

Report of the Chief Executive

APPLICATION NUMBER:	20/00352/OUT
LOCATION:	LAND ADJACENT AND NORTH WEST OF BRAMCOTE CREMATORIUM, COVENTRY LANE, BRAMCOTE, NOTTINGHAMSHIRE
PROPOSAL:	OUTLINE APPLICATION TO CONSTRUCT RESIDENTIAL DEVELOPMENT WITH ALL MATTERS RESERVED EXCEPT FOR THE FORMATION OF VEHICULAR ACCESS FROM COVENTRY LANE

This application is brought to the Committee as the Council is a joint landowner of part of the site, it is an allocated site and because of the size of the proposed development.

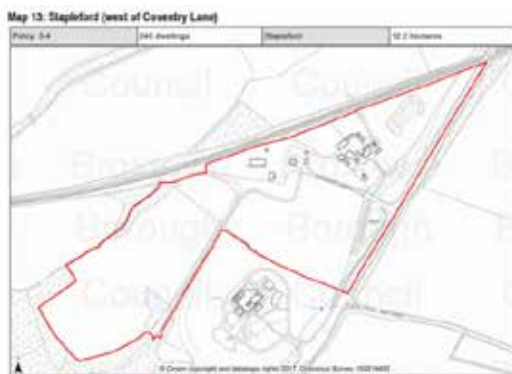
1 Executive Summary

- 1.1 This is a major planning application seeking outline permission to construct up to 190 dwellings to the west of Coventry Lane with all matters reserved except the formation of a vehicular access (from Coventry Lane). This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.
- 1.2 As part of the application, a Transport Assessment, Travel Plan, Flood Risk Assessment and Drainage Strategy, Phase 1 Site Investigation, Protected Species Reports, Ecological Report, Concept Plan, Tree Survey, Noise Assessment, and Design and Access Statement were submitted.
- 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.
- 1.4 The main issues relate to whether up to 190 dwellings on this site would be acceptable, if satisfactory means of 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.
- 1.5 The benefits of the proposal would mean 190 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.
- 1.6 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This is a major planning application seeking outline permission to construct up to 190 dwellings to the west of Coventry Lane with all matters reserved except the formation of a vehicular access (from 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 does not include the north east corner of the allocation which belongs to Broxtowe Borough Council and Erewash Borough Council. The intention is for this land to be sold to the developer subject to receiving permission for this site. Therefore, it is not included in this application due to the management of the S106 financial contributions.



Part 2 Local Plan (2019) Policy 3.4 Map page 49

Site Location Plan

- 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 site is mixed greenfield and brownfield and is used for equestrian, residential and as an engineering depot. The entire allocated site is 12.2 hectares but the part of the site considered for development within this application is 8.73 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 2k 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 site has uneven surfaces and rises from the south west to north east within the centre. Beyond the site to the north west are agricultural fields and the land slopes up. Stapleford Hill is made up of woodland and pathways and rises up to the south of the site. Land to the north and south of the site is Green Belt.
- 2.5 An application is currently awaiting determination to the west of the site on Field Farm. This is a major hybrid planning application (20/00116/FUL) comprising two elements. Full planning permission is sought for 132 dwellings, associated infrastructure, flood attenuation works, play area and open space. Outline planning permission, with all matters reserved except for access, is sought for up to 200 dwellings, a local centre (comprising a use(s) falling within an 'A' Use Class), associated infrastructure, flood attenuation works and open space.
- 2.6 To the east of Coventry Lane is an allocated site for 500 dwellings which is largely greenfield and a former playing field associated with the adjacent school which has been unused for a number of years. No applications have been submitted for this site.

3 Relevant Planning History

- 3.1 There are no previous applications associated with this site.

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 2019:**

- 4.2.1 The Council adopted the Part 2 Local Plan (P2LP) 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 30: Landscape
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2019:

- 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 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change.
- Section 15 – Conserving and Enhancing the Natural Environment.

5 Consultations

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

- Provision of Open Space: The green corridor adjacent to the crematorium is a logical and appropriate approach which is the same for the retained woodland on the north western boundary
- Sustainable Drainage Features: Preference for the Council to not take on the responsibility for any of the inlet or outlet structure of these features. The drainage feature at the entrance to the site will be dominant and should be landscaped sympathetically. Given the location of both drainage features, a high quality metal railing fence with appropriate maintenance access points is required. The landscape detail for these areas needs to be agreed with suitable wetland seed mixes and marginal planting.
- Footpath/ Cycle ways: Provision of these on site is positive. However, the path that follows the north/eastern boundary of the crematorium through the open space should continue around the corner to follow the open space alongside the north/western boundary of the crematorium. The potential footpath links to the existing network are welcomed. More detail would be needed as to the proposed surface treatment of these. Paths on the north/western boundary of the site appear to be narrower than the path coming in off Coventry Lane. Unsure if paths around the drainage features are just for maintenance or public access. A detailed specification will need to be agreed for the footpaths. A tarmac construction with a tar spray and chip finish and concrete edgings should be used for paths.

- Tree Planting: More detail will be needed but the indicative layout shows an avenue of trees on the main access road into the site which is welcomed. There is potential for more trees around the perimeter of the sustainable drainage feature to the north/east of the site. There is scope for tree planting around the sustainable drainage feature to the west of the site. There is a good proposed layout of trees along the footpath/cycleway on the route from Coventry Lane and on the northern edge adjacent to the railway. These will be particularly important as both a noise buffer and visual screen. Will there be a noise acoustic fence along this boundary and if so who will be responsible for maintaining it?
- Existing Trees: There has been discussion in the past on the impact of the trees on the south/east boundary of the site and the amount of shade these will cast. Concerned about the shade patterns during the winter for plots 113-121 and 129-132.
- Play Area: Reference to an informal play area and trim trail and will need to see a lot more detail relating to this in due course.
- Landscape Maintenance: Information required on the long-term maintenance of the site.
- Commuted Sum: The figure for on-site maintenance would be £632.40 per dwelling. Based on 190 dwellings this would be £120,156.

5.2 **Council's Tree Officer**: All of the category C trees could be removed as they are of low quality, the trees around the perimeter of the site are to be retained and details of the root protection areas are included within the tree survey if the developers follow the guidance then there should not be any issues.

The concept plan drawing number 2019-613-10A shows the shade line caused by the trees located on Stapleford Hill extending across the houses in that area of the site at certain times of year, this may lead to calls to prune reduce trees in this location as this is a local nature reserve and would have to refuse. This should be taken into consideration by the developers.

The trees around the Active Bramcote Crematorium perimeter need to be maintained as they are an essential screen, any ground level changes along the perimeter of the Crematorium would need careful consideration as the ground the crematorium is built on is made up ground which appears to shale from previous pit workings, ground level changes at the bottom of the bank could potentially lead to land slip, the trees in that location are retaining the area through the root growth.

The site would support the development, trees around the perimeter should be retained and extra planting in areas indicated would be of benefit.

5.3 **Council's Housing Strategy and Development Officer**: Based on the agreed scheme for the reserved matters layout which has not yet been submitted and the principle that 30% affordable housing is required (being 2/3 thirds rented and 1/3 third shared ownership units), the mix would be;

2/3 thirds affordable rent:

- 1 bed/2 person houses/flats/bungalows 40%
- 2 bed/4 person houses/bungalows 31%

- 3 bed/5 person houses 26%
- 4 bed/6 person house 3%

1/3 third shared ownership:

- 2 bed/4 person houses 56%
- 3 bed/5 person houses 44%

- 5.4 **Council's Environmental Health Officer:** no objection subject to a precommencement condition requesting an investigate survey is undertaken to address the possibility of the land being contaminated due to its historic use.

Once a site layout has been determined, a revised noise assessment that is specific to the layout, with mitigation measures, should be submitted. A precommencement condition is therefore advised for a scheme to protect proposed dwellings from the railway lines, road traffic and plant noise from the crematorium.

Due to the proximity to existing residential properties and crematorium, details are require to be submitted in relation to any piling or other penetrative foundation design to minimise the effects of noise and vibration of surrounding occupiers.

- 5.5 **Council's Waste and Recycling Officer:** advise requirements for bins for each dwelling.

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

Initial comments 12/8/20:

The proposed development will be served from Sidings Lane which forms a right turn ghost-island onto the A6002 Coventry Lane, a primary distributor road that also functions as a relief route for the M1 motorway.

Drawing "CLBR-BSP-ZZ-XX-DR-D-0001 revision P02" shows Sidings Lane will be upgraded to a 6.75m wide carriageway with 15m radii on both sides. The shared footway on Coventry Lane follows the radii of the junction which tie-into internal footways measuring 2.00m wide. A refuge in the centre of the junction is located on desire lines to aid pedestrians crossing. The road markings on the approach appear unaltered.

Whilst wider junction radii were requested during pre-application discussions, they should now be tighter to promote lower speeds for vehicles turning left, and to improve safety for pedestrians using the refuge in the mouth of the junction. The access will therefore need to be amended, and tracked with the largest vehicle expected to access the site. The tracking should not show the vehicle bumping up the kerb, encroaching into pedestrian areas, or utilising opposing lanes. Additional tweaks should also be made to widen the central right turn lane by reducing the width of the through lanes to promote lower speeds.

To comply with Policy 3.4 of Broxtowe Borough Council's Part 2 Local Plan, design measures have been put forward to reduce vehicular speeds along Coventry Lane by introducing a new 40mph speed limit with associated signage, and altering the road markings to narrow the perceivable width of the carriageway. It should be pointed out

the introduction of the new limit will need to be made under separate highway legislation that runs independently of the planning process. A pre-commencement condition should be applied to ensure that no development takes place in the event the Order is not determined favourably.

Drawing 2019-613-10A shows a segregated cycle route into the site that is slightly staggered from Moor Farm Inn Lane (opposite). Although the principle of such provision is acceptable, the location of its connection to the public highway will direct pedestrians to a crossing point that resides within a parking lay-by. This scenario presents an increased risk of injury to pedestrians who will have to negotiate drivers entering/exiting the lay-by, or if they are forced onto the main carriageway to negotiate parked vehicles. The route and the works to the crossing should therefore be omitted.

When considering the flow and speed at which traffic proceeds along Coventry Lane, it would make most sense to provide a Toucan crossing (positioned towards Sidings Lane) for vulnerable road users to safely cross the carriageway, rather than to rely on their individual perception that may not correctly determine how quickly vehicles approach. Pupils of Bramcote College would benefit from such provision, as their route from the site towards the school will utilise the network of footpaths and bridleways that can be accessed from the nearby Moor Farm Inn Lane. The footway on the opposite side of the carriageway to the development will then need to be widened to 3.00m to accommodate the increase in traffic, and to also promote lower forms of carbon travel. Further details should be provided for assessment.

The Chartered Institution of Highways and Transportation's document entitled "Buses in Urban Developments" recommends that all housing developments be located within 400m of a bus-stop, and preferably closer. Proposals have been put forward for bus-stops to be provided along Coventry Lane, but the distance travelled to these will exceed the desirable distances for walking. In order to promote sustainable travel and to provide the future residents with a realistic alternative to car borne journeys, it is considered that public transport services must penetrate the site. It is understood this level of infrastructure has not been put forward by the applicant on the proviso that services should be directed towards the larger site on the opposite side of Coventry Lane. However, this development gives the opportunity to maximise future patronage and to help make services self-sufficient. A public transport access strategy will therefore need to be submitted to show how future operators will deliver their services.

With regards to the modelling, the outputs show the existing site access arrangement operates within capacity in the 2030 scenario. Whilst there is a policy requirement for a single junction to serve allocations 3.3 and 3.4 of the Part 2 Local Plan, unable to insist the signalised arrangement is delivered as part of the current submission.

The development does impact on the capacity of the double mini roundabout junction on Ikeston Road. However, mindful of the nearby Field Farm development where it is understood S.106 contributions of £343k (to be index linked) are proposed to be carried forward from the now lapsed permission. It should be pointed out that the estimate for the scheme totalled £396,000 and so the applicant should make up the shortfall (also to be index linked) to ensure the public purse is not required to facilitate the works.

If the Field Farm application is not successful, then the developer will be required to provide the full contribution towards the junction upgrade. Therefore, it is requested that any decision regarding this application is withheld until the Field Farm development and accompanying S.106 agreement have been determined.

Amended plans 5/10/20:

Having discussed the proposal further with the applicant's Transport Consultant, the Highway Authority is now satisfied that a suitable access arrangement can be provided to serve the site.

It is understood that S.106 contributions of £53k have been proposed to deliver corridor improvements at the Coventry Lane / Ilkeston Road double mini-island. This figure is the residual value between previous estimates to improve the junction back in 2013. The Highway Authority considers this sum of money is sufficient on the understanding it is index linked.

There are no highway objections subject to conditions which address the following:

- Parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, drainage, and public transport route;
- Application to reduce the speed limit along Coventry Lane to 40mph;
- Off-site highway works implemented;
- Hardsurfacing of driveways for 5.5m and to prevent unregulated discharge of surface water onto the public highway;
- Construction method statement provided and
- Footpaths and cycle ways to be constructed to prevent unregulated discharge of surface water onto the public highway.

Advisories in respect of complying with Nottinghamshire County Council's current highway design guidance and specification for roadworks and relevant legislation.

No public rights of way are affected by the proposal and therefore there are no objections to the proposal in terms of Rights of Way.

5.7 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection subject to the submission of a detailed surface water drainage scheme which includes details in respect of the following:

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations demonstrating the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; and
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

5.8 **NHS Nottingham City Clinical Commissioning Group (CCG):** has made a health contribution request for £102.956.25 for primary health care.

5.9 **Network Rail:** no objection in principle. Conditions relating to the following are advised:

- Operations in vicinity of railway to be carried out in 'fail safe' manner

- Earthworks/excavations in vicinity of railway to be designed/executed to avoid interference with railway
- Provision of a suitable trespass proof fence adjacent to railway boundary (1.8m high) with future maintenance and renewal
- Planting species need be considered to avoid encroachment on railway and NR consulted on landscaping scheme
- Lighting should avoid dazzling train drivers
- If excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted to NR
- Sound proofing of dwellings adjacent railway
- No encroachment of Network Rail land during construction and after completion of development and access to be maintained to NR land, particularly the railway drainage structure (Boundary Brook)

Boundary fencing, method statements, sound proofing, lighting and landscaping should all be conditioned in interests of safety, operational needs and integrity of railway.

5.10 **Environment Agency:** recommend the following conditions are imposed to ensure that risks to controlled water receptors are appropriately assessed and mitigated:

- Site investigation scheme based on the preliminary risk assessment report
- Options appraisal and remediation strategy
- Verification plan for longer-term monitoring, maintenance and contingency action
- Verification report demonstrating completion of works set out in the approved remediation strategy
- Remediation strategy for any unexpected contamination not previously identified
- Piling/foundation designs using penetrative methods will require consent
- No infiltration or surface water drainage into the ground via SUDS or soakaway land affected by contamination is permitted without consent

Advisories in respect of waste on site and contaminated materials are advised.

5.11 **Coal Authority:** It is noted the application site falls within Defined High Risk Area as the site has been subject to past surface mining operations. No objections subject to conditions:

- Site investigations to be carried out to establish the exact situation in respect of coal mining legacy features
- Detailed remediation scheme to protect the development from the effects of such land instability (if coal mining legacy is identified)

5.12 **Severn Trent Water:** no comments received.

5.13 **Nottinghamshire Wildlife Trust:**

Initial comments 27/7/20:

Have reviewed the Ecological Appraisal and can confirm the ecology survey and report has been undertaken according to good practice guidelines and support the

recommended additional surveys which will need to be undertaken to determine the presence (or otherwise) of protected species but raise the following points:

- Would welcome plans to support the ecologist's recommendations that sufficient public open space should be included in the design, suitable for activities such as dog walking as well as the provision of dog waste bins as these measures would reduce the impact of recreational pressure on the Local Nature Reserve
- Clarification on direct footpath link to Stapleford Hill Woodland LNR which may require funding to better cope with increased pressure from residents
- Recommend that all edge-habitats are maintained and buffered where possible
- Detailed CEMP (Construction Environmental Management Plan) should be submitted to include information regarding best practice construction protocols
- SuDS (Sustainable Drainage Methods) should be wildlife friendly
- Fully support the recommended transect survey due to the site being considered to have moderate suitability for bats
- Recommend that funding is provided via a S106 financial contribution to enable the Bramcote Hills Park Woodlands and Stapleford Hill Woodlands LNR's to be more robust and cope with the additional foot-fall.

The ecological appraisal (July 2020) identified a number of further surveys that will be required to safeguard and mitigate any protected species which may be impacted by the development. Therefore, it is recommended that the below are submitted as part of the full development application and that all ecological recommendations made above are secured through the use of conditions.

- Further bat surveys to include a transect survey and an internal survey on Building 1
- Breeding bird survey
- Great Crested Newt (GCN) survey on ponds 1-4
- Reptile surveys
- Further information regarding wildlife friendly SuDS
- Water vole/otter pre-commencement checks
- Green Infrastructure space and additional funding provided to support the LNR's

Comments based on Great Crested Newt (GCN) report 7.9.20:

- No evidence of GCN were found but advise a precautionary measure relating to other amphibians found in the report
- Recommend that a Reasonable Avoidance Measures Statement (RAMS) is produced for the site and should outline a methodology to prevent any harm to amphibians

5.14 **Nottingham Police Crime Prevention Design Advisor:** no comments received.

5.15 **Nottinghamshire County Council Planning Policy:** request a transport contribution of £325,000 for bus services. This amount has subsequently been reduced to circa £300,000 although final assessment of the data may reduce this still further. This would be used to provide improvements to the local bus services to serve this site. This is conditional on a bus turning facility being provided as part

of this site, either as a permanent facility, or temporary facility pending other future development in the area, which may include a suitable alternative turning facility.

Request a secondary education contribution of £716,250. (30 places x £23,875 per place).

Request a library contribution of £6,695 towards Stapleford Library.

5.16 Eleven neighbouring properties were consulted and four site notices and amended site notices were displayed. Six objections were received and can be summarised as follows:

- The FRA does not investigate the risk due to groundwater flooding sufficiently as no map showing modelled flood risk due to groundwater was produced
- Boundary Brook has experienced three flooding events in eight months and this development is likely to worsen the situation
- The plans show two balancing ponds to release water into the brook at a controlled rate but this same assertion was made for Field Farm which was incorrect
- The further development of Field Farm already threatens to add to the severity of the flood risk
- Application should be refused on grounds of increasing downstream flood risk
- Measures should be put in place to not contaminate Boundary Brook due to historic coal mining use of site
- Phase 1 habitat survey was undertaken outside the recommend seasons which is unacceptable
- Site contains grassland adjoining a waterway and scrub, section 5.2 of the Ecology Survey does not reflect this or highlight the importance of this habitat to specific species of significance
- The piecemeal nature of planning applications coming forward for the developments in this area is having an accumulative effect on the mature woodlands and causing fragmentation of the Erewash to Wollaton wildlife corridor identified in Broxtowe's Green Infrastructure Strategy
- Environmental Impact Assessment should be carried out
- A total of 1230 dwellings (Field Farm, east and west Coventry Lane) will run along the same secondary wildlife corridor
- Application does not represent a net gain in biodiversity as highlighted in Section 15 of the NPPF
- increased recreational pressure on Stapleford Hill and Bramcote Hills Park/Woods sites has not been properly considered in this application
- Must take into account the ecological impact of known adjoining development site
- Pressure on Local Nature Reserve should be addressed
- Environmental impact of the proposed development will cause untold damage to wildlife, and the quality of life of the local residents
- Recommendation that application is not approved due to incomplete information
- A Phase II Geo-Environmental Desk Study & Preliminary Coal Mining Risk Assessment Report is not available to review
- A more robust ground gas assessment will be required as part of future Phase II Exploratory Investigation work

- Local schools and doctors are over subscribed
- Pressure on health centres, shops and schools
- Increased traffic, especially at rush hour
- The give way junction at Coventry Lane is already heavily congested
- Doesn't fit in with aspirations for cleaner air
- Demolished building sites on Glaisdale Drive and Wigman Road should be considered instead.

6 Assessment

6.1 The main issues for consideration are whether the principle of the development is acceptable, access and highways and S106 contributions. Layout, scale, appearance and landscaping are all reserved matters and will be subject to further scrutiny under a reserved matters application. However, they will be addressed in some detail below.

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 would provide an additional 240 homes to the borough; however, this application is for 190 homes with the north east of the site being subject to a later application.

6.2.2 This is a green field site which is close to an existing urban area which adjoins the Field Farm development to the south west. Land to the east of Coventry Lane has also been allocated for 500 homes.

6.2.3 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.

6.3 Access and Highways

6.3.1 A Transport Assessment (TA) has been submitted with the application. This considered the likely impact on the operational performance of the adjacent highway network and transportation infrastructure and assessed the adequacy of existing transportation facilities in meeting the needs of the proposed development, including public transport, pedestrian, cycle and vehicular access. The report concluded that with mitigation measures (detailed below), that the development could be accommodated without being detrimental to the highway network.

6.3.2 The site will be served by one single point of access which already exists (Sidings Lane). This will continue to serve Hulks farm to the north east of the east which is outside of the red line plan for this application.

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 (will accommodate site to north east)
- 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 for safe pedestrian crossing
- Tactile paving at refuge crossing point and on junction crossing for pedestrians
- Existing access to Hulks Farm widened to 5m for the first 5m.

Coventry Lane

- Improvements to ghost island right turn into site
- Removal of layby and continuation of kerb to the south west of access into the site
- Toucan crossing (where layby would have been) to connect the site and Moor Farm Inn Lane cycleway
- The footway on the east side of Coventry Lane to be widened to 3m from the toucan crossing to Moor Farm Inn Lane
- Proposed speed limit reduction from 50mph to 40mph to the south (30mph retained to the north)
- Pedestrian and cycle route only into the site (next to toucan crossing)
- Speed reducing features along Coventry Lane
- Financial contribution towards the upgrade of the double mini-roundabouts and bus service extension to be provided.

6.3.4 Policy 3.4 of the Part 2 Local Plan states that the scheme should provide safe pedestrian and 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. A toucan crossing is proposed which will link the site (via the pedestrian/cycle route to Moor Farm Inn Lane which would provide access to the east of Coventry Lane and the redeveloped school.

6.3.5 The Council's Parks and Green Spaces Manager has highlighted that the footpath that follows the north/eastern boundary of the crematorium through the open space should continue to follow the open space alongside the north/western boundary of the crematorium. However, Nottinghamshire Wildlife Trust have raised concern with the impact on Stapleford Hill adjacent to the site by providing a direct route through the site, as this would mean there would be increased pressure on this neighbouring LNR. The highway pavement and footpath provide pedestrian paths through the site, the footpath then links to the Field Farm development. It is considered this is sufficient to link the sites whilst maintaining the importance of Stapleford Hill LNR.

6.3.6 In line with the Council's Parks and Green Spaces Manager's comments, the attenuation ponds would be for both maintenance purposes and public access. The sizes of pathways have been amended so they are similar widths.

- 6.3.7 Various amendments have been made to the application subject to the involvement of the Highway Authority. The Highway Authority are now satisfied that a suitable access arrangement can be accommodated to support the full site subject to conditions. The conditions relate to the approval of parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, drainage, and public transport route, an application being made to reduce the 50mph limit to 40mph along Coventry Lane, all off-site works being completed before the dwellings are occupied, the submission of a construction method statement and footpaths and cycle ways in the site constructed to prevent unregulated discharge of water onto the highway.
- 6.3.8 The scheme will include speed reducing features along Coventry Lane which along with the reduction in speed from 50mph to 40mph, include speed limit terminal signs (to be mounted back to back on existing posts), a new traffic island with 'keep left' bollards, speed limit roundel road markings (displaying speed limit on road), speed limit repeater signs (within 250m of terminal signs) and edge of carriageway markings on both sides of Coventry Lane to visually reduce available carriageway width (not applied at lay-bys, junctions or access).
- 6.3.9 Whilst the plans are indicative and subject to change, the site layout plan demonstrates that an acceptable layout can be accommodated on site. Off-street parking would also be provided.
- 6.3.10 Policy 3.4 in the Part 2 Local Plan makes specific reference to the need to 'enhance bus routes adjacent to or within the site'. Though it is noted that the policy does not go as far as to suggest that a new bus service is required. Policy 3.4 also refers to the 'Growth Area' which encompasses the sites to the east and west of Coventry Lane. The applicant states that it would be unreasonable and disproportionate to require the current (first in line) submission to pay for a full bus service that is intended to benefit the wider allocation, and the Council is in agreement with this. Consequently, it is proposed that a proportionate payment towards future bus provision is provided by the applicant, which will be included within the associated S106 agreement. Discussions around the specific amount to be paid are ongoing but the Highways Authority have requested a £53,000 payment for corridor improvements at the Coventry Lane/Ilkeston Road double mini-island and in the region of £300,000 for bus services. The indicative plans have demonstrated a bus loop could be accommodated on site.
- 6.3.11 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. 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 pre-commencement conditions to ensure that risks to controlled water receptors are

appropriately assessed and mitigated (see section 5.9).

- 6.4.2 Paragraphs 155 – 158 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 adjacent to the north west site boundary. It has been identified that fluvial flooding and ground water flooding are considered to not be significant risks to the site and surface water flooding would be the main concern; however, this can be overcome with mitigation measures (mentioned below).
- 6.4.4 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 600mm above the 1:100yr+40% CC flood plain levels of Boundary Brook, finished floor levels set 150mm above external surrounding areas, attenuation ponds, a new foul connection to connect to the public sewer at the junction of Coventry Lane and Ilkeston Road, two attenuation ponds and discharge into Boundary Brook and gravity sewerage layout due to topography of the site.
- 6.4.5 The FRA states that the overall site is at very low risk of flooding (as shown on the map below). However, there is some risk of flooding shown by the dark blue to the north west of the site. The FRA advises that floor levels of new dwellings should be set no lower than 600mm above the equivalent 1:100yr+40% CC flood plain levels of Boundary Brook.



- 6.4.6 The FRA states that the proposed development will not increase or exacerbate any flooding problems adjacent to or downstream of the site and that investigations carried out as part of this flood risk assessment and flood risk management measures proposed have demonstrated that the development will be safe, without increasing flood risk elsewhere.
- 6.4.7 The Lead Local Flood Authority (LLFA) have raised no objection to the application subject to conditions requesting detailed design in support of a surface water drainage scheme, attenuation systems, outfall arrangements, storm duration

calculations, evidence of how on-site surface water drainage systems will be maintained and managed after completion and for the lifetime of the development.

- 6.4.8 Severn Trent Water (STW) have been consulted via the developer 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 within the FRA. Approval from STW will be required to connect to public sewers and STW have advised a modelling study will be required. This will be dealt with under a separate agreement with STW.
- 6.4.9 Concerns have been raised in relation to the representations received from neighbours that the development will cause an increase in flooding alongside the Field Farm development to the south west of the site. Section 6.3.6 of the Field Farm application (20/00116/FUL) stated the following: *“A virtual multi-authority meeting was held by the local MP in August 2020 to discuss the flooding concerns raised by Trowell Park estate residents. Representatives from the EA, LLFA, Severn Trent Water, Via on behalf of County Council as highway maintenance authority and Broxtowe Council were in attendance, as well as a number of local residents and councillors. At this meeting, the EA confirmed there had been unprecedented rainfall (between March 2019 and February 2020, 9 of the 12 months were recorded as above average rainfall) and importantly, the Field Farm development is not causing increased flood risk downstream. A further site meeting is to be held on the Trowell Park estate with the EA, Severn Trent Water and the LLFA to discuss the issue further. A new Flood Warning System for Boundary Brook has been established and the outcome of a funding application for flood resilience measures for individual properties is awaited. Whilst the impact of flooding is understandably very distressing for those affected, the existing and proposed development on Field Farm has not caused increased flood risk off site.”*
- 6.4.10 A summary of the potential for flood risk was submitted by BSP who commissioned the FRA for this site. In relation to the recent Trowell Park Drive estate, this area identifies as a high risk area for surface water flooding and due to the time the estate was built would have been subject to less detailed flooding guidance than is available today. The guidance now in place for flooding states that requirements for development must have an appropriate level of flood protection from off-site and on-site sources and secondly, does not increase flood risk off-site. In relation to the first point, development will be restricted to areas outside of flood affected areas. In relation to the second point, flood attenuation is provided within the site which will be subject to further details at the reserved matters stage. Climate change figures are also taken into consideration for the future of the development. To conclude, it has been assessed that flooding will not be increased off-site as a result of this development and that outflow rates into Boundary Brook will see a significant reduction of 43% and 55% for 30 year and 100 year storm events respectively.
- 6.4.11 It is considered that flood risk and drainage matters have been adequately addressed at this outline stage and that the inclusion of conditions from the Environment Agency and Lead Local Flood Authority will ensure that flooding and drainage matters are appropriately addressed at a reserved matters stage.

6.5 Ecology

- 6.5.1 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 approximately 230m northwest of the site boundary and is not hydrologically linked to the proposed development.
- 6.5.2 Five Local Wildlife Sites (LWS) are located within 1km of the site boundary, Stapleford Hill LWS is located adjacent to the southern boundary and overlaps with Stapleford Hill Woodland LNR, Bramcote Hills LWS corresponds with Bramcote Hill's Park LNR and Nottingham Canal (Trowell to Balloon Wood) LWS corresponds with Nottingham Canal LNR.
- 6.5.3 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.
- 6.5.4 The Ecological Appraisal submitted with the application concluded the following in relation to the quality of the land *"The majority of the site comprised poor semi-improved grassland with semi-natural woodland scrub, tall ruderal vegetation, ditches, Boundary Brook, a storage depot, a pond and hedgerow also present. The poor semi-improved grassland was considered to be of low conservation value due to its low species diversity, consequently its loss to the development is not considered to represent a constraint."*
- 6.5.5 The Ecological Appraisal recognises that Stapleford Hill Wood LNR, which adjoins the site to the south, will be impacted as a consequence of the development. However, recommendations such as mist-spraying to reduce dust deposition, buffering of green space with structural planting to reduce light and noise pollution can mitigate these impacts. It is also acknowledged that the Stapleford Hill Wood LNR will experience some increase in recreational pressure from this site and the Field Farm development nearby. Nottinghamshire Wildlife Trust have suggested that additional compensation measures should be incorporated into this development and additional funding delivered to mitigate this impact. Whilst only indicative, the plans submitted indicate that the site will incorporate walkways, areas of open space and other ecological features (such as SuDS) that could be utilised by future occupiers of the development for recreational activities. This issue can be suitably dealt with through conditions attached to this permission and the subsequent layout submissions included within any reserved matters application. Furthermore, the request for 'compensation measures and additional funding' has not been requested by the larger Field Farm development nearby (20/00116/FUL). Consequently, it is considered unreasonable to request additional funding on this matter.

- 6.5.6 In relation to flora and habitats, the Ecological Appraisal concludes that the site comprises poor semi-improved grassland which is considered to be of low conservation value and therefore it is not deemed that the loss of this habitat poses a constraint to development. The habitats that are present on-site are of limited biodiversity value and the loss of these habitats is considered to not represent a constraint to development. The semi-natural woodland is considered to be of a higher ecological value and should be retained and buffered by the development. Small scale losses to this woodland would unlikely have a significant adverse effect on the ecological function of the woodland. It is recommended within the Ecological Appraisal that all hedgerows are retained and where removed for road access, additional planting is incorporated to mitigate this loss. Maintenance on a three yearly basis is advised for retained hedgerows. A preference for locally native woody species is advised within a planting scheme. Where possible, planting within the site should seek to provide additional habitat for urban and suburban wildlife.
- 6.5.7 In relation to fauna, the Ecological Appraisal has made an assessment on bats, birds, great crested newts, reptiles, water voles and white-clawed crayfish. The Ecological Appraisal sets out their significance and outlines mitigation measures in order to minimise the impact of the development.
- 6.5.8 No significant harm to flora and fauna has been identified by the Ecological Appraisal and where there is impact, recommendations for mitigation have been suggested. The NWT support the recommendations set out in the Ecological Appraisal which they have said has been undertaken in good practice and they have not objected to the application on ecological grounds. In addition to this, they have advised conditions for further surveys which are detailed in section 5.11 of this report.
- 6.5.9 A Great Crested Newt (GCN) survey was submitted during the course of the application which concluded there was no evidence of any GCN on site. The NWT were consulted on this additional survey and have advised precautionary measures in relation to the presence of smooth newts, common frogs, tadpoles and frogspawn. They have advised that Reasonable Avoidance Measures Statement (RAMS) is produced for the site and should outline a methodology to prevent any harm to amphibians but that common frogs and newts are also protected under Wildlife and Countryside Act 1981.
- 6.5.10 The Ecological Appraisal was conducted at a sub optimal time of year (March 2019) but NWT have not raised an objection to the timing of the survey and are satisfied with the conclusions and methodology.
- 6.5.11 In relation to representations, and the concern expressed about the erosion of Stapleford Hill, the Council manages this LNR and has instigated measures to address issues caused by bikes. The development is within the Combined Habitat – Network Expansion Zone (Natural England) and Greenwood Community Forest where a core principle is to increase tree cover.
- 6.5.12 Broxtowe Borough Council's Green Infrastructure Strategy 2015-2030 identifies primary and secondary green corridors within the borough. Three secondary corridors are relevant to the site which are Nottingham Canal/Erewash Valley Trail

(to the north of the site), Bramcote Corridor and Boundary Brook (to the west of the site and include Stapleford Hill Woodland and Bramcote Hills) and Erewash to Wollaton Corridor which passes through the site. The concept masterplan has demonstrated that the Erewash to Wollaton Corridor that runs through the site will largely be retained and supplemented with soft landscaping and trees. It is considered that subject to details of the landscaping scheme, the development will maintain the Green Infrastructure Corridor through the site and cause no significant harm to these biodiversity assets and connectivity.

6.5.13 No independent surveys are considered to be required for biodiversity net gain as the application has been reviewed by NWT and they are considered to have provided a comprehensive assessment of the submitted ecological survey and have advised conditions for further surveys which will be required as part of the reserved matters application. In relation to biodiversity net gain, Policy 31 states this should be sought but not that development will be refused if it is not achieved. Although the plans are indicative, they have shown areas for soft landscaping and along with the attenuation ponds will be positive in relieving some of the pressure on the LNR's from the increase in residents in this area.

6.5.14 The Tree Officer has stated that the trees around the Active Bramcote Crematorium perimeter need to be maintained and that any ground level changes along the perimeter of the crematorium would need careful consideration. The agent has confirmed that there would be no change in levels alongside the north eastern boundary of the crematorium. To the north west, there is a wide buffer between the bottom of the crematorium bank and the proposed "cut and fill" activity area. No significant groundworks are planned within the vicinity of the crematorium and all works are to be undertaken outside of the root protection areas of these trees.

6.5.15 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 have concluded that the Ecological Appraisal has been carried out in good practice and agree with the mitigations measures (whilst advising their own) outlined in the appraisal. The site will include green open spaces in order for the public to access to reduce the impact on nearby LNR's. Furthermore, the reserved matters scheme will be subject to a landscaping scheme which will also contribute to the mitigation of the development. To conclude on ecology, the proposed development is considered to cause no significant harm to wildlife, LNRs, LWSs or the Green Infrastructure corridors, subject to further surveys and mitigation works which will be secured with conditions.

6.6 Amenity and Layout

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 Field Farm development to the south west and subject to detailed plans for both sites, it is considered an acceptable relationship could be achieved between the overlap of these two sites.

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. Although indicative, the concept plan indicates a buffer of trees and landscaping along the boundary with the crematorium and Stapleford Hill. The layout of the road to the north east of the crematorium comprises three cul-de-sac's meaning the through road to the south west of the site can be located a significant distance from the crematorium. It is considered the concept plan demonstrates that an acceptable layout can be achieved in order to maintain the tranquillity of the crematorium.

- 6.6.3 The site plan shows that a number of houses will experience some level of shading due to their position with Stapleford Hill. Although the plans are indicative, this has been amended in order to demonstrate that a sufficient distance from Stapleford Hill and closest homes that the houses will not be shaded for extended periods of time. However, this would be subject to further scrutiny within a reserved matters application.
- 6.6.4 An acoustic barrier would align the site with the railway line to the north west and south east of the site ranging from 2.4 to 5.5m in height. This would be subject to further detail within a reserved matters application but demonstrates that noise attenuation features to mitigate the noise from Coventry Lane and the railway are considered. These fences would be maintained by a private management company.
- 6.6.5 To conclude, this is an outline application with all matters reserved apart from access and the plans are indicative and therefore will be subject to change and further scrutiny following the submission of further detail. However, it is considered that an acceptable layout can be achieved that provides a satisfactory amount of amenity for future occupants whilst not having a detrimental impact on the amenity of the occupants of the Field Farm development or users of the Bramcote Crematorium.

6.7 Financial contributions

- 6.7.1 A residential development of this scale generates the need for financial contributions towards affordable housing, education, open space and integrated transport measures
- 6.7.2 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, 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.
- 6.7.3 Policy 15 of the Part 2 Local Plan requires 30% affordable housing on the newly allocated sites in Stapleford. A 30% level of affordable housing (combination of 75% rented and 25% shared ownership) has been requested by Housing and agreed by the agent.
- 6.7.4 A total open space maintenance contribution of £120,156 (£632.40 per dwelling) would usually be required. However, as all open space on site is to be privately managed, no open space contribution is required.

- 6.7.5 A contribution towards secondary education provision of £716,250 (30 places x £23,875 per place) has been requested by Nottinghamshire County Council's policy team and agreed by the agent.
- 6.7.6 NHS Nottingham City Clinical Commissioning Group (CCG) has made a health contribution request for £102,956.25 for primary health care which has been agreed to be paid by the agent.
- 6.7.7 A transport contribution of £53,000 (for corridor improvements at the Coventry Lane/ Ilkeston Road double mini-island) and circa £300,000 (for bus services) has been requested by Nottinghamshire County Council as Highway Authority and is still being discussed with the agent.
- 6.7.8 A request for £6,695 towards Stapleford Library has been made by the Nottinghamshire County Council policy team. The agent has declined to pay this and as there is no requirement within Broxtowe's adopted planning policy for a contribution of this nature to be requested, it would not be justifiable to refuse this application based on this reason.
- 6.7.9 Nottinghamshire County Council policy team have requested an education contribution based on the predicted uptake of secondary school places which the agent has agreed to pay. A primary school contribution was not requested.
- 6.7.10 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. The contribution requested by the County Council for libraries is not considered to meet these tests.
- 6.7.11 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.
- 6.8 Other issues**
- 6.8.1 Sufficient information has been submitted for this outline application. Further detail would be subject to a reserved matters application.
- 6.8.2 Glaisdale Drive and Wigman Road are not within the Broxtowe Borough boundary and therefore would not contribute to the Council's 5-year housing land supply.
- 6.8.3 A precommencement condition will be included as advised from Environmental Health to address the possibility of the site being contaminated due to its historical use as a coal mining site.
- 6.8.4 An Environmental Impact Assessment was considered unnecessary for this site. Whilst it would exceed the thresholds of 5 hectares and 150 dwellings, it is considered that neither the characteristics of the development, location of development nor the characteristics of the potential impact suggest the development might potentially have significant environmental effects. The site is also not located within a 'Sensitive Area' as defined within the regulations.
- 6.8.5 A Phase II Exploratory Investigation survey will be submitted with the reserved matters application to address matters raised within the Phase II Geo-Environmental Desk

Study & Preliminary Coal Mining Risk Assessment Report submitted with this application.

- 6.8.6 Whilst it is appreciated that this development will have a small impact on the air quality within the area, this issue is not considered to be significant and no comments have been raised by Environmental Health in relation to this issue.
- 6.8.7 Whilst it is acknowledged there will be an increase of patients at local doctors surgeries, it is considered this is not significant enough to warrant a refusal of the scheme.
- 6.8.8 Nottinghamshire County Council policy team have requested an education contribution based on the predicted uptake of secondary school places which the agent has agreed to pay. A primary school contribution was not requested.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide 190 dwellings including a number of affordable dwellings, short term jobs created from the construction of the development and financial contributions. There would be some impact on ecology but the reserved matters application would be subject to providing a comprehensive landscaping scheme to mitigate some of this impact. On balance, the positives of the scheme are considered to outweigh the negatives.

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.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that the Interim 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 provision of affordable housing on site, education, health, off-site highway works and integrated transport measures contributions	
(ii) the following conditions:	
1.	Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
<i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>	

<p>2.</p>	<p>The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<p>3.</p>	<p>The outline permission relates to drawings:</p> <ul style="list-style-type: none"> · 2019-613-00 received by the Local Planning Authority on 5 June 2020 · CLBR-BSP-ZZ-XX-DR-D-0003 Rev P03 and CLBR-BSP-ZZ-XX-DR-D-0001 Rev P04 received by the Local Planning Authority on 12 October 2020 <p><i>Reason: For the avoidance of doubt.</i></p>
<p>4.</p>	<p>Before any site clearance or development is commenced, detailed drawings and particulars showing the following (the ‘Reserved Matters’) shall be submitted to and approved by the Local Planning Authority:</p> <ul style="list-style-type: none"> (a) the layout, scale, and external appearance of all buildings; (b) roads and parking provision details within the site; (c) the particulars of the materials to be used in the facing of the external surfaces of all buildings; (d) cross sections through the site showing the finished floor levels of the new dwellings in relation to adjacent land and buildings. These details shall be related to a known datum point; and (e) landscaping treatment of the site <p>The development shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only so 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 and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<p>The detailed drawings and particulars required under condition 4 (e) shall include the following details:</p> <ul style="list-style-type: none"> (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development. No

	<p>development shall commence until the agreed protection measures are in place;</p> <ul style="list-style-type: none"> (b) numbers, types, sizes and positions of proposed trees and shrubs; (c) proposed hard surfacing treatment (including pathways); (d) planting, seeding/ turfing of other soft landscape areas including surrounding SUDs features; (e) details of the site boundary treatments and curtilage boundary treatments; and (f) a timetable for implementation of the scheme <p>The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: The application was submitted in outline only so 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 ecology and railway safety and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>No development, including site clearance, shall commence until a detailed surface water drainage scheme based on the Flood Risk Assessment dated 22 May 2020 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include:</p> <ul style="list-style-type: none"> · detailed design (plans, network details and calculations) in support of a surface water drainage scheme, including details on all attenuation systems, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; and · evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development. <p>The development shall be constructed in accordance with the agreed details and maintained as such for the lifetime of the development.</p>

	<p><i>Reason: To prevent an increase in flood risk, to improve and protect water quality, have sufficient surface water management and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019), the Broxtowe Aligned Core Strategy (2014) and the NPPF.</i></p>
<p>7.</p>	<p>No development, including site clearance, shall commence until a scheme for protecting the proposed dwellings from noise from railway lines, road traffic and plant noise from the crematorium adjacent to the proposed development has been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Authority shall be completed before any affected dwelling is occupied unless an alternative period is agreed in writing by the Authority.</p> <p><i>Reason: The application was submitted in outline only so 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, to protect residents from excessive transport noise 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>8.</p>	<p>No development, including site clearance, shall commence until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority.</p> <p>(a) 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.</p> <p>(b) No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <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: The application was submitted in outline only so no such</i></p>

	<p><i>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 public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>9.</p>	<p>No development, including site clearance, shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:</p> <ol style="list-style-type: none"> (1) a site investigation scheme, based on the preliminary risk assessment report (Geodyne Phase I Geo-Environmental Desk Study & Preliminary Coal Mining Risk Assessment Report dated 28 January 2020) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; (2) the results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and (3) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>The development shall be constructed in accordance with these details. Any changes to the agreed will require written consent of the Local Planning Authority.</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 Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>10.</p>	<p>No development, including site clearance, shall commence until detailed drawings, particulars and evidence has been provided in relation to:</p> <ul style="list-style-type: none"> · parking and turning facilities, access widths, gradients, surfacing, street lighting and furniture, structures, visibility splays, drainage, and public transport route; and · an application to reduce the speed limit along Coventry Lane to 40mph has been made, in accordance with the indicative

	<p>details shown on drawing CLBR-BSP-ZZ-XX-DR-D-0003 REV P03.</p> <p>All details shall comply with Nottinghamshire County Councils Highway Design and Parking Guides and shall be implemented as approved.</p> <p><i>Reason: The application was submitted in outline only so 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 to ensure satisfactory access and parking arrangements are provided on the site 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>11.</p>	<p>No development, including site clearance, shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, a detailed remediation scheme to protect the development from the effects of such land instability shall be submitted to and approved in writing by the Local Planning Authority. Following approval, the remedial works shall be implemented in full accordance with the approved details.</p> <p><i>Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary 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>12.</p>	<p>No development, including site clearance, 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 e) materials, plant and machinery storage locations

	<p>f) proposed working practices to minimise harm to wildlife and trees</p> <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>13.</p>	<p>No development, including site clearance, shall commence until a Reasonable Avoidance Measures Statement (RAMS) is produced and subsequently approved in writing by the Local Planning Authority. The statement shall include a methodology to prevent any harm to amphibians which may be present on site.</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>14.</p>	<p>No development, including site clearance, shall commence until the following have been carried out:</p> <ul style="list-style-type: none"> · bat surveys (include a transect survey and an internal survey on Building 1); · breeding bird survey; · reptile survey; · water vole/otter pre-commencement checks; <p>The above shall be submitted to and agreed in writing by the Local Planning Authority and any required mitigation to be carried out in accordance with the agreed details.</p> <p><i>Reason: 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 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) the parking of vehicles of site operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials used in constructing the development; (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

	<p>(e) wheel washing facilities; and</p> <p>(f) measures to control the emission of dust and dirt during construction.</p> <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>16.</p>	<p>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.</p> <p><i>Reason: Full details were not 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 Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>17.</p>	<p>No development shall take place within 100m of the railway until a Construction Method Statement (CMS) for works in this area has been submitted to and agreed in writing by the Local Planning Authority. The CMS shall be implemented in accordance with the agreed details.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of the NPPF.</i></p>
<p>18.</p>	<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 CLBR-BSP-ZZ-XX-DR-D-0003 Rev P03, and CLBR-BSP-ZZ-XX-DR-D-0001 Rev P04 have been provided; · respective driveways have been surfaced in a hard bound material (not loose gravel) for a minimum distance of 5.5m from the back edge of the public highway, and which 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; and

	<ul style="list-style-type: none"> · all footpaths and cycle ways within the site are constructed with the provision to prevent the unregulated discharge of surface water from the footpaths and cycle ways to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the lifetime of the development. <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 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
19.	<p>No building pursuant to this permission shall be first occupied until a verification report demonstrating the completion of works set out in the approved remediation strategy as set out in condition 9. The effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p><i>Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
20.	<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 Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
21.	<p>No dwelling shall be occupied until details of the site boundary treatments and curtilage boundary treatments, have been submitted to and approved in writing by the Local Planning</p>

	<p>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>
<p>22.</p>	<p>Prior to the occupation of the dwellings hereby approved, details of a private management company for managing the on-site open space and a detailed landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (including the acoustic fencing), shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas (including the acoustic fencing) shall be maintained and retained for the lifetime of the development in accordance with the approved plan.</p> <p><i>Reason: To ensure the site is suitably landscaped and this, and the acoustic fencing, is maintained for the life of the development 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>23.</p>	<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>
<p>24.</p>	<p>Nothing shall be stored or placed in any area fenced in accordance with condition 5 (a) and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.</p> <p><i>Reason: To ensure the retained trees, including the TPO woodland, are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
<p>25.</p>	<p>The development hereby permitted shall be carried out in accordance with the recommendations of the Flood Risk</p>

	<p>Assessment & Drainage Strategy dated 22 May 2020 and the finished floor levels of any dwellings shall be raised 150mm above existing ground levels.</p> <p><i>Reason: To ensure mitigation takes place 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>
	<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>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>
<p>3.</p>	<p>The submitted plans are for indicative purposes only, except in relation to access and this decision does not approve the landscaping or any other matters.</p>
<p>4.</p>	<p>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@nottsc.gov.uk</p>
<p>5.</p>	<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</p>

	<p>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.</p>
6.	<p>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.</p>
7.	<p>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.</p>
8.	<p>Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.</p>
9.	<p>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</p>
10.	<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/environment-agency</p>
11.	<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

	<ul style="list-style-type: none"> · Hazardous Waste (England and Wales) Regulations 2005 · Environmental Permitting (England and Wales) Regulations 2010 <p>The Waste (England and Wales) Regulations 2011</p>
<p>12.</p>	<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:</p> <p>https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</p>

Photographs



Proposed site entrance (Sidings Lane)



Facing south west along Coventry Lane



Facing south west from the middle of the site
Stapleford Hill on horizon



Facing north east from middle of site

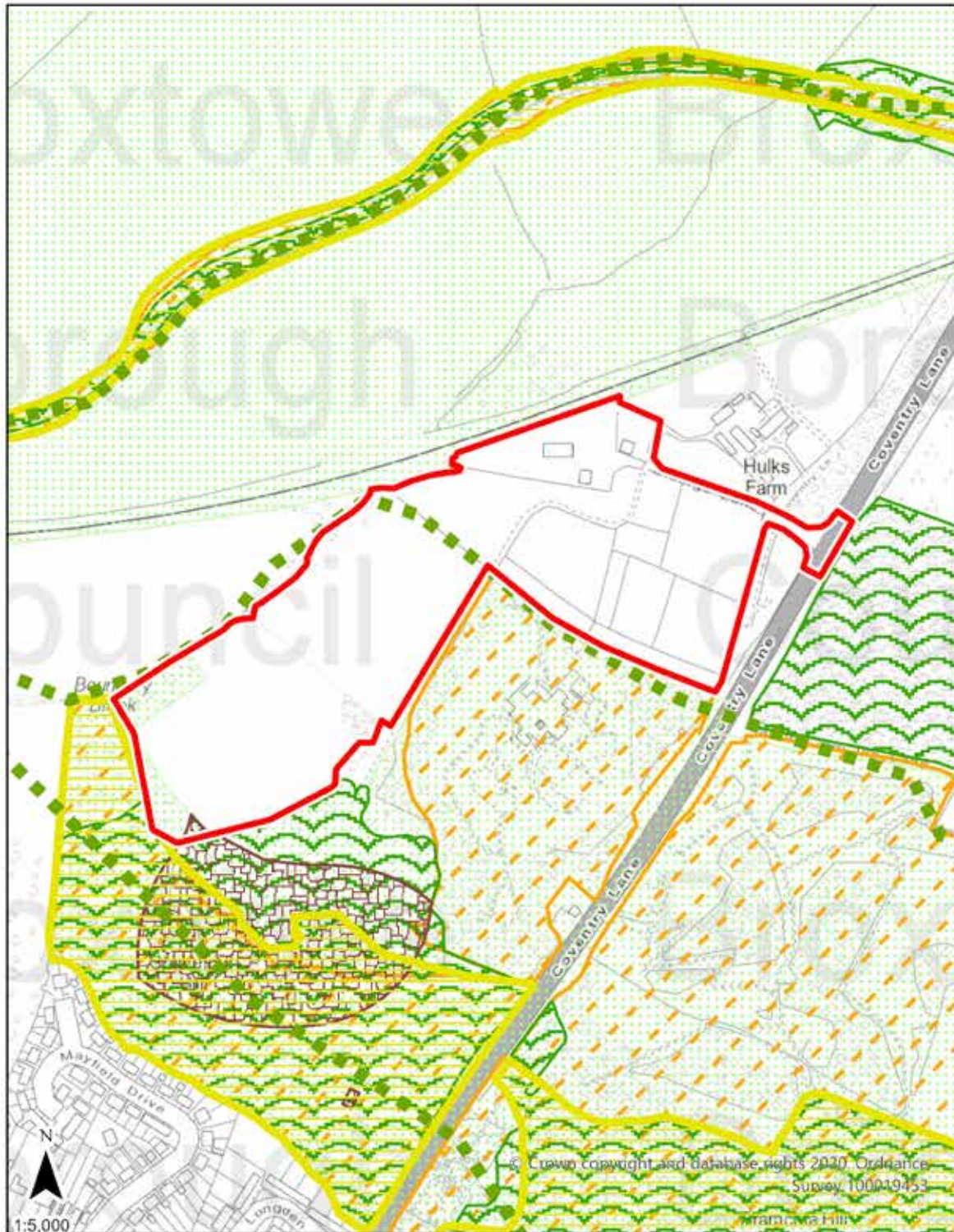


Facing east from middle of site



View from the bottom of Stapleford Hill
facing north east into site

Site plan



Legend

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

Plan (not to scale)



Site Location Plan



Concept Plan