

Report of the Chief Executive

APPLICATION NUMBER:	19/00668/FUL
LOCATION:	Beeston Maltings, Dovecote Lane, Beeston, NG9 1JG
PROPOSAL:	Construct 62 dwellings

1 Executive Summary

- 1.1 The application was first brought before Planning Committee 10 February 2021 with a recommendation for approval (original committee report attached as an appendix). Members resolved to defer making a decision on the application following concerns with regard to the density of the development; access from the development; internal road layout; Section 106 allocation; and loss of gatehouse.
- 1.2 The application is being returned to committee following the receipt of amended plans and additional information.
- 1.3 The layout as originally presented to committee in February saw 74 dwellings served from a new access from Dovecote Lane. Members were concerned that the density of the development would have an impact on traffic in the area, and would also result in a poor environment for the future occupiers. Concerns were also raised regarding the side roads, which would be unusable for large vehicles and as such not adoptable, to the detriment of the layout. Amended plans have now been submitted which show a reduction in the number of dwellings, from 74 to 62, and an amendment to the road layout to enable all roads to be of an adoptable standard such that larger vehicles, such as refuse vehicles, can enter and exit the site in a forward gear. The two and three bed house types have been altered so as to ensure that all the dwellings comply with the Nationally Described Space Standards.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

Appendix 1**1 Details of the Application**

- 1.1 The site is allocated for residential development in the Part 2 Local Plan. The proposal has been amended and now shows a development of 62 dwellings, a reduction of 12 from the scheme of 74 presented at February committee.
- 1.2 The layout as amended retains the access from Dovecote Lane. Internally, and due to the reduction in density of development, two of the cul-de-sacs have been altered in order to provide a loop road and the third cul-de-sac now incorporates a turning head, so as to ensure that all roads within the development can be designed to be of an adoptable standard.
- 1.3 Amended plans in respect of house sizes for the 2 and 3 bed semi-detached dwellings have been received, which demonstrate that the internal floor area for these and all other dwellings in the development comply with the DCLG's Nationally Described Space Standards.
- 1.4 The applicant has submitted a statement which confirms that as the land value is to be based on the number of units granted planning permission and adjusted accordingly, the viability of the scheme would not be impacted upon, that is, it would be no more or no less viable than the previous scheme, which was for 74 dwellings.

2 Relevant Policies and Guidance

- 2.1 The relevant policies have previously been set out in the original committee report, attached as an appendix.

3 Re-consultations

- 3.1 Consultation responses will be reported at the Committee as late items.
- 3.2 Re-consultation letters were sent to all responders and a site notice was displayed. Any responses received, which comment on the amended plans or that raise new matters that have not been reported previously will be reported at the Committee as late items.

4 Assessment

- 4.1 The amended layout demonstrates, through widening of the section adjacent to the site, that parking on street, and two-way traffic from the development can be accommodated without detriment to highway safety.
- 4.2 The amended layout allows for the whole development to be accessed by large vehicles such as refuse and can be built to an adoptable standard. This is considered to be a positive improvement to the benefit of both users of the highway, and to the future occupiers of the development, who would no longer need to take waste bins to a designated collection point. There may also be no requirement for

a management company to be agreed for the maintenance of the un-adopted roads.

- 4.3 As the density of the development has been reduced, it has been possible to ensure that all proposed dwellings on the site meet the guidance as set out in the DCLG's Nationally Described Space Standards, to the benefit of the future occupiers.

5 Conclusion

- 5.1 The proposed development, as amended, is acceptable and as such it is recommended that planning permission be granted, subject to conditions and the prior signing of a Section 106 Agreement.

<u>Recommendation</u>	
<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 drawings numbered 766 004, 766 005 rev D, 766 006 rev B, 766 008 rev C, 766 009 rev D, 766 010 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, F/18003/21 rev A received by the Local Planning Authority on 18.12.20, 766 020 received by the Local Planning Authority on 11.01.21, 766 001 rev B1, 766 002 rev G and 766 003 rev F received by the Local Planning Authority on 17.02.21.</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>

	<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>
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.</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>
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><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></p>
6.	<p>The development shall not be commenced until details of a surface water drainage scheme based on the principles set forward by 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"> a) Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753. b) Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. c) Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

	<p>The scheme shall be implemented in accordance with the approved details.</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>
7.	<p>The development shall not be commenced until a Traffic Regulation Order as shown indicatively on approved drawing F18003/21 rev A has been entered into with the Highway Authority. The approved TRO shall thereafter be implemented prior to the occupation of any part of the site.</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>
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"> 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 the construction of the development d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate e) Wheel washing facilities f) Measures to control the emission of dust and dirt during construction g) A scheme for recycling/disposal of waste resulting from demolition and construction works h) A risk assessment in relation to the railway <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>
9.	<p>The development shall not be commenced until the results of further surveys 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.</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.</p> <p><i>In the interests of ensuring that a biodiversity gain can be achieved, 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>
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 all species potentially present on site, including nesting birds. The works shall be carried out in accordance with the approved statement.</p> <p><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></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><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></p>
13.	<p>No above ground works shall be carried out until details of a landscaping scheme has been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> a) Numbers, types, sizes and positions of proposed trees and shrubs b) Proposed boundary treatments including the attenuation fence and details of Armco barriers c) Proposed hard surfacing treatment d) Planting, seeding/turfing of other soft landscaping areas e) Management and maintenance of any area not falling within the curtilage of a dwelling <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 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 dwelling hereby approved shall be occupied or otherwise be brought into use 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 public health and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
15.	<p>No dwelling hereby approved shall be occupied or otherwise be brought into use 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>
16.	<p>No dwelling fronting an unadopted (private) road hereby approved shall be occupied or otherwise be brought into use 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>

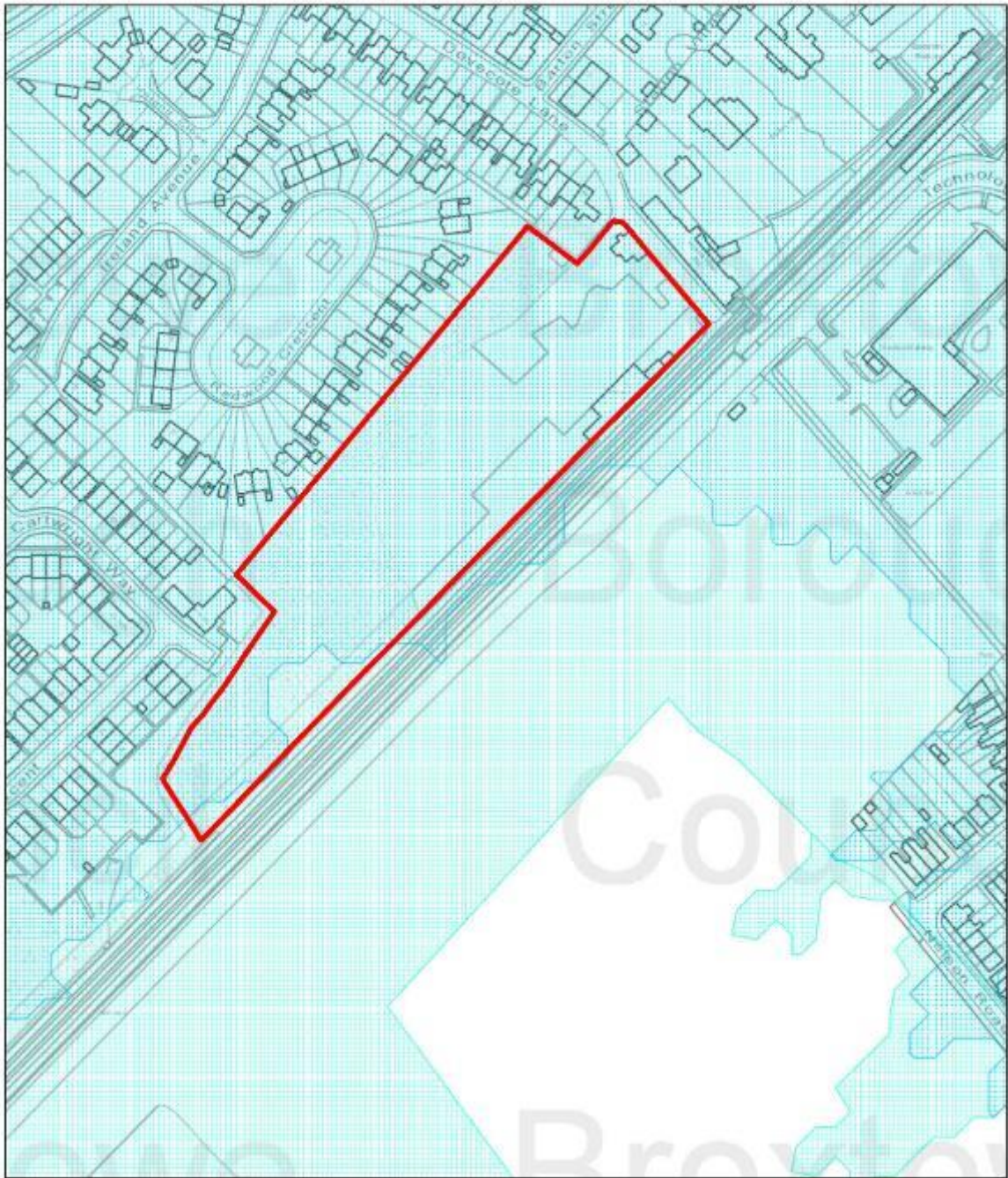
17.	<p>No dwelling hereby approved shall be occupied or otherwise be brought into use until the parking area associated with their respective plot has been surfaced in a bound material (not loose gravel) for a minimum distance of 5m beyond the highway boundary, and shall have been constructed so as to prevent to the discharge of surface water from the parking areas 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>
18.	<p>No dwelling hereby approved shall be occupied or otherwise be brought into use 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>
19.	<p>No dwelling fronting an unadopted (private) road hereby approved shall be occupied or otherwise be brought into use 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>
20.	<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 & 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"> • Finished floor levels shall be set no lower than 27.58 metres Above Ordnance Datum (AOD) as stated within the Flood Risk Technical Note, section 14 (November 2020). • Flood resilience shall be implemented as stated within the Flood Risk Technical Note, section 14 (November 2020). • Undercroft voids shall be provided to a minimum height of 27.28 metres Above Ordnance Datum (AOD) as stated within the Flood Risk Technical Note, section 14 (November 2020).

	<ul style="list-style-type: none">• Site levels will be carried out in accordance with the drawing; Proposed Site Plan, Site Block Plan & OS Plan, swish architecture & planning, 766, 001, Revision T, Mar 2019 (Uploaded to the LPA website on 07/12/2020). <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. 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>
21.	<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>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.
3.	<p>The Highways Authority advise:</p> <p>Reference in any condition contained in this permission/refusal of 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: hdc.south@nottsc.gov.uk</p>

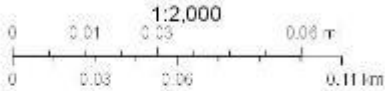
	<p>In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act for which there is a fee. Please contact: hdc.south@nottscc.gov.uk</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 Est 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>
4.	<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: assetprotectionlneem@networkrail.co.uk</p>

Maltings Site, Dovecote Lane



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- Site
- Flood Zone 2
- Flood Zone 3



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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

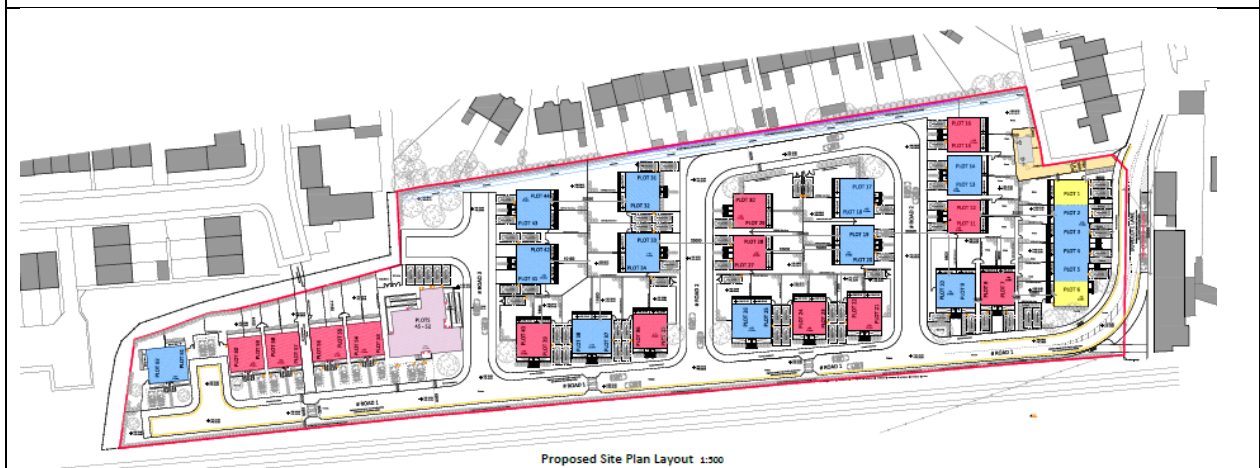


Properties on the Hetley Pearson site (Cartwright Way)

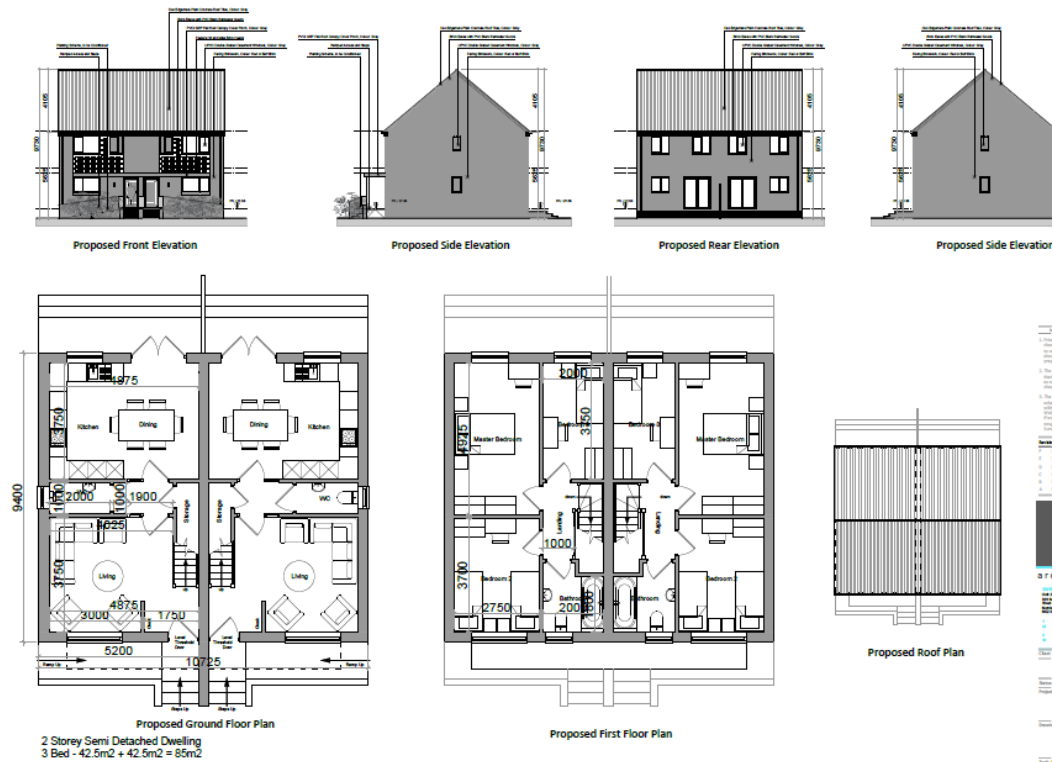
Plans (not to scale)



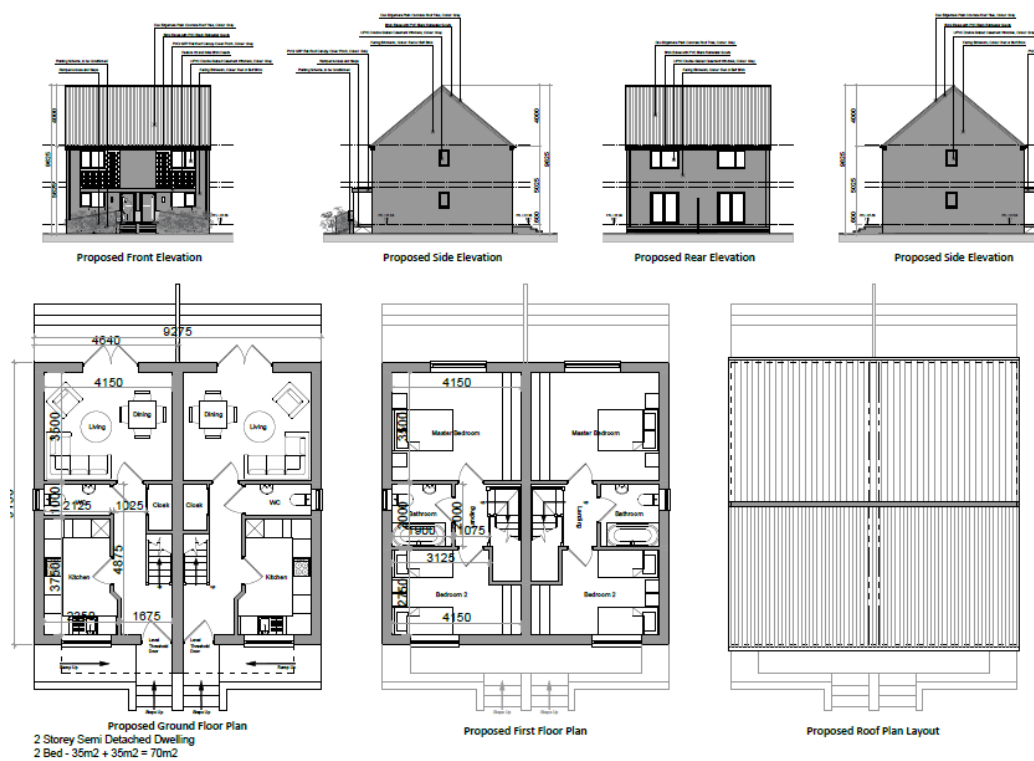
Layout as previously proposed (February committee)



Layout as amended



Revised floor layout for three bed dwelling



Revised floor layout for two bed dwelling