALLOWED

The application was approved under delegated powers 15 December 2021. The applicant appealed the followed condition:

1. *The hereby permitted development shall provide residential accommodation for a maximum of three people.*

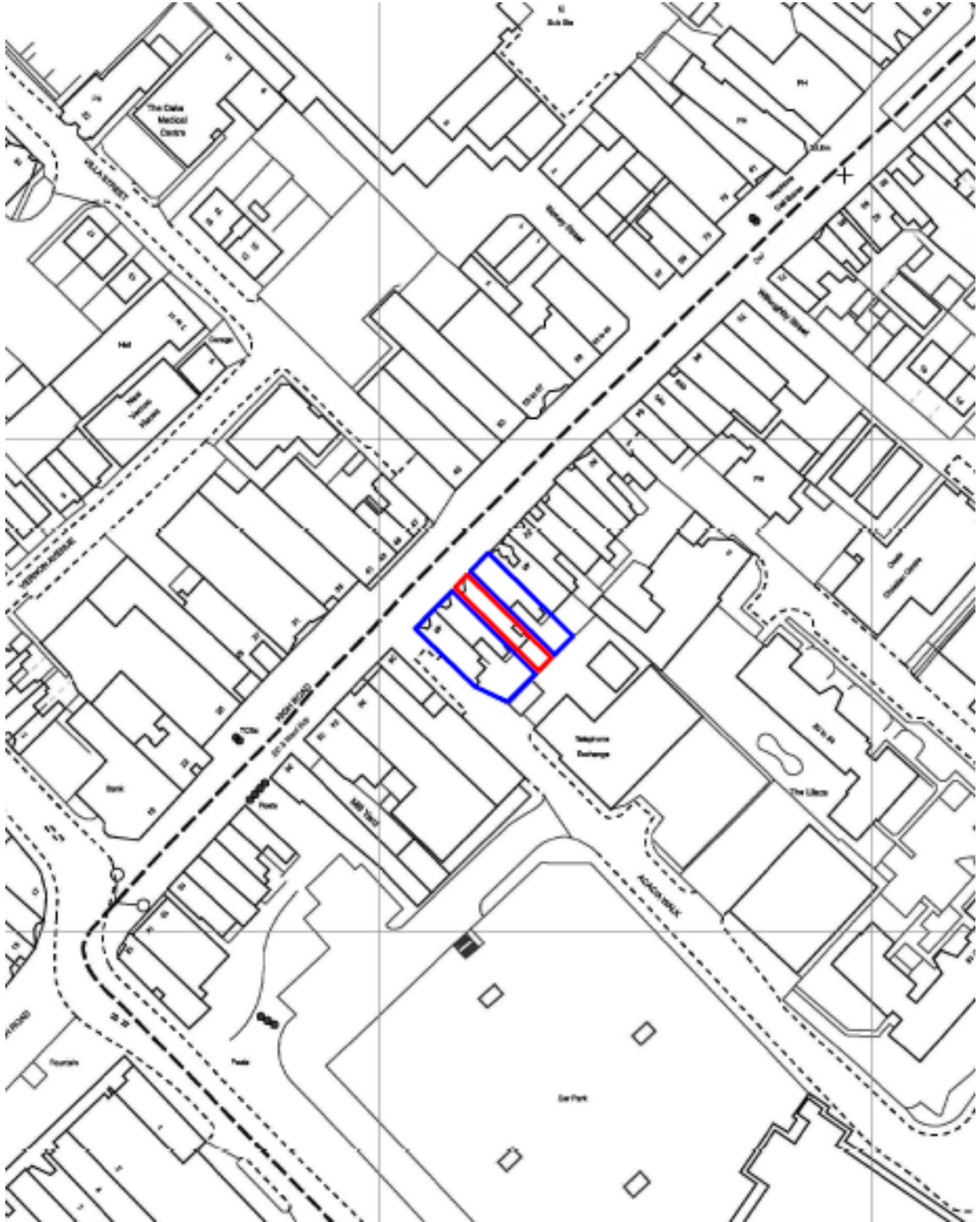
Reason: To define approved development shall provide residential accommodation for a maximum of three people.

The Inspector found that due to the location of the property in a mixed commercial and residential area, the proposal would not lead to any material noise or disturbance effects when considered against the permitted use of the property for up to three persons.

The Inspector noted that the submitted plans demonstrate that two of the bedrooms would exceed the minimum bedroom size requirement for two persons. The submitted plans demonstrate that the communal space would be able to accommodate the required facilities and would meet the requirements in the Council's HMO property standards.

The Inspector was satisfied that the removal of this condition would not unacceptably reduce the quality of space available for future occupiers.

21/00856/FUL - Site Location plan



BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
17 OCTOBER 2022 TO 11 NOVEMBER 2022**

CONTENTS

Planning applications dealt with under Delegated Powers

Please note: This list is now prepared in WARD order (alphabetically)

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

P L A N N I N G A P P L I C A T I O N S D E T E R M I N E D B Y
D E V E L O P M E N T C O N T R O L

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr Edwards 22/00631/FUL
Site Address : 19 Clarence Road Attenborough Nottinghamshire NG9 5HY
Proposal : **Construct single storey rear extension and two storey side extension**
Decision : **Conditional Permission**

Applicant : Mrs Nicky Perkins 22/00699/FUL
Site Address : 36 Kingrove Avenue Chilwell Nottinghamshire NG9 4DQ
Proposal : **Construct boundary fence.**
Decision : **Conditional Permission**

Applicant : Mr D Coupe Poplar Tree Services Ltd 22/00782/CAT
Site Address : Poseidon House Church Lane Attenborough Nottinghamshire NG9 6AS
Proposal : **T1 Cedar - Crown lift to 3m**
Decision : **No Objection**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : JM Towson Trust 22/00530/LBC
Site Address : Rectory Farm Stapleford Road Trowell Nottinghamshire NG9 3QB
Proposal : **Listed Building Consent to re-build boundary wall**
Decision : **Conditional Permission**

Applicant : Mr Chris Edson 22/00555/FUL
Site Address : 2 Coronation Road Cossall Nottinghamshire NG16 2RU
Proposal : **Construct rear dormers and balcony with balustrade, alterations to external appearance, conversion of garage into a bedroom, addition of plant room, alterations to external appearance and to boundary treatment (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Hendry 22/00685/FUL
Site Address : 37 Newtons Lane Cossall Nottinghamshire NG16 2SB
Proposal : **Construct single storey rear extension, and rear dormer with hip to gable roof extension to facilitate loft conversion.**
Decision : **Conditional Permission**

Applicant : Mr L Marshall 22/00691/FUL
Site Address : 19 Derbyshire Avenue Trowell Nottinghamshire NG9 3QD
Proposal : **Construct single storey front, single / two storey rear extension and loft conversion including hip to gable conversion and rear dormer**
Decision : **Conditional Permission**

Applicant : Mr & Miss Chris & Ellie Hayes & McNicol 22/00738/FUL
Site Address : 30 Derbyshire Avenue Trowell Nottinghamshire NG9 3QD
Proposal : **Construct single storey rear and first floor rear extension**
Decision : **Conditional Permission**

Applicant : Parker 22/00827/CAT
Site Address : 49 Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **T1 - removal of all trees and shrubs from front garden - to allow more space driveway and to replant**
Decision : **No Objection**

BEESTON CENTRAL WARD

Applicant : Miss Naimh Brady Sandstone UK Property Investment Ltd 22/00583/FUL
Site Address : 36 Mona Street Beeston Nottinghamshire NG9 2BY
Proposal : **Change of use from (C3) dwelling house to house in multiple occupation (C4)**
Decision : **Refusal**

Applicant : Mr Aaron Edge-Stenson ADES Property Investment Limited 22/00705/CLUE
Site Address : 24 Clifton Street Beeston Nottinghamshire NG9 2LS
Proposal : **Certificate of Lawfulness for an existing use as a House in Multiple Occupation within Use Class C4**
Decision : **Approval - CLU**

BEESTON NORTH WARD

Applicant : Mr Jag Randhawa 22/00284/CLUE
Site Address : 74 Peveril Road Beeston Nottinghamshire NG9 2HU
Proposal : **Certificate of Lawfulness for an existing use as a House in Multiple Occupation within Use Class C4**
Decision : **Approval - CLU**

Applicant : Mr P Tomlinson 22/00434/FUL
Site Address : 27 Muriel Road Beeston Nottinghamshire NG9 2HH
Proposal : **Demolish house and construct two semi-detached dwellings**
Decision : **Conditional Permission**

Applicant : Mr Iacovitti 22/00599/FUL
Site Address : 33 Broadgate Beeston Nottinghamshire NG9 2HD
Proposal : **Change of use from C3 (dwelling) to C4 (small HMO)**
Decision : **Refusal**

BEESTON RYLANDS WARD

Applicant : Mr Tom Hooper Nottingham Developments Ltd 22/00160/FUL
Site Address : Former New Jerusalem Church Grove Street Beeston Nottinghamshire
Proposal : **Construction of 9 flats following demolition of former place of worship**
Decision : **Conditional Permission**

Applicant : Nina Faresin 22/00264/FUL
Site Address : 54 Trent Road Beeston Nottinghamshire NG9 1LQ
Proposal : **Demolish existing dwelling and construct new dwelling**
Decision : **Conditional Permission**

Applicant : Leanne Wagner 22/00534/FUL
Site Address : 6 Canal Side Beeston Nottinghamshire NG9 1NG
Proposal : **Loft conversion with rear dormer and external alterations**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Griffiths 22/00713/FUL
Site Address : 111 Meadow Road Beeston Nottinghamshire NG9 1JQ
Proposal : **Construct single storey side and rear extension and creation of raised patio to the rear**
Decision : **Conditional Permission**

Applicant : Mrs Vicky Parker 22/00759/FUL
Site Address : 5 Ireland Close Beeston Nottinghamshire NG9 1JE
Proposal : **Construct two storey side, single storey rear extension and conversion to large HMO (Sui Generis use)**
Decision : **Withdrawn**

BEESTON WEST WARD

Applicant : Mr & Mrs Baker 22/00600/FUL
Site Address : 80 Imperial Road Beeston Nottinghamshire NG9 1FE
Proposal : **Construct single storey side extension, external insulated render, installation of photovoltaics and retrospective installation of an air source heat pump**
Decision : **Conditional Permission**

Applicant : Deb Jackson 22/00634/FUL
Site Address : 28 Trevor Road Beeston Nottinghamshire NG9 1GR
Proposal : **Construct two/single storey rear extension and insert first floor side window.**
Decision : **Conditional Permission**

Applicant : Mr Alican Erkol 22/00682/ADV
Site Address : 47 High Road Beeston Nottinghamshire NG9 2JQ
Proposal : **Replacement sign to be displayed above shop front on existing fascia**
Decision : **Conditional Permission**

Applicant : Mr Brown Redeemer Church 22/00714/VOC
Site Address : Redeemer Church Nottingham Old Town Hall 29 Foster Avenue Beeston Nottinghamshire NG9 1AE
Proposal : **Removal of Condition 2 of application reference number: 19/00263/FUL for minor alterations made to the scheme on site. Substitution of approved drawings under condition two, with amended drawings that reflect the alterations made during the construction phase.**
Decision : **Conditional Permission**

Applicant : Mr & Mrs I Stevens 22/00712/CAT
Site Address : 35 Elm Avenue Beeston Nottinghamshire NG9 1BU
Proposal : **Works to Trees in a Conservation Area - T1-4 -Birch 30% crown reduction, T5 - Pear prune back regrowth and cut back overhanging branch, T6 - Liquid Amber reduce height by 1m approximately, T7-Crab Apple prune back regrowth, T8-Maple 30% crown reduction**
Decision : **No Objection**

Applicant : Ms S Shrewsbury 22/00719/CAT
Site Address : 23 Grove Avenue Chilwell Nottinghamshire NG9 4ED
Proposal : **2 X Leylandii 1 X Larch - Trim Prune - Overhang to neighbours garden to tidy the shape, Crown Lift/Crown thin combination**
Decision : **No Objection**

Applicant : Brian Jones Stubbs Construction 22/00815/NMA
Site Address : Beeston Rise Care Home 17 Ellis Grove Beeston Nottinghamshire NG9 1EP
Proposal : **Non material amendment to 21/00184/FUL for minor amendments to some fenestration; access provisions for maintenance; kitchen ventilation.**
Decision : **Unconditional Permission**

BRAMCOTE WARD

Applicant : Adrian Bartlam 22/00285/FUL
Site Address : 4 Lambourne Close Bramcote Nottinghamshire NG9 3NP
Proposal : **Construct two storey side extension, single storey side and front extension and porch extension**
Decision : **Conditional Permission**

Applicant : Ms A Shahaj 22/00294/FUL
Site Address : 8 Keswick Close Beeston Nottinghamshire NG9 3AR
Proposal : **Construct two storey front and side extension, single storey rear extension and external alterations (revised scheme)**
Decision : **Conditional Permission**

Applicant	:	Mr And Mrs Nicholls	22/00429/CLUP
Site Address	:	254 Derby Road Bramcote Nottinghamshire NG9 3JN	
Proposal	:	Construct dormer and loft conversion	
Decision	:	Withdrawn	
Applicant	:	Mr Clive Betts	22/00575/FUL
Site Address	:	55 Town Street Bramcote Nottinghamshire NG9 3HH	
Proposal	:	Retain partial removal of front boundary wall and the engineering operations (changes to the ground level and construction of a retaining wall) to create additional car parking area on the frontage and new surfacing and drainage	
Decision	:	Conditional Permission	
Applicant	:	Mr Martin Christian	22/00577/LBC
Site Address	:	The Gables 101 Town Street Bramcote NG9 3DP	
Proposal	:	Insertion of a solid wood gate from the end of the path in front of the house to provide direct access to the garden. This work includes the demolition of a low (approx. 3') brick wall which dates from circa 2006. Demolition of an outhouse at the top end of the garden, which is modern, damp and in need of repair.	
Decision	:	Conditional Permission	
Applicant	:	Gaughan	22/00622/FUL
Site Address	:	69 Thoresby Road Bramcote Nottinghamshire NG9 3EP	
Proposal	:	Construct two storey and single storey rear extension and single and two storey front extension. Alterations to front elevation including gable roof and replace garage door with window. Installation of render to all elevations. Retrospective consent for rear platform.	
Decision	:	Conditional Permission	
Applicant	:	Sam Keyne	22/00623/FUL
Site Address	:	19 Keswick Close Beeston Nottinghamshire NG9 3AR	
Proposal	:	Construct single storey side and front extensions. Alterations to roof of existing front and side extensions and to window and door positions on the front, side and rear elevations	
Decision	:	Conditional Permission	
Applicant	:	Yinfei Yin	22/00628/FUL
Site Address	:	268 Derby Road Bramcote Nottinghamshire NG9 3JN	
Proposal	:	Construct single storey rear and front extension and two storey side extension. Construct detached outbuilding in rear garden.	
Decision	:	Conditional Permission	
Applicant	:	Karen Cole	22/00635/FUL
Site Address	:	38 Seven Oaks Crescent Bramcote Nottinghamshire NG9 3FW	
Proposal	:	Construct single storey front and rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr B Joshi	22/00639/FUL
Site Address	:	40A Seven Oaks Crescent Bramcote Nottinghamshire NG9 3FW	
Proposal	:	Change of use of ground floor shop unit to be within the residential curtilage of the existing dwelling, including alterations to the front elevation, single storey side extension and new boundary wall	
Decision	:	Conditional Permission	
Applicant	:	Mr Kamal Raj	22/00676/FUL
Site Address	:	65 Beeston Fields Drive Bramcote Nottinghamshire NG9 3TD	
Proposal	:	Installation of air-conditioning units in acoustic enclosures (revised scheme)	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant : Mr J Ortloff 22/00374/FUL
Site Address : 4 Longleat Crescent Chilwell Nottinghamshire NG9 5EU
Proposal : **Construct Loft Conversion with side Dormer and Raise Roof Height**
Decision : **Conditional Permission**

Applicant : Mr Lee Thorpe 22/00695/FUL
Site Address : 125 Bramcote Lane Chilwell Nottinghamshire NG9 4EU
Proposal : **First floor side extension over existing garage and use of resulting roof space as additional accommodation**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Homer 22/00697/FUL
Site Address : 241 Chilwell Lane Bramcote Nottinghamshire NG9 3DU
Proposal : **Construct front porch and dormer window to rear elevation**
Decision : **Conditional Permission**

Applicant : Peter Goodrick Broxtowe 22/00772/NMA
Site Address : Felton Close Chilwell Nottinghamshire
Proposal : **Non Material Amendment to planning reference 22/00210/REG3 for amendments to parking arrangements**
Decision : **Unconditional Permission**

Applicant : Mr & Mrs T & J Crane 22/00805/PNH
Site Address : 20 Pearson Avenue Chilwell Nottinghamshire NG9 4GQ
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.49 metres, with a maximum height of 3.6 metres, and an eaves height of 2.45 metres.**
Decision : **PNH Approval Not Required**

EASTWOOD HALL WARD

Applicant : Miss M Straw 22/00560/FUL
Site Address : 22D Mansfield Road Eastwood Nottinghamshire NG16 3AQ
Proposal : **Retrospective change of use from craft workshop to beauty salon**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr Tim Hankin 22/00445/FUL
Site Address : Elite Carpets And Stirland Vehicle Sales And Repairs The Old Chapel Chewton Street Eastwood Nottinghamshire NG16 3GL
Proposal : **Construct 6 one bed apartment block including demolition of existing garage building**
Decision : **Conditional Permission**

Applicant : Mr Ray Calder 22/00725/FUL
Site Address : 210 Nottingham Road Eastwood Nottinghamshire NG16 3GL
Proposal : **Siting of cabin for use as additional treatment rooms within the rear car park for use by The Eastwood Retreat beauty salon**
Decision : **Withdrawn**

EASTWOOD ST MARY'S WARD

Applicant : Mr Richard Broughton 22/00716/FUL
Site Address : 4 Church Walk Eastwood Nottinghamshire NG16 3BG
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Will Watson 22/00276/FUL
Site Address : 40 Main Street Kimberley NG16 2LY
Proposal : **Replace shop front and side windows/doors**
Decision : **Conditional Permission**

Applicant : Mr Simon Unwin 22/00580/CLUE
Site Address : 22 Westby Lane Babbington Village Kimberley Nottinghamshire NG16 2SS
Proposal : **Certificate of Lawfulness for existing use as an equestrian building**
Decision : **Approval - CLU**

Applicant : Mr Jon Cliff 22/00632/FUL
Site Address : 5 Hayley Close Kimberley Nottinghamshire NG16 2HU
Proposal : **Construct first floor rear extension**
Decision : **Conditional Permission**

Applicant : Ben Fletcher 22/00669/FUL
Site Address : 22 Knowle Lane Kimberley Nottinghamshire NG16 2QA
Proposal : **Construct single storey side and rear and two storey side extensions**
Decision : **Conditional Permission**

Applicant : Mr D Warner 22/00680/FUL
Site Address : 35 Eastwood Road Kimberley Nottinghamshire NG16 2HX
Proposal : **Construct single storey rear, side and front extension**
Decision : **Conditional Permission**

Applicant : Mr and Mrs M Topham 22/00690/FUL
Site Address : 9 Wetherby Close Kimberley Nottinghamshire NG16 2TZ
Proposal : **Construct first floor extension above ground floor to create two storey dwelling**
Decision : **Conditional Permission**

Applicant : Mr Andy Allport 22/00703/FUL
Site Address : 35 Edgwood Road Kimberley Nottinghamshire NG16 2JR
Proposal : **Construct front porch, side extension and loft conversion (revised scheme)**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : Mr Waqas Tariq 22/00440/FUL
Site Address : 75 Horsendale Avenue Nuthall Nottinghamshire NG16 1AQ
Proposal : **Install balcony railing**
Decision : **Conditional Permission**

Applicant : Sara Lewis 22/00618/FUL
Site Address : 2 Temple Crescent Nuthall Nottinghamshire NG16 1BG
Proposal : **Erection of single storey rear extension, first floor side extension and single storey front extension. Render to front, rear and side (west) elevation. Insertion of window to front elevation as replacement for garage door to facilitate garage conversion**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : Miss A Lyons Broxtowe Borough Council 22/00678/REG3
Site Address : Land At The Side Of Pavilion And Accessible Toilet Facility East Of Cadet Centre Ilkeston Road Stapleford Nottinghamshire
Proposal : **Erect temporary Community Cycle Hub**
Decision : **Conditional Permission**

Applicant : MR K POSHNJA 22/00771/NMA
Site Address : 142 Pasture Road Stapleford Nottinghamshire NG9 8GQ
Proposal : **Non Material Amendment to planning reference 22/00502/FUL to reduce size of ground floor bi-fold doors , insert small rear window to ground floor rear extension**
Decision : **Unconditional Permission**

Applicant : - W.Westerman Limited 22/00775/NMA
Site Address : Field Farm Ilkeston Road Stapleford Nottinghamshire NG9 8JJ
Proposal : **Non Material Amendment to 22/00248/NMA of 15/00841/REM (APP/J3015/W/16/3154282) to amend landscaping including the trip rail and hedgerow and introduction of an additional fence rail**
Decision : **Unconditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr Arshad 22/00173/FUL
Site Address : 153 Nottingham Road Stapleford Nottinghamshire NG9 8AY
Proposal : **Construct front porch, two/single storey rear extension and pitched roof over flat roofed side extension. Insert first floor side window. Amendments to previously approved application 21/00258/FUL including window sizes, external finishes, air condenser units and front fence/gate/wall.**
Decision : **Conditional Permission**

Applicant : Miss A Gill 22/00809/PNH
Site Address : 92 Ryecroft Street Stapleford Nottinghamshire NG9 8PN
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.50 metres, with a maximum height of 3.50 metres, and an eaves height of 2.10 metres.**
Decision : **PNH Approval Not Required**

STAPLEFORD SOUTH WEST WARD

Applicant : Orchard Homes Ltd 22/00563/FUL
Site Address : 121 And Land To Rear Of 123 Brookhill Street Stapleford Nottinghamshire NG9 7GU
Proposal : **Construct 5 dwellings, following demolition of 121 Brookhill Street, including creation of access between 123 and 125 Brookhill Street**
Decision : **Refusal**

Applicant : High Speed Two (HS2) Ltd 22/00594/ALT
Site Address : 16 Carnforth Close Stapleford Nottinghamshire NG9 7EZ
Proposal : **Application for Certificate of Appropriate Alternative Development**
Decision : **Prior Approval Approved**

Applicant : Mr Mindy Grewal 22/00611/FUL
Site Address : 98 Derby Road Stapleford Nottinghamshire NG9 7AD
Proposal : **Construct first floor extension, including dormer windows to create one self-contained flat with accommodation in the roof. Construct external stair to rear. Relocation of air conditioning units**
Decision : **Conditional Permission**

Applicant : Ms Laura Ward 22/00641/FUL
Site Address : 2 Birley Street Stapleford Nottinghamshire NG9 7GE
Proposal : **Construct single storey side/rear extension**
Decision : **Conditional Permission**

Applicant : MR ALI AHMAD 22/00659/FUL
Site Address : 66A Derby Road Stapleford Nottinghamshire NG9 7AB
Proposal : **Installation of extraction flue above ground floor front roof**
Decision : **Conditional Permission**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr James Birtles 22/00416/FUL
Site Address : 5 Steven Close Toton Nottinghamshire NG9 6JX
Proposal : **Construct single storey rear, side and front extension**
Decision : **Conditional Permission**

Applicant : Enterprise Holdings 22/00426/FUL
Site Address : Former Manor Garage 365 Nottingham Road Toton Nottinghamshire NG9 6EG
Proposal : **Change of use to vehicle rental business, including construction of office, bin store and car wash, associated car parking and landscaping**
Decision : **Conditional Permission**

Applicant : Mr Martha & Aman Dhanda 22/00487/FUL
Site Address : 4 Connery Mews Toton Nottinghamshire NG9 6ED
Proposal : **Construct two storey side extension and single storey front and rear extensions, reposition wall to the western boundary**
Decision : **Conditional Permission**

Applicant : Ruth Meenagh and David Norton 22/00629/FUL
Site Address : 53 Whitburn Road Toton Nottinghamshire NG9 6HR
Proposal : **Construct single and two storey side and single storey rear extensions**
Decision : **Conditional Permission**

Applicant : Mr J Lewis 22/00683/FUL
Site Address : 2 Ayton Gardens Chilwell Nottinghamshire NG9 6NQ
Proposal : **Construct two storey side extension.**
Decision : **Conditional Permission**

Applicant : Mr Nanda Wanem 22/00734/FUL
Site Address : 40 Topliff Road Chilwell Nottinghamshire NG9 5AS
Proposal : **Garage conversion including new window to front elevation**
Decision : **Conditional Permission**

Applicant : Mr J Birtles 22/00626/TPOW
Site Address : 5 Steven Close Toton Nottinghamshire NG9 6JX
Proposal : **Work to TPO/TOT/01 - T1 Ash Tree - crowning and removal of deadwood**
Decision : **Withdrawn**

WATNALL & NUTHALL WEST WARD

Applicant : Mr G Fowler 22/00528/LBC
Site Address : 3 Nottingham Road Nuthall Nottinghamshire NG16 1DH
Proposal : **Listed Building Consent to widen driveway entrance by removing part of wall and installing larger gates**
Decision : **Conditional Permission**

Applicant : Peter Goodrick Broxtowe 22/00566/REG3
Site Address : Garages Off Chilton Drive Watnall Nottinghamshire
Proposal : **Demolition of garages and construct 2 dwellings with associated parking, landscaping and private amenity space**
Decision : **Conditional Permission**

Applicant : Natalie Dempster 22/00616/FUL
Site Address : 77 Main Road Watnall Nottinghamshire NG16 1HE
Proposal : **Construct single / two storey rear extension. Insert first floor side window**
Decision : **Conditional Permission**

Applicant : Mr M Hatton 22/00643/FUL
Site Address : Redfield House Farm New Farm Lane Nuthall Nottinghamshire NG16 1DY
Proposal : **Change of use of agricultural building to B8 storage use**
Decision : **Conditional Permission**
