

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>19/00668/FUL</b>
<b>LOCATION:</b>	<b>BEESTON MALTINGS, DOVECOTE LANE, BEESTON, NG9 1JG</b>
<b>PROPOSAL:</b>	<b>Construct 74 dwellings</b>

The application is brought to the Committee as it is a major application and there are issues in respect of viability.

1 Executive Summary

- 1.1 The application seeks planning permission for the construction of 74 dwellings and associated infrastructure.
- 1.2 The site is currently cleared aside from a motor vehicle repair business which occupies the north east part of the site, parallel to the railway line, and a two storey former gatehouse building to the north of the site. There is an existing access on to the site from Dovecote Lane. The site is within Flood Zones 2 and 3.
- 1.3 The main issues relate to whether the proposal is in accordance with the criteria set out as part of the allocation of the site as residential; if there would be harm to any heritage assets in the area; whether the proposal would result in an increase to flood risk; whether the proposal would have an unacceptable impact on highway safety; and whether there would be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it is an allocated site for residential development and would return a vacant site back to use; would provide 100% affordable housing; would provide an opportunity to provide a future link through to the adjacent site, enhancing connectivity; is in a sustainable location with good access to public transport and to community facilities; and would provide a good standard of living accommodation for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight. There would be an impact on the local road network and on neighbour amenity but this is outweighed by the benefits of the scheme.
- 1.5 The committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

## Appendix 1

**1     Details of the Application**

- 1.1     74 dwellings, comprising a mix of two, three and four bed semi-detached and terraced homes and one-bed apartments within two blocks are proposed, with vehicular and pedestrian access from a new access point off the southernmost end of Dovecote Lane. The layout sees a main spine road running parallel to the railway line, with three cul-de-sacs to the north side of and at right angles to the spine road.
- 1.2     Provision for a future pedestrian and cycle link through to the adjacent development (Hetley Pearson site) has been shown to the south west of the site, between plot 66 and the apartment block (plots 67 to 74).
- 1.3     The gatehouse (an existing two storey vacant dwelling), fronting Dovecote Lane, and the motor repair business buildings to the south of the site will be demolished as part of the development.
- 1.4     The housing mix would be 16 x one bed (two person) apartments, in two blocks of two storey height; 28 x two bedroom two storey dwellings; 28 x three bed two storey dwellings; and two x 4 bed two storey dwellings.
- 1.5     The dwellings are to be built on behalf of a Housing Association, and 100% of the development will be for affordable housing.
- 1.6     The houses would all have access to dedicated parking either to the front or side of each property. Unallocated parking for the apartments would be provided in curtilage for each block.

**2     Site and surroundings**

- 2.1     The site is a linear plot of land running parallel to and north west of the Nottingham – Derby railway line. The site is accessed off Dovecote Lane, which forms the north east boundary to the site. Existing housing development backs on to the north west boundary (Redwood Crescent, and the newer development at Cartwright Way), wrapping round to the south west boundary. There is a narrow strip of amenity land separating the newer development on Cartwright Way from the railway land, which adjoins the application site. This strip of land connects to playing fields / open space beyond and to the south west of Cartwright Way.
- 2.2     There is a Building of Local Interest within the site, being a two storey property known as the Gatehouse, which is directly adjacent to Dovecote Lane. There are several other buildings of local interest in the immediate area; Victoria Hotel to the north east, opposite the site; all the terraced housing to the south west side of Dovecote Lane and semi-detached dwellings to the north east side of Dovecote Lane, between Barton Street and Grove Street. Station Villas, to the north east of the Victoria Hotel, are also Buildings of Local Interest. Buildings and structures at the Beeston train station, to the north east, are Grade II Listed.

2.3 The majority of the site is undeveloped and has recently been cleared. There is a strip of land parallel to the railway line which is occupied by a motor body repair business. This land would be included in the application site.

2.4 The site is allocation in the Part 2 Local Plan for housing, and is mainly within Flood Zone 3, with part of the site, to the south west adjacent to the railway line, falling within Flood Zone 2.

### **3 Relevant Planning History**

3.1 Prior to 2007, there has been no relevant planning history for the site. In 2007 a full planning application was submitted for the development of the site (excluding the motor repairs business) for 56 dwellings. The application was withdrawn following issues regarding highways, drainage and flood risk that could not be resolved during the determination of the application. Reference 07/00098/FUL.

3.2 Later in the same year, a revised application on the same site was submitted. This was for 56 dwellings and was withdrawn prior to a decision, in order to allow for time for the applicant to negotiate with the landowner and the owner of the car repairs business so that that land could be purchased and incorporated within the development site, so as to avoid any potential for noise nuisance. Reference 07/01038/FUL.

3.3 In 2012, an application was submitted for the demolition of the Maltings Building, and permission subsequently granted. Reference 12/00153/DEM. The building has since been demolished and the Maltings site cleared, with the exception of the motor repair business buildings, the gatehouse building which is adjacent to Dovecote Lane, to the north part of the site, and an electricity sub-station, located to the rear of 66 Dovecote Lane.

### **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 11: Historic Environment
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity
- 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 3.6: Beeston Maltings
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 23: Proposals affecting Designated and Non-designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 28: Green Infrastructure Assets
- 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 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 16 – Conserving and enhancing the historic environment.

## 5 Consultations

5.1 **Council's Conservation Officer:** Consider that the retention of the Gatehouse should form part of the development, as the building provides context to the former use of the site, and has a historical link to the Victoria Hotel opposite. The architecture of the Gatehouse makes a positive contribution to the street scene. The development should include a restoration project of the retained building, and the scale and massing replicated for the remaining plots fronting Dovecote Lane, with the use of selective materials and architectural detailing interpreted with a modern architectural style. Further comments received on the revised Heritage Statement. Considers that the revised statement is robust and is correct in its assessment of Historic England's Principles of Conservation. Notwithstanding this, remains of the opinion that the gatehouse should be retained as it is of a domestic scale and therefore in line with the proposed development, and also provides a positive contribution to the street scene. Conclude that there is value in retaining pockets of the town's history.

5.2 **Council's Environmental Health Officer:** No objections subject to a condition securing an investigative survey in regard to contaminated land, to be submitted and approved prior to commencement of the development; a condition to secure glazing and ventilation in accordance with the noise assessment report; a condition requiring details of any piling or other similar methods to be submitted and approved prior to commencement; and notes to applicant in regard to hours of work during the demolition / construction phase and no bonfires on site during these phases.

- 5.3 **Council's Parks and Leisure Officer:** More detail required in regard to size, species and management of the landscaping. Require a financial contribution towards the provision and maintenance of off-site open space of £107,899.40 to be allocated to the adjacent Hetley Pearson Site. Needs to be a pedestrian link through to the adjacent residential site (Cartwright Way).
- 5.4 **Council's Private Housing Officer:** No objections. Layout of the ground floor apartments needs to ensure that there is an adequate escape route in the event of fire.
- 5.5 **Council's Waste and Recycling Officer:** Sets out the requirements for amount of bins required for each type of dwelling and size of storage area. Also requires that any adopted road would need to be of a sufficient width to accommodate a refuse vehicle, alternatively, bins need to be taken to within 15m of a collection point (adopted highway).
- 5.6 **Environment Agency (EA):** Initially objected to the Flood Risk Assessment (FRA) as submitted, on the grounds that the FRA did not adequately assess flood risk in relation to keeping people safe from identified flood hazards; requirement for flood emergency planning; taking impact of correct climate change allowances into account; inadequate mitigation measures and details of safe access and egress in the event of flood. The applicant has worked with the EA and following the receipt of a revised FRA and amended site plan, along with mitigation measures such as undercroft voids to each dwelling and a sunken channel to the north west of the site (along the rear of Redwood Crescent), the EA now have no objection to the development subject to a condition requiring the development to be carried out in accordance with the revised FRA dated November 2020. This will be secured by condition.
- 5.7 **County as Highway Authority:** Initial concerns relating to Transport Assessment data; Travel Plan data; parking layout; width of roads; and lack of adequate swept path analysis for refuse vehicles. Amended site layouts and information have been received, and the Highway Authority are satisfied that no off-site junction improvements are necessary, and that the Travel Plan is acceptable. A Traffic Regulation Order (TRO) will be required for the area to the front of the Victoria Hotel. Internal to the site, the three cul-de-sacs, due to the inadequacy of the turning heads, would not be adopted as they are not sufficient to accommodate refuse vehicles. Recommend conditions be imposed in respect of securing the TRO; details of management and maintenance of the unadopted roads; no occupation until parking areas provided; details of a Construction Method Statement; no occupation until off site highway works completed; and details of bin collection points to be agreed.
- 5.8 **County Policy Team:** In relation to Heritage, would need to secure a program of archaeological recording of the site, given the past historical uses, which could be secured by condition. Considers that the gatehouse (former managers house), which would be demolished as part of the development, is worthy of inclusion on the Nottinghamshire Historic Environment Record and as such is sufficient to properly identify the building as a non-designated heritage asset. As such there is no reason that this building should not be included as part of the development of the site, and would ensure that a significant component of the area's industrial

heritage can be utilised to enhance the local identity of the site. In regard to planning obligations, a financial contribution of £286,500.00 for secondary education is required, for the provision of additional places at local schools.

- 5.9 **County as Lead Local Flood Authority:** No objections, subject to a detailed surface water drainage scheme being submitted and approved prior to commencement of the development.
- 5.10 **NHS – NUH Trust:** as the development would increase the general population, which the Trust considers would significantly impact on the service delivery and performance of the trust, a financial contribution of £74,489 is requested. This figure is based on the original proposal for 82 dwellings.
- 5.11 **NHS – CCG team:** As the development would increase the local population, a financial contribution of £40,098.75 would be sought to invest in enhanced capacity / infrastructure with existing GP practices in the local area.
- 5.12 **Network Rail:** As the Transport Assessment indicates that there is the potential for an increase in passengers using the station, request a financial contribution towards facility improvements at Beeston station. Comments set out requirements in regard to drainage; landscaping; works within close proximity to railway land; boundary treatments; safety and security; noise; lighting; and access to railway land. Details of Construction Method Statement, boundary treatment, lighting and landscaping to be secured by condition.
- 5.13 **Notts Wildlife Trust (NWT):** Initially raised concerns in regard to the content of the Preliminary Ecological Appraisal, particularly in regard to: completion of a suitable bat survey prior to determination; assessment of the site for the potential for Great Crested Newts; details to prevent harm to hedgehogs and other species during site clearance and thereafter; details in regard to biodiversity net gain. Also recommend enhancements in regard to landscaping opportunities; bat roosting opportunities; bird nesting opportunities; lighting and boundary treatments. An updated Preliminary Ecological Appraisal (PEA) has been submitted and NWT advise that whilst this includes a revised survey in regard to Great Crested Newts, further surveys of all suitably connected waterbodies within 500m of the site are recommended and these should be undertaken prior to the determination of the planning application. The Bat survey is accepted and concludes that no bat roosts were identified and recommend the enhancements identified in the bat survey are incorporated into a Landscape Ecological Management Plan. Recommend a condition to secure details of a Reasonable Avoidance Measures Statement (RAMS) document, which outlines details of precautionary method of working during site clearance, ground disturbance and other activities which have the potential to harm, kill or trap species such as great crested newts, hedgehogs, other amphibians and small mammals. Native planting should be introduced to enhance the wildlife corridor along the railway, and a bat friendly lighting scheme, both of which should be secured by condition.
- 5.14 **Severn Trent Water:** Recommend drainage plans to be submitted and approved prior to the commencement of the development.
- 5.15 **Nottinghamshire Police Crime Prevention Officer:** No objections

**5.16 Beeston and District Civic Society:**

- Consider that as the part 2 Local Plan is allocated for 56 dwellings, the proposal for 82 dwellings represents an over-intensive development of the site, and will have an adverse impact on the amenity of the existing occupiers of adjacent properties.
- Consider that the proposed demolition of the Gatehouse (aka Foreman's house) would be contrary to the NPPF, as would the proposed designs of the majority of the housing as it would fail to make a positive contribution to local character and distinctiveness.
- Considers that the proposal fails to provide safe and convenient access, contrary to Policy 17 of the P2LP, as the proposed access would need considerable modification of Dovecote Lane, and there would be an increase in use of the footbridge, especially once the developments at the Beeston Business Park and Barratt Homes sites are completed. The opportunity already exists to access the site more safely via Cartwright Way, which has been designed to facilitate this.
- Given that the site is known to have a high water table, and with increasing instances of heavy rainfall, the proposal gives insufficient weight to measures relating to sustainable urban drainage.
- The railway line acts as a wildlife corridor. The developer should provide a green buffer alongside the railway which links to the Hetley Pearson recreation ground.
- An archaeological survey should be carried out prior to development.

**5.17 57 properties either adjoining or opposite the site were consulted and a site notice was displayed. As at January 2020, 43 responses were received, all objecting to the proposal. Concerns raised are:**

- General support for the development of the site for housing but only at the level (56 homes) set out in the Part 2 Local Plan.
- Inadequate amount of parking proposed considering the high density of development.
- High volume of traffic would be generated using the nearby streets (Dovecote Lane, Barton Street and Grove Street). Dovecote Lane in particular is narrow and, in some places, has only one pavement. Pedestrians including school children already often have to cross between parked cars. The higher volume of traffic along Barton Street would also have an impact on the usability of the cycle lane here and provision to separate the cycle route from vehicles should be included.
- Increase in traffic / overspill of parking onto Dovecote Lane and surrounds could compromise the ability of emergency services trying to reach the site.
- Dovecote Lane is totally unsuitable for an additional 82 properties, which the development is proposed to be accessed from. These three streets (Dovecote Lane, Barton Street and Grove Street) are used as a rat run to avoid the traffic lights on Queens Road and additionally are used by commuters using the train station, leaving little room for residents or their visitors to park. A residents parking scheme is desperately needed. Other nearby developments proposed would also bring additional traffic.

- The new access road from the A52 via the Boots site would allow for traffic to bypass University Boulevard and will have a knock-on increase in traffic using Dovecote Lane to avoid the traffic signalled junction at Queens Road.
- Supportive of the need for additional housing on this site, however, primary concern is that Dovecote Lane is not appropriate as the main access route to the site. Vehicular access needs to be from Cartwright Way, which is significantly wider and does not suffer from the same pressures as Dovecote Lane.
- Already difficult for traffic to exit Dovecote Lane onto Queens Road, and the junction is often blocked.
- The Victoria Hotel receives daily deliveries by lorries, which block what would be the main access route for the occupiers of the proposed dwellings and generally occur during morning rush hour.
- The swept path analysis avoids showing the two heavy vehicles side by side at the pinch point on Dovecote Lane.
- No indication that construction traffic has been taken into consideration when choosing the access, or the difficulty of constructing that access off a cul-de-sac, or inconvenience to the local community.
- The traffic report (Transport Assessment) refers to 83 dwellings, and that the car repairs business being derelict, which is not correct.
- The Transport Assessment appears to ignore the impact on Grove Street.
- Increased traffic would have an impact on the safety of non-vehicular traffic especially pedestrians, where the lack of pavement for part of Dovecote Lane results in pedestrians having to cross the street, usually between parked cars.
- Pedestrian and cycle access, as per the requirements of the P2LP, should be provided, in order for the future residents to be able to access the open space to the west (Hetley Pearson), and for access through to local schools, to avoid a long diversion along a busy main road. This would also reduce the reliance of the motor vehicle for short journeys.
- The increase in traffic will cause more damage to Dovecote Lane / Barton Street / Grove Street, which are already in a poor state of repair.
- No provision to enable charging of electric vehicles.
- Loss of on-street parking for customers of the Victoria Hotel.
- The site should be retained for employment (light industrial) uses for local people. Industrial use would bring less traffic to Dovecote Lane and as a result fewer vehicles to the Queens Road junction.
- The developer should be required to improve the footpaths (pavements) on the west side of Dovecote Lane.
- Improvements to secure a direct access to the station platforms from the pedestrian bridge should be incorporated as part of the development, in particular access to the Nottingham bound platform as this will otherwise involve a circuitous walk to avoid having to cut through the Victoria Hotel.
- The original plans for the development on this site should be reverted to (which show access via Cartwright Way).
- The Gatehouse should be saved as it is a historic building in a former industrial area.
- The density of development is too high (with 56 dwellings allocated in the Part 2 Local Plan) and, along with developments at the Plessey, Barton's

and Boots sites nearby, would have significant impact on nearby services including schools and healthcare. Reducing the density would also provide a better environment for the future occupiers.

- There may be an issue with obtaining permission for access over Network Rail land.
- No indication of where the drainage for the new development will be.
- Disappointed that no consultation letter was sent to (address on Dovecote Lane).
- The application involves building on a site designated as a flood plain. Given the development of nearby land either side of the railway lines, including Cartwright Way, there has been a significant reduction in the availability of open land to ease drainage. Along with recent significant rainfall, this gives concern for the existing properties.
- Since the extensive clearance of the site, there has been a marked reduction in wildlife activity and diversity in the area.
- The housing proposed would fall below the standard recognised in the Department and Local Government Technical Housing Standards – Nationally Described Space Standard (which requires a prescribed amount of internal floor area depending on the number of bedrooms to be provided). Housing needs to be of a good quality, and not crammed in.
- Concerned that the Statement of Community Involvement, which states that the proposal was discussed with the Victoria Hotel, is false or misleading.
- Disappointed that the developer had not consulted with the wider community prior to the submission of the application.
- The design of the dwellings, in part due to the density of the development, fails to make a positive contribution to the public realm. The density of development would also result in a lack of natural light for the occupiers of the dwellings, increasing the reliance on artificial lighting.
- The 2.5 storey dwellings, which would be located close to properties on Redwood Crescent, would lead to overlooking to these properties, particularly from the proposed dormers. Proposed trees would not adequately mitigate for this.
- Proximity of the proposed dwellings would result in a loss of light for the existing properties on Redwood Crescent and the apartments on Cartwright Way, and create a sense of enclosure.
- Increase in noise pollution from the resulting development, due to the density.
- The Ecology Appraisal was carried out not long after the site was cleared, and appears to be a deliberate attempt to create a sense that the site has minimal ecological value. Already, there has been a notable reduction in the number of species seen on the site.
- The proposed planting scheme is insufficient to mitigate for what has been lost. Ecological enhancements included in the report have not been incorporated in the application as submitted.
- No details submitted in regard to noise / dust mitigation measures.
- A condition in regard to working hours should be imposed.
- The contamination surveys should be undertaken and completed before the application is determined.

- Concerns regarding the credentials of the applicants in regard to their suitability to be developers of the site.

5.18 Following re-consultations on various amended plans, a further 37 comments were received, objecting on the following grounds:

- Remain concerned in respect of impact on highway safety to the area of Dovecote Lane adjacent to the site, in terms of conflict between vehicles and pedestrians/cyclists, and also loss of parking spaces outside the Victoria Hotel
- Right turn out of Dovecote Lane (onto Queens Road) is going to be problematic and cause tailbacks. Station Road junction is always at capacity and will get worse as developments south of the railway progress.
- Intention was to have vehicle access on to Cartwright Way. This is a more modern and better laid out road network, and unless satisfactory pedestrian/cycle routes can be safeguarded on Dovecote Lane, then this should be the option to use. Note that improved traffic control onto Queens Road from this estate would likely be required.
- Welcome the concept of a welcome pack (travel information for new occupiers)
- Exit onto Dovecote Lane should be pedestrian only
- New pedestrian access to the railway station platforms should be introduced direct from Dovecote Lane using the existing footbridge. Without new station access the opportunity to reduce car trips would not be fully exploited
- Previous objections still stand, and considers that residents' views, opinions and suggestions have been ignored by the planning department
- Inconsistency in regard to information contained in the Flood Risk Assessment in regard to relationship of the site to properties on Redwood Crescent
- The raised bank (escape route) proposed to the rear of properties on Redwood Crescent would have an unacceptable impact on privacy and due to the increase in height of boundary treatment, would also result in loss of light and security. It would also attract anti-social behaviour
- Trees could help with privacy, but these have all been ripped out prior to the application being submitted and none are proposed on the amended plans
- Object to access being created on to Cartwright Way (vehicle/pedestrian/cycle). Privacy will be disturbed and traffic will be a nuisance, and safety of children as they play in the area. Increase in volume of traffic through a densely populated residential estate
- Pleased to see a reduction in the amount of units proposed (74 from 82), however the parking issues have not been addressed
- Following flooding of Dovecote Lane in June 2020, concerned that the development would increase the likelihood of surface water flooding to the houses on this road
- Object on grounds of noise, traffic and sense of enclosure
- Schools, GP practices and dentists already at capacity locally

- Bringing traffic through Cartwright Way estate would have an impact on local wildlife – hedgehogs use the road regularly from the allotments to forage in gardens
- Consider that 74 dwellings are still too many when the requirement is 52 dwellings (note - 56 in the P2LP)
- Noise and general disturbance would be generated during construction. Query regarding timescales for construction and hours of work
- Impact on privacy – houses facing Cameron House. If landscaping were to be introduced on this boundary to protect privacy, it may lead to loss of light
- The raised flood evacuation route would increase risk of flooding to properties on Cartwright Way
- Concerns regarding raised flood evacuation route in terms of construction and maintenance
- Concerns in regard to loss of parking spaces to the front of the Victoria Hotel in terms of impact on trade through loss of customers
- Discrepancies in plans in respect of dimension of Dovecote Lane
- No publically accessible information in respect of Health Impact Assessment or Building for Life, and no updated statements (Design and Access, Transport Assessment)
- It is understood that the County Council have proposed the introduction of traffic calming measures along this end of Dovecote Lane as part of plans to encourage walking and cycling, which is completely at odds to substantially increase traffic along exactly the same route
- The Transport Assessment contains discrepancies and inaccuracies in regard to traffic on Barton Street and cycle usage
- The gatehouse on Dovecote Lane should be retained, as it is an historic building, and should not be demolished
- Proposed dwellings do not meet the National guidelines for internal space standards
- No drainage survey has been carried out
- Removal of all trees carried out before the ecology survey was undertaken, makes it look like there wasn't much wildlife on the site. What is proposed by the developer does not result in a net gain for biodiversity.

5.19 Following re-consultation on amended plans received 01.12.20 and to date, a further 18 comments were received:

- Retain opinion that vehicle access should be from Cartwright Way, not Dovecote Lane
- Now that the raised flood evacuation route omitted, what is to be proposed in its place, and what landscaping will there be
- Concerned regarding impact on traffic on Dovecote Lane
- Consider three storey dwellings are not in keeping with the terraced house on the west side of Dovecote Lane (note: all buildings on the site are now two storey)
- Concern remains in regard to flood assessment and drainage infrastructure
- Consider the removal of the cycle/pedestrian link to Cartwright Way to be a retrograde step (note: now been re-introduced)

- All windows overlooking Redwood Crescent should be opaque
  - Trees should be planted between the proposed dwellings and dwellings on Redwood Crescent
  - The drainage ditch needs to be maintained properly
  - Any trees on the boundary would need to be of a type that doesn't block out sunlight to existing properties
  - Considers that the absence of a new FRA (as opposed to a technical note appendix to the submitted FRA) fails to represent a site-specific risk assessment
  - Remain of the opinion that too many dwellings are proposed for this site
  - Concerned in regard to the undercroft flood water storage under the dwellings – these could hold contaminated water that will smell, and attract vermin in close proximity to dwellings. May also undermine the new dwellings and the existing dwellings.
- 5.20 A statement has been received from the planning agent which seeks to bring attention to the acceptability of the access being from Dovecote Lane, accordance with Policy H1d of the 2004 Local Plan, which has been brought forward in the adopted P2LP, and that the development would contribute to the housing target for the Borough.

## 6 Assessment

- 6.1 The main issues for consideration are the layout of the development, including parking provision; impact on highway safety including access; impact on non-designated heritage assets; the design of the proposed buildings; impact on amenity; impact on biodiversity; and impact on flood risk.

### 6.2 **Principle**

- 6.2.1 The principle of residential development on the site is acceptable as this is an allocated site, and the proposed development accords with Policy 3.6 of the Broxtowe Part 2 Local Plan, in respect of the Key Development Requirement to provide new housing.

### 6.3 **Developer Contributions**

- 6.3.1 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.
- 6.3.2 The proposed development attracts a requirement for developer contributions toward off-site provision of public open space (£107,899.40), provision of additional places at secondary school level (£286,500.00), and a contribution to Primary Health Care (£40,098.75). An additional contribution of £74,489.00 (based on the original 82 dwellings) is also sought for NHS NUH Trust. However,

as the site is allocated in the adopted local plan, and therefore was subject to consultation with relevant healthcare providers at the time of production, this request cannot be justified and as such the latter will not be considered necessary in order to make the development otherwise S106 compliant.

6.3.3 The site would therefore yield £434,498.15 in Section 106 payments, as well as a requirement to provide a minimum of 30% affordable housing.

6.3.4 A viability appraisal has been submitted on behalf of the applicant and this concludes that the development would not be viable, due to the high existing use value of the site; the additional works required to provide flood protection; and as the scheme is to be 100% affordable housing, if all of the above contributions were to be paid. An independent assessor has assessed the viability appraisal and concludes that the development is capable of providing up to £107,899.00 of Section 106 Contributions. As such, this figure will be split equally between Open Space, Education and Primary Health Care, at an amount of £35,966.00 each.

## 6.4 Heritage

6.4.1 The site is in close proximity to several Buildings of Local Interest, these being the Victoria Hotel and dwellings to both sides of Dovecote Lane. Additionally, the Gatehouse, which falls within the site, is also identified as a Building of Local Interest (a non-designated heritage asset). The County Council Policy team considers that, due to its' association with the historic industrial uses in the area, which have mostly been lost, that this building is worthy of inclusion on the Nottinghamshire Historic Environment Record, and is adequate, in regard to the NPPF, to properly identify the building as a non-designated heritage asset. The Policy officer considers that as the interior of the building is shown to retain original features, and that the condition of the building does not preclude the viability of re-use, the proposal should include the gatehouse in the redevelopment of the site. The conservation of the building would ensure a significant component of the area's industrial heritage is retained and that its distinctive architecture be utilised in order to enhance the local identity of the proposals, for the remainder of the site.

6.4.2 The revised Heritage Statement, received in August 2020, concludes that the Gatehouse has very limited architectural and historic interest, particularly as the Maltings building has since been demolished and the historic connection lost, and as such should not be considered as a non-designated heritage asset for the purposes of determining the proposed development. The Conservation Adviser considers that this assessment is in line with Historic England's Principles of Conservation.

6.4.3 The NPPF (paragraph 192) outlines the matters to take into account when determining applications and include the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use; the positive contribution that a heritage asset can make to sustainable communities including their economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. As the assessment of the building concludes that the building should not be considered as a non-designated heritage asset, it is considered that whilst the retention of the building

would be desirable, its' current state and its' significance is such that the retention cannot be reasonably required, and that the deliverability of the site for residential development outweighs the need to retain the building in this case.

- 6.4.4 In addition to the above, it is considered that the site has high industrial archaeological potential, due to the history and previous uses on the site. A program of archaeological investigation and recording would be required prior to the commencement of the development. This can be secured by condition.

## 6.5 Access and Highway Safety

- 6.5.1 It is clear from the responses received that the streets immediately adjoining the development (Dovecote Lane, Barton Road and Grove Road) already suffer from through traffic using these streets as a short cut from Station Road, avoiding the traffic controlled junction with Queens Road. Dovecote Lane in particular, due to its' narrowness and lack of pavement in places, is deficient in regard to safe pedestrian and vehicular access. There is also pressure for on-street parking on these three streets, as many dwellings do not have provision for off-street parking, and as commuters take advantage of free on-street parking whilst they use the train station or Skylink bus service.
- 6.5.2 One of the Key Development Requirements of Policy 3.6 of the P2LP is that the development should provide attractive and usable walking and cycling routes through the site to link the new and existing adjacent residential properties to the railway footbridge in the east and the open space in the west.
- 6.5.3 Policy 3.6 also includes a Key Development Aspiration for any development of the site to include sustainable transport measures to be fully utilised in order to reduce reliance on the private car, and where there would be residual cumulative impacts on the highways network these should be mitigated to ensure that they are not severe.
- 6.5.4 Whilst it is acknowledged that it was previously envisaged that this site, in conjunction with the Hetley Pearson site, would be developed as a whole, Policy 3.6 of the P2LP does not express a preference as to whether vehicle access should be from Dovecote Lane, or Cartwright Way/Wharton Crescent, or a combination of the two. The Policy does not exclude vehicle access being solely from Dovecote Lane. The second sentence of the 'Key Development Aspiration', regarding impacts on the highway network is relevant and detailed highway advice is considered to be important in the assessment of the proposed development. In the examination of the P2LP, the Planning Inspector referred to 'challenges to the development of the site', however vehicle access was not one of the challenges mentioned.
- 6.5.5 The agent for the application notes that Policy H1d of the 2004 Broxtowe Local Plan, now superseded by the P2LP, saw the site forming part of a larger site (including the Hetley Pearson site) which covered 4.6 ha with an indication that 229 dwellings would be developed. It is estimated that the capacity of the now demolished Maltings building would have yielded 96 apartments with 176 bed spaces. The current proposal is for 74 dwellings with a total of 164 bedspaces. As such, the development would have been in accordance with Policy H1d of the

2004 Local Plan, and in terms of traffic generation, there would be no significant difference between the proposed development and what would have potentially been generated should the Maltings building have been retained and converted.

- 6.5.6 The layout as amended shows an indicative pedestrian and cycle route through to the adjacent residential site to the west (Hetley Pearson site). It is acknowledged that the link may not come forward due to a ransom strip beyond the site, which is not in the ownership of the developer and as such not in their control. Notwithstanding this, it is considered that the layout would accord with the requirements set out in Policy 3.6 of the P2LP.
- 6.5.7 There have been many comments from objectors as to why vehicular access cannot be made onto Cartwright Way, which they consider to be a more appropriate option, being a newer road built to modern standards, instead of Dovecote Lane. It is considered that it would not be reasonable to require this as it is not a Policy requirement of the P2LP. Additionally, the access would be to private land, over which the developer has no control. It is considered that vehicular access on to Dovecote Lane, where it utilises an existing access point, is acceptable as the primary vehicle access.
- 6.5.8 Many comments have been made in regard to the vehicular access from the site to Cartwright Way being established under planning permission granted in 2004. It is noted that the approved layout of planning permission reference 04/00900/FUL, provision was made for a potential future link through to the adjacent site (Maltings), this being the turning head to the eastern most corner of the site. At the time of the consideration of the 2004 application, it was a policy requirement for a masterplan to be submitted that covered both the Hetley Pearson and the Maltings site. The masterplan was considered and approved as a basis for considering the development of the wider site, as it was anticipated that the Maltings site would come forward soon after the determination of the 2004 application. Whilst this was secured as part of the Section 106 Agreement, the clause ceased to have effect upon the expiry of three years from the date of that agreement (that is, expiring on 16 August 2008). As such there is no longer a legal obligation for the developer of the Hetley Pearson site or the developer of the Maltings to provide the vehicular link through.
- 6.5.9 In assessing the highway impacts of a proposal, paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Paragraph 105 provides a list of factors which should be taken into account, which includes the availability of and opportunities for public transport, and the type, mix and use of the development. Policy 10 of the ACS states that development should be designed so as to reduce the dominance of motor vehicles.
- 6.5.10 The findings of the Transport Assessment, submitted as part of the planning application, have been accepted by the Highway Authority. The assessment concluded that access through Cartwright Way would provide no betterment in terms of its ability to accommodate the additional traffic generated by the proposed development, due to their being no parking restrictions along this route, and which as a result on-street parking and double parking, with vehicles parked in the immediate vicinity of the side road junctions. In addition, as the football

pitches are in use at the weekends, this further restricts the free flow of traffic during these events. The report goes on to add that the lack of formal parking restrictions along Cartwright Way would likely lead to more conflict than Dovecote Lane, and as such access via that route is not a viable option.

6.5.11 The proposed access onto Dovecote Lane would need to comply with the requirements of the Highway Authority, who would need to be satisfied that both the new access and alterations to the existing highway could accommodate the intended use, including large vehicles such as refuse lorries, and that the development would not have an unacceptable impact on the surrounding area. The Highway Authority are satisfied with the findings of the Transport Assessment in that the junction of Dovecote Lane and Queens Road West; the signalised junction of Station Road and Queens Road West; and the junction of Queens Road / Beacon Road currently operate within capacity (traffic) and that the proposed development would not have a severe residual cumulative impact on these junctions and as such the development meets the requirements of Paragraph 109 of the NPPF.

6.5.12 Amended plans have now been submitted which satisfy the requirements of the Highway Authority, in respect of the access and alterations to Dovecote Lane, and the Highway Authority have no objections to the content of the Travel Plan. Parking spaces outside of the Victoria Hotel are to be provided. It is therefore considered that the development, subject to conditions outlined in the consultation section, would not have a significantly detrimental impact on highway safety and that the alterations to the junction would enable safe use by all road users.

6.5.13 Internally, the main spine road is considered to be acceptable in regard to highway specifications, however the three cul-de-sacs would not meet adoptable standards, due to the lack of adequate turning facilities at the head of each cul-de-sac, which would be unable to accommodate larger vehicles such as refuse vehicles. As such these would remain as private, unadopted, streets and would be managed and maintained by a management company, to be secured by condition.

6.5.14 It is considered that the development would provide an acceptable level of parking on the site, and would not have a significant impact on the amenities of the occupiers of nearby existing dwellings such to consider refusing planning permission on this matter alone. The site is in a sustainable location, with good access to frequent public transport routes (bus and train) and to cycle / pedestrian routes, within easy access to the town centre, and to facilities such as health, education, shopping and leisure. Electric Vehicle Charging Points have been provided, and a Welcome Pack will be provided for each dwelling on first occupation which would contain details of public transport routes, walking and cycling routes, and discounted public transport tickets. There would be an improved footway along Dovecote Lane, which would further encourage sustainable modes of travel. It is therefore considered that reliance on the private motor vehicle be lower than in a less sustainable location.

## **6.6 Design, Scale and Layout**

- 6.6.1 With the exception of the Victoria Hotel, and the existing apartments on Cartwright Way, most properties within the immediate vicinity of the site are two storeys in height. The properties along Redwood Crescent are either two storey semi-detached or two storey terraced housing. As such, development close to these properties should respect this sense of scale and be of a maximum of two storeys in height. The proposed development has been amended and now show all dwellings to be of two storey in height, which is considered to reflect the character of the area, in terms of scale and massing. Aside from the six dwellings fronting Dovecote Lane, which are in a terrace, and the apartment blocks, all dwellings are semi-detached. Each dwelling has a front garden and a private rear garden. There is a mix of parking options on the site, including to the front and side.
- 6.6.2 The two apartment blocks, located toward the south west of the site, would have shared parking to the front and/or side, and a communal bin storage area. Level access into each block is provided.
- 6.6.3 The dwellings would be built from traditional materials (brick and tile) with areas of feature hit and miss brick heads to front elevations to all dwellings including the apartments. The dwellings would have pitched roofs with gable ends, and the terrace to Dovecote Lane would have two feature gables to the front elevation. The apartment blocks would have a hipped roof with gable ends facing to the street.
- 6.6.4 All buildings on the site would need to be elevated from the existing ground level due to the risk of flood on the site. The finished floor levels are higher than the existing ground levels by 1m to the northern most point of the site (rear of existing properties on Dovecote Lane and the sub-station), 1.4m to the south west (rear of existing properties on Redwood Crescent) and then 1m to the south west of the site (adjacent to properties on Cartwright Way). As a result, both steps and a ramp would be provided to the front elevation, and steps down to the rear garden.

## **6.7 Waste and Recycling**

- 6.7.1 All properties would have an area within the respective curtilage to store bins. Those properties on Dovecote Lane, and to the main spine road would be able to have their bins collected directly from outside the respective properties. The remaining properties, located on the cul-de-sacs where access by refuse vehicles would not be possible, would need to present their bins at the designated collection point close to the spine road, and as shown on the site layout.

## **6.8 Amenity**

- 6.8.1 The layout for 82 dwellings as originally proposed, by virtue of the density of development, would have resulted in an unacceptable impact on the amenities of the occupiers of existing properties on Redwood Crescent, and on Cartwright Way. The distances between existing and proposed dwellings would have been less than 20m at several points along the north western edge of the site. Whilst the proposed dwellings would have been side on to the existing, this would have resulted in loss of outlook, and overlooking of private garden areas. Additionally, the distances between some of the proposed dwellings would also have resulted in an unacceptable impact on the amenities of the intended occupiers.

- 6.8.2 The layout, as amended, reduces the density of development to 74 dwellings. Most proposed dwellings are side on to the existing dwellings surrounding the site. Where the proposed does face the existing, at plots 14, 15 and 16, there is a minimum distance of 23.5m between the two rear elevations. Whilst the proposed dwellings would be in a slightly elevated position compared to the existing housing along Redwood Crescent and Dovecote Lane, it is considered that the relationship and distance between would not result in a significant impact on the amenities of the occupiers of existing property in terms of loss of light, outlook or privacy.
- 6.8.3 The site is adjacent to a railway line to the south east. A noise attenuation fence of 3m high would be erected along the boundary with the railway in order to ensure that the amenity of the future occupiers is safeguarded, in terms of noise.
- 6.8.4 The layout of the development, as amended, would ensure that the amenities of the future occupiers would be safeguarded in terms of outlook, light and privacy. Internally, each dwelling would accord with the minimum requirement of the Department and Local Government Technical Housing Standards – Nationally Described Space Standards in regard to internal space, with each having access to an adequate level of natural light and to an outlook.

## **6.9 Landscaping and Biodiversity**

- 6.9.1 The site layout as amended shows indicative areas of landscaping. A detailed landscaping plan, including a management and maintenance schedule, will be secured by condition.
- 6.9.2 Whilst the site has been cleared prior to the submission of the planning application, it is suitable for habitation by several species of fauna. Following advice from the Notts Wildlife Trust, further ecological appraisal has been submitted and the findings in regard to the absence of bats is accepted. Notwithstanding this, the Trust recommend the submission of a Landscape Ecological Management Plan (LEMP), which would detail enhancements, management, location, wildlife boxes, lighting and planting schedule in order to ensure that there would be a biodiversity gain on this site. A Reasonable Avoidance Measures Statement is also recommended, and this would set out details of method of working during site clearance/ground disturbance and other development activities which have the potential to harm, trap or kill species such as great crested newts, hedgehogs, other amphibians and small mammals.
- 6.9.3 In regard to great crested newts, the Preliminary Ecological Assessment identified three ponds nearby which could be suitable habitats for the newts. A further survey was recommended by the Notts Wildlife Trust to be carried out prior to planning permission being given. However, as the season for carrying out the survey is not until spring, it is considered that a suitably worded condition be imposed, requiring the survey to be carried out prior to commencement of the development. An outline mitigation strategy has been submitted, which sets out the method for safeguarding and re-location, if appropriate, of any great crested newts should they be found as a result of the additional survey.

## 6.10 Flood Risk

- 6.10.1 The site falls mainly within Flood Zone 3, with a small section to the south west of the site, adjacent to the railway, being in Flood Zone 2. As such the development would need to ensure that it does not result in an increase in flooding to properties outside of the site, or harm to persons. The development also need to ensure that it does not cause damage to property or harm to persons within the site.
- 6.10.2 The developer has been working with the Environment Agency in regard to mitigating for flood risk and various schemes have been put forward including a raised evacuation route to the boundary adjacent to the rear of properties along Redwood Crescent. This has now been discounted as a solution (and would have also had an unacceptable impact on the privacy and security of the occupiers of existing properties). Mitigation measures now include: proposed external site levels to reflect the existing ground levels with only minor grading to new roads and to gardens / landscaping areas); inclusion of voids in the form of undercrofts below the finished floor levels of all dwellings; and additional volume along the north western boundary in the form of a swale, with a depth of between 0.4m and 0.6m.
- 6.10.3 Subject to a condition requiring the development to be constructed in accordance with the FRA as amended, the Environment Agency are now satisfied that the development would not have a significant impact in terms of increase in flooding to this and to nearby sites.

## 6.11 Ground Contamination and Noise Pollution

- 6.11.1 The site was previously occupied by an employment use. As such a condition requiring the submission of a contaminated land survey would be required prior to commencement of the development, in order to safeguard the health and wellbeing of the future occupiers.
- 6.11.2 The site is adjacent to the mainline railway and as such a noise assessment report has been submitted. This is satisfactory and the installation of the mitigation measures such as glazing and ventilation will be secured by condition.
- 6.11.3 As noise from the construction would potentially have an impact on the amenities of the occupiers of the existing properties, a condition requiring details of piling or other similar methods of construction to be submitted and approved prior to work commencing, and a note to applicant in respect of hours of construction will be included.

## 6.12 Heath Impact Assessment, Building for Life and Statement of Community Involvement

- 6.12.1 A Health Impact Assessment, required as part of Policy 24 of the P2LP, has been submitted. The assessment concludes that the development would have a

positive impact on the health and wellbeing of the future occupiers of the development, by virtue of its sustainable location, close to public transport links, close to community facilities, shopping and employment, and to open space, a layout which reduces the potential for crime by natural surveillance, and importantly provides a 100% affordable housing scheme to meet the social housing needs of the population.

6.12.2 A Building for Life assessment has been submitted, as required by Policy 17 of the P2LP. The assessment scores 10 greens and two ambers in response to the criteria. The amber scores relate to the provision of open space on the development and the distinctiveness of the character of the development. Public open space is not required to be provided on the site, and it is noted that there is sufficient provision in the immediate locality, at Hetley Pearson (including sports pitches) and at Dovecote Lane Park. In terms of design, the dwellings would have feature gables to the front elevation of the terrace on Dovecote Lane and would feature a 'cobbling' effect on the front of other dwellings. The materials to be used (bricks and tiles) would reflect those used in the surrounding area.

6.12.3 A Statement of Community Involvement has been submitted. This states that the owners of the Victoria Hotel had been consulted by the developer. No other community consultation has been carried out. Whilst comments from objectors question whether the Victoria Hotel had been consulted, there are no written statements from the Victoria Hotel to suggest otherwise.

### **6.13 Other Matters**

6.13.1 A comment has been made in regard to impact on community facilities such as schools, doctors and dentists, especially when viewed in conjunction with other residential developments nearby e.g. at the Technology Drive site. This is covered under the 'developer contributions' section of the report.

6.13.2 Inaccuracies in regard to the Transport Assessment, Dimensions of Dovecote Lane as show on plan, and to the content of the Flood Risk Assessment have been noted. The relevant consultees are aware and further information/revised plans where necessary have been submitted.

6.13.3 The developer would need to enter into an agreement with the Highway Authority in respect of the works to the public highway and it is anticipated that as the works will involve the junction with Dovecote Lane, that any damage caused as part of the development, to the existing road surface would be made good as part of the works.

6.13.4 The site is allocated in the Part 2 Local Plan for residential and as such is not allocated as retention for use as employment land.

6.13.5 Whilst access to the train platforms would be a benefit, it would not be within the scope of the planning application or a policy requirement. Notwithstanding this, it is noted that without a relocation of or alterations to the footbridge, access is not feasible as the footbridge is built right up to the Victoria Hotel building on one side and to the rail line on the other side.

6.13.6 Concerns have been made in respect of noise emanating from the residential use of the development. As this is an allocated site for residential use, this would have been considered as part of the Local Plan process. In any case, the development of the site as residential is considered to be compatible with the residential character of the area.

6.13.7 Hours of construction and noise will be controlled by a note to applicant.

6.13.8 Concerns have been raised in regard to the undercroft void, part of the flood mitigation measures. The concerns relate to the holding of potentially contaminated water, and to the possibility of attracting vermin (utilising the void). Details submitted as part of the application see a minimal void area under each property, accessed by access points at 1m gaps around the building. The dwellings would have to be built to the building regulations in force at the time of build, and would ensure that the build is safe for habitation. Any flood water accessing the void would be minimal depth and would soak into the ground once the flood water has receded. It is not envisaged that the void would create suitable habitats for vermin or any other animal.

## **7     Planning Balance**

7.1     The benefits of the proposal are that it would bring forward the development of long vacant and allocated site for 100% affordable housing; is in a sustainable location with good access to public transport and to local facilities; the layout provides opportunities for a future connection to the adjacent site, improving connectivity; and it would provide a good standard of living accommodation.

7.2     The negative impacts are that there would be some impact on neighbour amenity and on the road network.

7.3     On balance it is considered that the negatives are not significant to outweigh the benefits of the proposal.

## **8     Conclusion**

8.1     It is recommended that planning permission be granted subject to the conditions listed below and to the prior signing of a Section 106 Agreement.

<b><u>Recommendation</u></b>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions and to the prior signing of a Section 106 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 the Site Location Plan received by the Local Planning Authority on 14.12.20, and drawings numbered 766 002 rev F, 766 003 rev E, 766 004, 766 005 rev D, 766 006 rev B, 766 008 rev C, 766 009 rev D, 766 010 rev A, 766 013 rev A, 766, 016, 766 017, 766 018, 766 019, F18003/16 rev B, F18003/17 rev B, F18003/18 and F18003/19 received by the Local Planning Authority on 01.12.20, F18003/21 rev A received by the Local Planning Authority on 18.12.20, and 766 020 received by the Local Planning Authority on 11.01.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the materials to be used in facing external walls and roofs 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: 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).</i></p>
4.	<p>The development shall not 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. The development shall thereafter be carried out in accordance with the details as approved.</p>

	<b><i>Reason: In the interests of public health and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></b>
5.	<p>The development shall not be commenced until details of piling or any other foundation designs using penetrative methods have been submitted to and approved in writing by the Local Planning Authority. A method statement should set out measures for reducing noise and vibration impact on neighbouring buildings and on the rail network. The development shall thereafter be carried out in accordance with the details as approved.</p> <p><b><i>Reason: To protect groundwater from contamination and nearby buildings/rail network and residents from noise and vibration in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></b></p>
6.	<p>The development shall not be commenced until details of a surface water drainage scheme, based on the principles included in the approved FRA, and a drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The scheme shall:</p> <ul style="list-style-type: none"> <li>a) Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that the design is in accordance with CIRIA C753.</li> <li>b) Details of any STW approval for connections to existing network and any adoption of site drainage infrastructure.</li> <li>c) Evidence of how the on-site surface water drainage systems will be maintained and managed after completion and for the lifetime of the development.</li> </ul> <p>The scheme shall be implemented in accordance with the approved details.</p> <p><b><i>Reason: To ensure that the development does not increase the risk of flooding 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></b></p>
7.	<p>The development shall not be commenced until an application for a Traffic Regulation Order as shown indicatively on approved drawing F18003/21 rev A has been made to the Highway Authority.</p> <p><b><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></b></p>

8.	<p>The development (including demolition) shall not be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>a) The parking of vehicles of site operatives and visitors</li> <li>b) Loading and unloading of plant and materials</li> <li>c) Storage of plant and materials used in the construction of the development</li> <li>d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>e) Wheel washing facilities</li> <li>f) Measures to control the emission of dust and dirt during construction</li> <li>g) A scheme for recycling/disposal of waste resulting from demolition and construction works</li> <li>h) A risk assessment in relation to the railway</li> </ul> <p>The development shall thereafter be carried out in accordance with the details as approved.</p> <p><i>Reason: In the interests of highway safety and the safe operation of the railway, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>The development shall not be commenced until the results of a further survey in regard to Great Crested Newts have been submitted to and approved in writing by the Local Planning Authority. The survey should include details of any mitigation measures that may be required to protect, or measures proposed for the relocation of, any Great Crested Newts found on the site, and should these be required, shall be implemented in accordance with the details as approved.</p> <p><i>Reason: In the interests of safeguarding a protected species, 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>
10.	<p>The development shall not be commenced until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of ecological enhancements, wildlife boxes, maintenance schedule, bat roost and bird nest boxes, and external lighting. The development shall thereafter be carried out in accordance with the details as approved.</p> <p><i>Reason: In the interests of ensuring that a biodiversity gain can be achieved, in accordance with the aims of Policy 31 of the</i></p>

	<b><i>Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></b>
11.	<p>The development shall not be commenced until a Reasonable Avoidance Measures Statement (RAMS) has been submitted to and approved in writing by the Local Planning Authority. The RAMS should detail a precautionary method of working during site clearance, ground disturbance and other development activities which have the potential to harm, kill or trap species of amphibians or mammals and should be in accordance with BS 42020:2013 Biodiversity – Code of Practice for Planning and Development and should also set out when an Ecological Clerk of Works (ECoW) is needed to be present on site, and timings for habitation of all species potentially present on site, including nesting birds. The works shall be carried out in accordance with the approved statement.</p> <p><b><i>Reason: In the interests of safeguarding flora and fauna on the site, 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></b></p>
12.	<p>The development shall not be commenced until a method statement setting out a programme of archaeological investigation and recording has been submitted to and approved in writing by the Local Planning Authority. The findings of the statement shall be implemented prior to works commencing or to a timetable set out in the statement as approved.</p> <p><b><i>Reason: In the interests of safeguarding designated and non-designated heritage assets in accordance with the aims of Policy 23 of the Broxtowe Part 2 Local Plan (2019) and Policy 11 of the Broxtowe Aligned Core Strategy (2014).</i></b></p>
13.	<p>No above ground works shall be carried out until details of a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) Numbers, types, sizes and positions of proposed trees and shrubs</li> <li>b) Proposed boundary treatments including the attenuation fence and details of Armco barriers</li> <li>c) Proposed hard surfacing treatment</li> <li>d) Planting, seeding/turfing of other soft landscaping areas</li> <li>e) Management and maintenance of any area not falling within the curtilage of a dwelling</li> <li>f) Timetable for implementation</li> <li>g) Lighting, particularly where adjacent to or having the potential to affect the railway</li> </ul>

	<p>The approved scheme shall be carried out in accordance with the approved details.</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, to ensure the safe operation 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 Aligned Core Strategy (2014).</i></p>
14.	<p>No above ground works shall be carried out until details of a Travel Plan, including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of promoting sustainable modes of travel, and in the interests 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>
15.	<p>No dwelling hereby approved shall be first occupied until the glazing and ventilation relating to that unit has been installed in accordance with the specification details set out in the Noise Assessment report 12419 v2, dated May 2019.</p> <p><i>Reason: In the interests of residential amenity and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<p>No dwelling hereby approved shall be first occupied until it has been certified that all necessary remedial measures have been implemented in full so as to render the site free from risk to human health from any contaminants identified.</p> <p><i>Reason: In the interests of public health and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
17.	<p>No dwelling fronting an unadopted (private) road hereby approved shall be first occupied until details of the proposed arrangements for the future management and maintenance of the private road, including associated drainage, have been submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the approved details, until such time that a private Management and Maintenance company has been established.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>

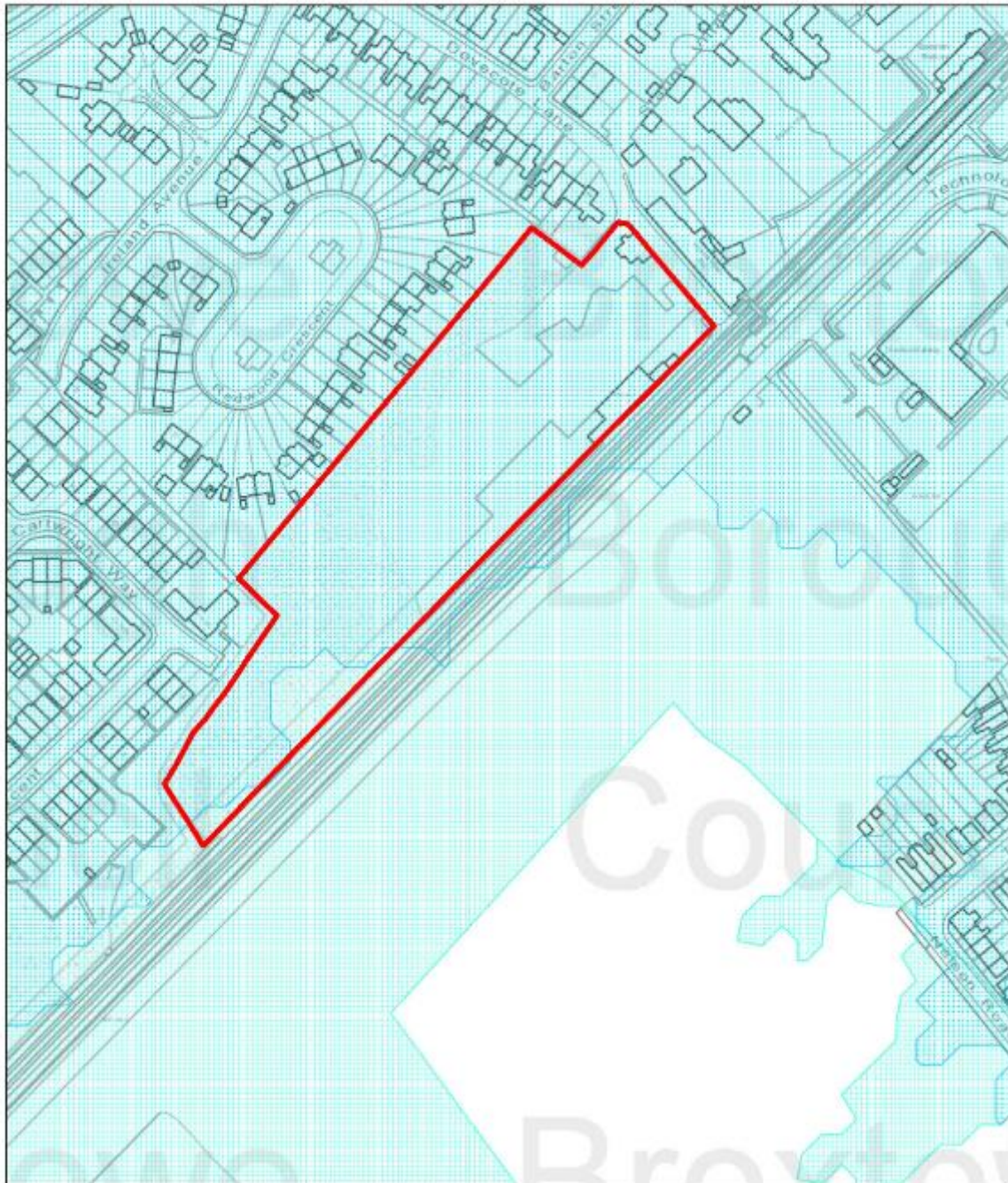
18.	<p>No dwelling hereby approved shall be first occupied until the parking area associated with the respective plot has been surfaced in a bound material (not loose gravel) for a minimum distance of 5m beyond the highway boundary, and constructed so as to prevent to the discharge of surface water from the parking area onto the public highway. The bound material and provision to prevent discharge of surface water shall thereafter be maintained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
19.	<p>No dwelling hereby approved shall be first occupied until the off-site highway works as shown for indicative purposes on approved drawing reference F/18003/21 rev A have been provided to the satisfaction of the Highway Authority.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
20.	<p>No dwelling fronting an unadopted (private) road hereby approved shall be first occupied until the bin collection points as shown on the approved site layout plan have been provided.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
21.	<p>The development shall be carried out in accordance with the submitted flood risk assessment (ref: Flood Risk Assessment and Drainage Strategy Report, Armstrong Stoke &amp; Clayton Limited, April 2020, WMD105/FRA Rev E and Flood Risk - Technical Note 1, Armstrong Stokes and Clayton Limited, November 2020, WMD105/TN1) and the following mitigation measures it details:</p> <ul style="list-style-type: none"> <li>· Finished floor levels shall be set no lower than 27.58m Above Ordnance Datum (AOD) as stated within the Flood Risk Technical Note, section 14 (November 2020).</li> <li>· Flood resilience shall be implemented as stated within the Flood Risk Technical Note, section 14 (November 2020).</li> <li>· Undercroft voids shall be provided to a minimum height of 27.28m AOD as stated within the Flood Risk Technical Note, section 14 (November 2020).</li> <li>· Site levels shall be in accordance with the drawing: Proposed Site Plan, Site Block Plan &amp; OS Plan, swish architecture &amp; planning, 766, 001, Revision T, Mar 2019.</li> </ul>

	<p>These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p><i>Reason: To ensure that the development does not increase the risk of flooding 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>
22.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner 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: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
23.	<p>Construction works shall be limited to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no works on Sundays and Bank Holidays.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>

	NOTES TO APPLICANT
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>The Highways Authority advise:</p> <p>Reference in any condition contained in this permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.</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 for which there is a fee.</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: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></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 agreement</p>

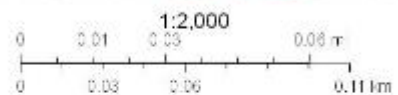
	<p>under Section 278 of the Act for which there is a fee. Please contact: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></p> <p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, 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.]</p> <p>The proposed access/off-site highway works referred to in condition 7 requires a Traffic Regulation Order before the development commences to provide safe access/off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Via East Midlands in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Improvements Team on 0300 500 8080 for details.</p>
3.	<p>The developer is advised to contact Network Rail in respect of the need to submit a method statement, which should be agreed prior to commencement of works on the site.</p> <p>Asset Protection Project Manager Network Rail (London North Eastern) Floor 3B George Stephenson House Toft Green York Y01 6JT</p> <p>Email: <a href="mailto:assetprotectionlneem@networkrail.co.uk">assetprotectionlneem@networkrail.co.uk</a></p>
4.	<p>There shall be no bonfires on site at any time.</p>

# Maltings Site, Dovecote Lane



1/20/2021, 3:20:34 PM

- Site
- Flood Zone 2
- Flood Zone 3



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third parties in any form.

Photographs



View from railway bridge, looking south west



Existing accesses to the site from Dovecote Lane



South east end of Dovecote Lane, with access to railway bridge to the left



The Victoria Hotel, opposite the site



Existing boundary wall to the site



North west elevation of the Gatehouse



South east elevation of the Gatehouse



Rear (north east) elevation of the Gatehouse



View along Dovecote Lane, looking south east



Rear of properties on Redwood Crescent, which are to the north west of the site

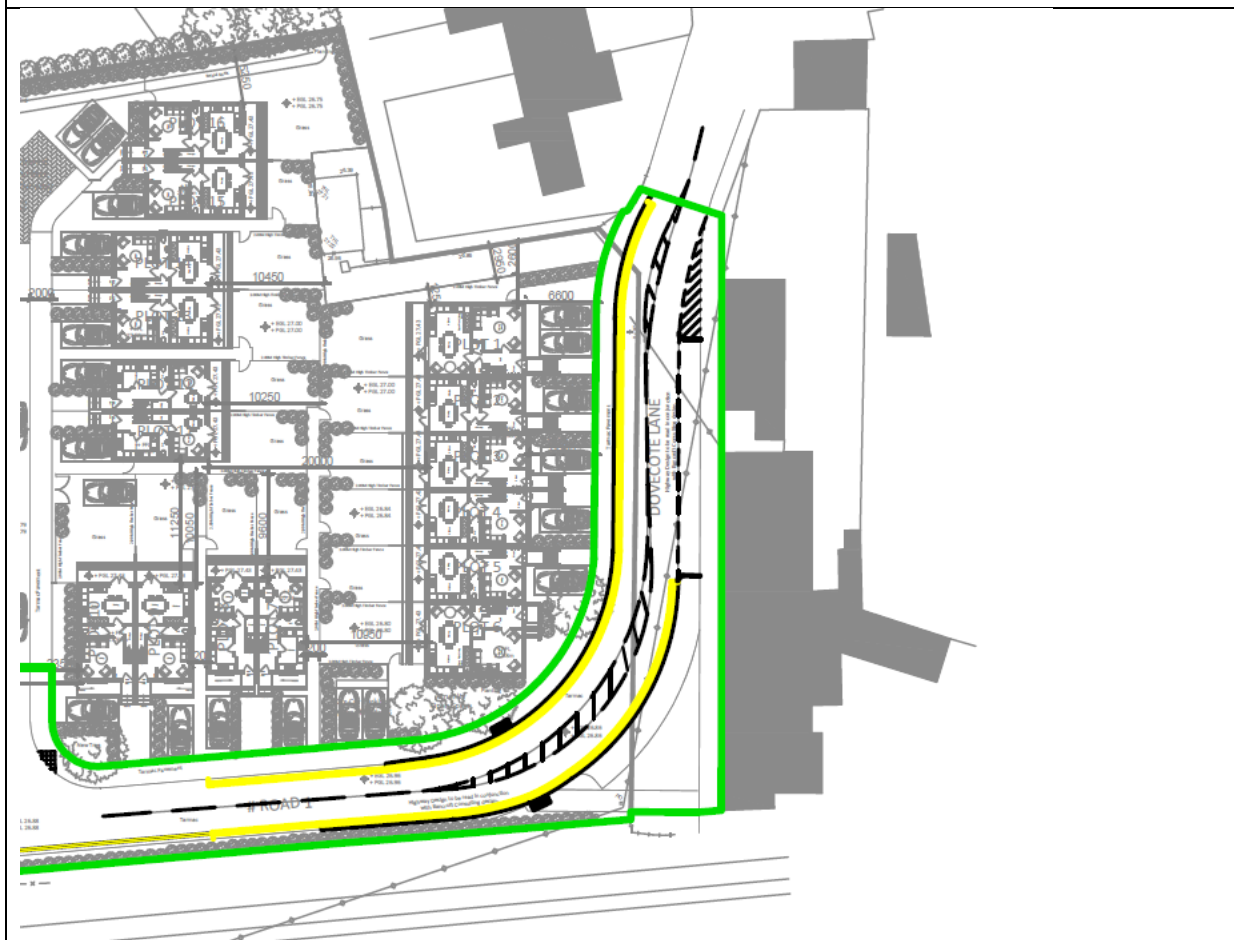


Properties on the Hetley Pearson site (Cartwright Way)

**Plans (not to scale)**

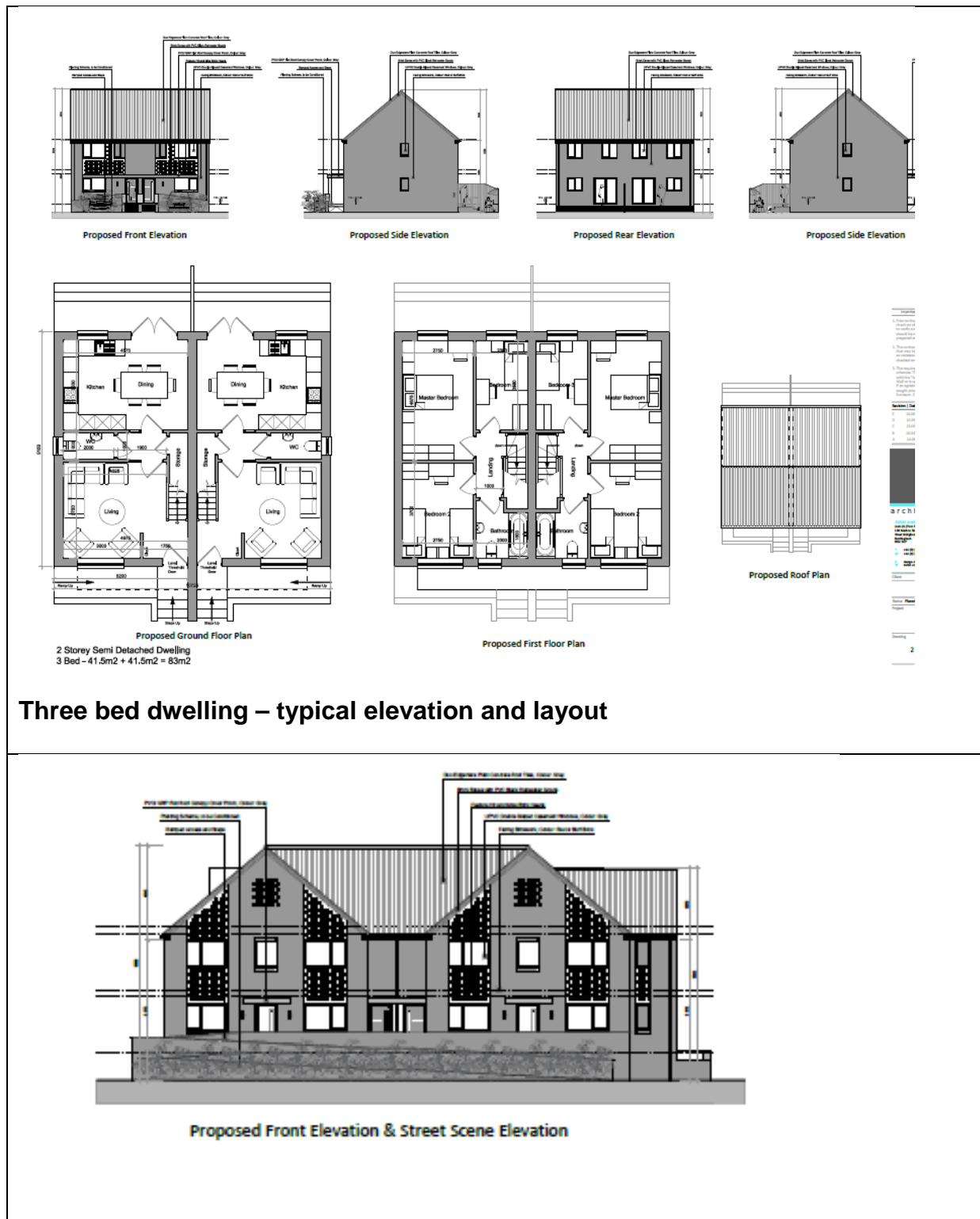


**Proposed layout**

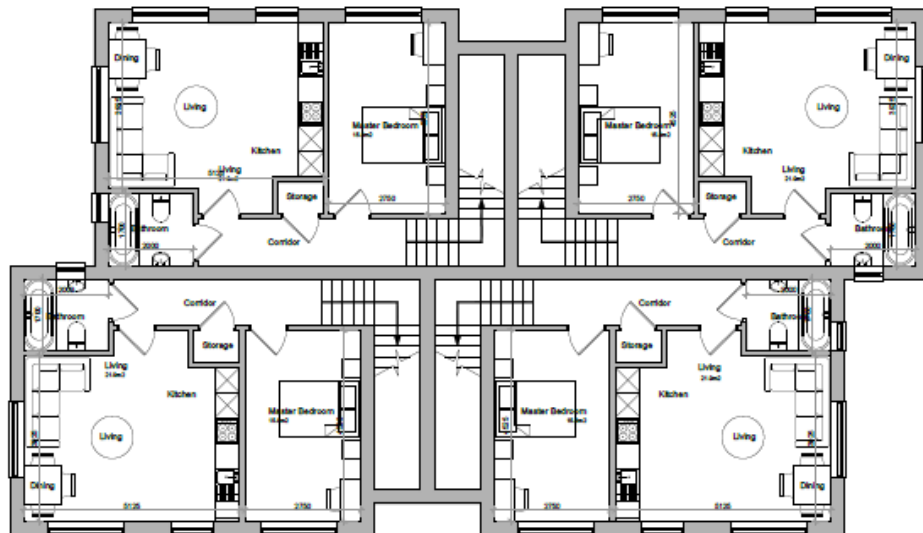


**Indicative layout of alterations to Dovecote Lane and access**





Three bed dwelling – typical elevation and layout

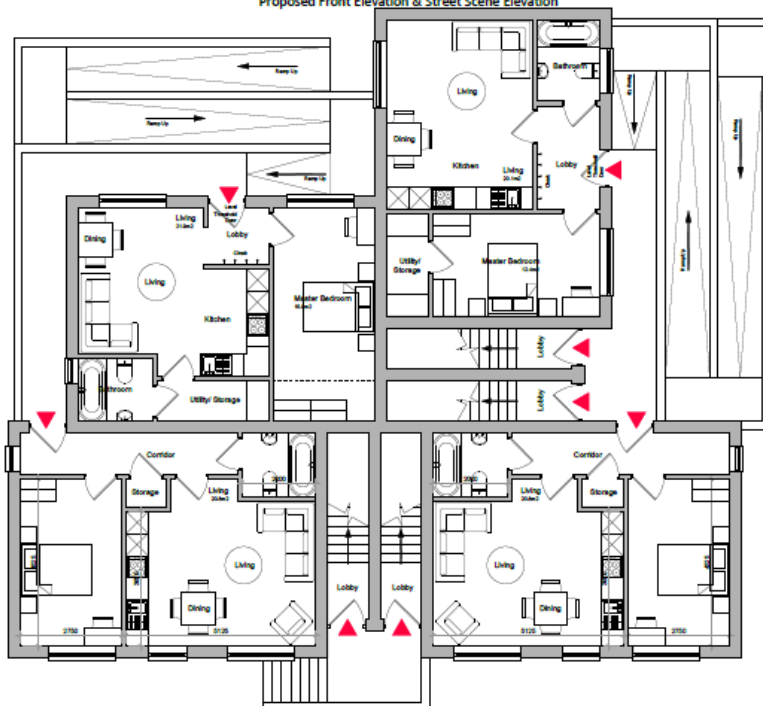


Proposed First Floor Plan

### Proposed apartments – elevations and typical first floor layout (Plots 67-74)



Proposed Front Elevation & Street Scene Elevation



Proposed Ground Floor Plan

### Proposed elevations and ground floor layout – Plots 51-58

