

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>20/00745/FUL</b>
<b>LOCATION:</b>	<b>Old Station Yard, Station Road, Beeston, NG9 2AB</b>
<b>PROPOSAL:</b>	<b>Construct 42 dwellings with improved access, provision of an internal access road, landscaping and associated works following the demolition of buildings</b>

The application is brought to the Committee at the request of Councillor P Lally, and as it is a major application.

1 Executive Summary

- 1.1 The application seeks planning permission for the construction of 42 dwellings and associated works, including a new access.
- 1.2 The site is currently unused and overgrown, and there are a small number of industrial buildings on the site. The land has formerly been in use as sidings for the adjacent railway line, and latterly for industrial use. 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; 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     The proposed development seeks to construct 42 two storey dwellings, which will be a mix of semi-detached and terraced two and three bedroom properties. A new access into the site would be created and this would run parallel to the existing railway line. This road would also allow for access to the far north east corner, land which is to be retained by Network Rail and which is not included in the application site.
- 1.2     All dwellings would have private outdoor space, and access to off-street parking.
- 1.3     The dwellings would be of a modular build, which would take less time to construct and complete on site than a traditionally built dwelling, and the whole site would be allocated for much needed affordable housing.
- 1.4     All existing buildings on the site would be demolished.

**2     Site and surroundings**

- 2.1     The site known as Beeston Cement Works is a linear site to the north east of Station Road, and to the south east of Waterloo Road. The site is further bounded by a rail line which runs in a south west to north east direction, to the south east of the site. Access to the site is currently from Waterloo Road. The site has previously been used as railway sidings.
- 2.2     To the north west of the site, along Waterloo Road, there is a mix of housing comprising three storey apartment blocks and two storey semi-detached and terraced housing. Apartment blocks are on the opposite side of Waterloo Road, to the north west, facing the site.
- 2.3     To the south west, Station Road runs parallel to the adjacent road bridge over the railway lines. There is a taxi rank to the north east side of Station Road, directly adjacent to the site. Beeston railway station, a Grade II Listed Building, lies to the south west of the bridge and is accessed via Station Road where it continues under the bridge, to the station building. Parking and cycle storage serving the station is provided both to the front of the station and underneath the bridge.
- 2.4     To the south east of the rail line, separated by landscaping including trees, there is a development of two storey semi-detached and terraced housing. These properties have rear elevations looking toward the rail line and the site beyond.
- 2.5     Aside from the site and the train station, the immediate surrounds are predominately residential in character.
- 2.6     The majority of the site falls within Flood Zone 3, with the north east part of the site falling within Flood Zone 2.

### 3 Relevant Planning History

- 3.1 There has been no recent planning history for this site. The last application, in 1997, gave permission for the site to be used for Class B1 purposes. Reference 97/00722/FUL.

### 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 3.7: Cement Depot Beeston
- 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 26: Travel Plans
- 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 **Environment Agency:** Following the receipt of additional information, no objections subject to conditions requiring the development to be carried out in accordance with the Flood Risk Assessment (FRA), prior approval of a remediation strategy to deal with the risks of contamination on the site and subsequent verification that the works as approved have been carried out, and details of surface water drainage.
- 5.2 **County Council as Highway Authority:** Initially raised concerns in respect of alignment of the turning head and parking levels on the site. Also require appropriate parking restrictions to be included so as to prevent indiscriminate parking and for access for larger vehicles such as refuse lorries. Turning heads should be provided on the private drives. Amended plans received and the Highway Authority are now satisfied with the layout, and recommend that a condition be imposed requiring the developer to apply for a Traffic Regulation Order (TRO) as shown indicatively on the submitted drawing, prior to any above ground works being carried out. Also recommend other conditions in respect of provision of driveways prior to occupation, and a Construction Method Statement to be agreed prior to demolition or commencement of works. Note to applicant in respect of works to public highway.
- 5.3 **County Council as Local Lead Flood Authority:** No objections subject to a pre-commencement condition requiring a detailed surface water drainage scheme to be approved.
- 5.4 **County Council Policy Team:** The County Council are not requesting any Planning Obligations in respect of transport or education.
- 5.5 **Council's Conservation Adviser:** In regard to the design, do not consider that the proposal would result in potential harm to the Listed Building (train station) and raise no objections. Would be interested in seeing a palette of proposed materials. The frontages appear to be dominated by driveways. Would prefer the terraces to be of three identical house types rather than the two plus one shown on the layout.
- 5.6 **Council's Environmental Health Officer:** No objections, subject to a pre-commencement condition requiring details to be submitted of a contaminated land survey, and implementation of the measures prior to occupation; noise mitigation measures as per the approved noise assessment have been installed prior to occupation; details of piling or other penetrative foundations; and a condition in respect of construction hours. Note to applicant in respect of no fires on site.
- 5.7 **Council's Parks and Environment Officer:** Request a financial contribution of £61,852.56 toward works and maintenance of parks and open spaces in the immediate area. Generally satisfied with the landscaping scheme, would like details of management of the areas of planting outside of the curtilage of dwellings.
- 5.8 **Council's Housing Officer:** The proposed split of housing is acceptable.

- 5.9 **Council's Asset Manager:** Welcomes that plots 1 to 7 would provide natural surveillance of the area for the benefit of users of the train station. Concerns regarding the two drop-off bays as these may be difficult to use and so may be lost.
- 5.10 **NHS CCG (Primary Care):** Request a financial contribution of £22,758.75 toward primary health care, to be allocated to enhancing capacity/infrastructure at existing local practices.
- 5.11 **NHS NUH Trust (Secondary Care):** Request a financial contribution of £44,100 toward secondary health care.
- 5.12 **Cadent:** There is apparatus in the vicinity of the site which could be affected by the proposed development. The developer has been informed.
- 5.13 **Beeston Civic Society:** The society welcomes the development of this brownfield site and that it would be 100% affordable housing. Observes that given the proximity of the site to several modes of sustainable transport and relative closeness to Beeston town centre, the proposed level of parking (71 spaces for 42 houses) is high and there should be a reduction in this provision. In design terms, the proposed parking areas would dominate and would have a detrimental impact on the street scene, and contribute to levels of run-off [of surface water]. Note that there was no consultation with neighbours to the site, by the developer, given that the site is already allocated for housing. Network Rail is the neighbour and the plans appear to take no account of potential conflict and difficulties which could be caused by the upcoming proposals to remodel the stairs access to the platforms from the road bridge together with the installation of passenger lifts between platforms 1 and 2 and the possible loss of drop off points and station parking opposite the access road to the site. More broadly, concerns regarding potential increased levels of vehicular access to Station Road/ Queens Road generated by the new housing on this and the site off Technology Drive, and proposed housing off Dovecote Lane.
- 5.14 **Transport Focus:** Commenting following contact from resident. Transport Focus comment that access to the station is poor and should be improved and the development at the site is the opportunity to do so. The existing platforms at the station are not long enough for the new class of trains that will call there. The access arrangements specified by the ORR land disposal – 'improved access and drop-off at the station' are not met by the submitted plans. Also believe that the land required for an extension of platform 1 appears to have been excluded from the plans as submitted.
- 5.15 **Notts Wildlife Trust:** Generally satisfied with the approach taken in the submitted Ecological Appraisal, however, would like to see a reptile survey carried out prior to the commencement of development. Recommend conditions in regard to the provision of bat and bird boxes, and that any lighting be bat sensitive.
- 5.16 **Network Rail:** The developer has served notice on Network Rail in support of the application, and has been involved in discussions with NR as necessary regarding the purchase and development of the application site. Recommend

conditions in respect of drainage; safety barriers; details of fencing; construction method statement; soundproofing; and lighting where close to the railway.

- 5.17 83 properties either adjoining or opposite the site were consulted, a site notice was displayed, and a press notice published. 15 responses were received, 1 letter of support, 2 objections and 12 observations:

Support:

- Excellent use of a large derelict piece of land.

Objections:

- Of the opinion that the application is in clear contradiction of the ORR Land Disposal Notice [understood to be Network Rail estate division] which stipulates that improved provision for drop off and circulation should be provided for rail users and that the neck of land by the current turning circle be retained for any future plans for platform extensions.
- Question need for more housing given Beeston Quarter, Myford Place, Broadgate and recent permission on the Maltings site for residential development already underway. Area would be better suited for a small primary school to deal with additional influx of school age children, or alternatively, an activity centre/playground.

Observations:

- Agree that 42 flats can go ahead but would like to know if these are council or housing association. They should have their own front door unlike the existing ones, which have bedrooms to the front and living rooms to the rear [Waterloo Road] in order to stop anti-social behaviour
- Would like re-assurance that the short stay parking spaces on the approach to Station Road, and the 2 drop off spaces at the entrance to Beeston Station will be retained, and, better still, additional parking spaces provided
- Generally in favour of the development but would like to see the two short stay parking spaces on Station Road re-sited elsewhere if possible as they are useful for drop-off / pick up from the station
- Assume that remedial work for the road bridge will not be needed in the foreseeable future given that it was built at the same time as Clifton Bridge (A52, currently undergoing major repairs), as it would be unpleasant for the new occupiers to have to endure repairs. The bridge is also unsightly, queries if there are any plans to improve its appearance, to benefit the proposed housing fronting on to Station Road
- On behalf of Pedals: Nottingham Cycling Campaign – Pedals would like to see more attention given to the promotion of cycling, as well as walking and public transport, in terms of investigating opportunities in conjunction with possible future development on adjoining sites to the east, for improving the current rather torturous alignment of Cycle Route 6 of the National Cycle Network (between Beeston Station and Murden Way), improving cycle parking and reducing car parking, given the close proximity of Beeston Station
- Would like clarification as understand that Network Rail would retain ownership of a strip of land in order to facilitate the extension of platform 1 as part of electrification plans for the Midland Main Line or similar future development of the station. Transferring the small neck of land by the current

- turning circle to the developer would appear to conflict with this, this should be checked
- Would like confirmation that a suitable noise attenuation barrier between the railway and housing would be provided
  - Are Section 106 requirements being considered for this development and if so what are these
  - The scheme has serious flaws from an environmental and sustainability perspective: the requirement to produce a travel plan is weak and does not put any real pressure on the developer to promote the walking, cycling and public transport options; although some green space has been designed in the site will be dominated by hard surfaced parking areas and since the initial proposal [allocation for 40 units in the Part 2 Local Plan], two additional homes have been added with no additional green space; the predominance of parking is frightening, with nearly 2 spaces per house, even though the homes are to be affordable housing and the site is afforded excellent access to public transport, it encourages car use which is not in line with BBC policy; there is no place for secure cycle parking in the design of the houses, no garage / workshop space, no shared cycle compounds. A disappointing scheme which [the writer] finds hard to believe conforms to the type of development which BBC should be allowing
  - The land could be used for the railway station in order to give disabled access, or the fire station could be built on the Maltings site. We don't need more houses and we don't need student properties
  - Friends of Beeston Station – make observations regarding the amount of vehicular traffic that ordinarily use the Beeston Station and consider that the additional residential traffic using the entrance off Station Road would conflict with the traffic using the station, particularly as the proposal does not include a turning area/circle. FOBS consider that a return to moving the entrance to the residential development to Waterloo Road, or, preferably, ensuring that the entrance be transformed into a fitting and appropriate 'Gateway to Beeston' accommodating both the needs of traffic and passengers as well as the needs of the future residents of the proposed residential development.

## 6 Assessment

- 6.1 The main issues for consideration are the principle of the development; impact on heritage assets; impact on neighbour amenity; whether the development is of an acceptable design and layout; impact on highway safety; and whether the development would increase flood risk on and around the site.

### 6.2 **Principle**

- 6.2.1 The site is allocated for housing (40 units) in the Part 2 Local Plan (Policy 3.7) and as such the principle of a residential development on the site is acceptable subject to the matters below.
- 6.2.2 There would be a mix of two and three bedroom dwellings (20 x two bed, and 22 x 3 bed), which is considered to be an acceptable ratio of housing for the area, providing a mix of housing type.

- 6.2.3 The proposed dwellings would be of modular construction which has the advantage of being capable of a rapid construction timetable, with each dwelling being capable of being completed within 3 to 4 months once groundworks have been carried out. The modular buildings themselves are built to a high level of insulation such that the running costs (heating for instance) are less than a traditional build.

### **6.3 Heritage**

- 6.3.1 The Beeston train station buildings, to the south west of the site, beyond the Station Road bridge, are Grade II Listed and as such are designated heritage assets. The proposed development needs to be assessed as to whether it would have a significant impact on the setting of the heritage asset.

- 6.3.2 Given the separation of the site from the Beeston station, due to the presence of the road bridge, it is considered that the development would have less than significant harm on the setting of the Listed Buildings.

### **6.4 Design, Scale and Layout (inc BfL etc)**

- 6.4.1 The layout shows a new access road running more or less parallel to the railway line (south west - north east direction) and would see seven dwellings fronting Station Road, with parking to the rear off a private access; 22 dwellings along the new access, facing toward the railway; and three private roads running off the new access with the remaining 13 dwellings. There would be a mix of terraced and semi-detached properties.

- 6.4.2 Most dwellings would have parking to the front, although some have parking to the side. Each dwelling would have access to a private rear garden. Bin collection points are provided on the 'side' private roads, close to the principal access road.

- 6.4.3 The dwellings as proposed are of a similar scale to other dwellings in the area, specifically those to the south east on Alford Close and dwellings to the north along Waterloo Road. The dwellings are of a traditional design, having a mix of gable ends and feature gable frontages, and would be faced in either a render or brick treatment, or a mix of the two, and have concrete tiles. Details of materials have been provided and their use will be secured by condition. The dwellings would be of a modular design, being partly constructed off site and then assembled on site, which would enable them to be completed and occupied in less time than a traditionally constructed dwelling. As such, the dwellings are designed so as to minimise resource use and maximise energy efficiency during both construction and occupation.

- 6.4.4 A Building for Life assessment has been submitted and this concludes that the development would have a good rating for each of the twelve criteria, having good connections to the surrounding area and in a sustainable location close to local facilities such as shopping, employment, health, education and leisure, and to well-served public transport routes. The development meets local housing requirements, being 100% affordable. The layout is legible with well-defined



streets and spaces, responds well to the environment and to constraints such as the railway to the south east and roads to the south west and north west.

- 6.4.5 A detailed landscaping plan has been submitted and is considered to be acceptable. This would provide landscaped areas both within the curtilage of the frontage of each dwelling and to the areas outside of the private curtilage, for example to the south east of the new access, parallel to the railway line, and to the parking areas of the side roads. A condition to secure the implementation of the landscaping and details of a management and maintenance schedule, along with details of boundary treatments, will be imposed.

## 6.5 Amenity

- 6.5.1 In terms of impact on neighbour amenity, it is considered that the properties to the south east of the site, on the other side of the railway line, would not be significantly impacted upon due to the distance between.
- 6.5.2 It is considered that the amenities of the occupiers of the day nursery, to the west of the site, and the apartments further north east along Waterloo Road, would not be significantly impacted upon in terms of loss of light, outlook or privacy due to the orientation of the buildings (being side on) and the distance between.
- 6.5.3 The closest two storey dwellings are to the north/northwest of the site, these being numbers 14 to 38 Waterloo Road. Aside from 18 to 28, which are a terrace of dwellings at 90 degrees to the site, most properties have the rear elevation facing the site. Plot 40 would be side on to 14 and 16 Waterloo Road and there would be a minimum distance of 14m between the rear of 14 and 16 and the facing side elevation of plot 40. There would be a minimum distance of 18m between the rear elevation of plots 41 and 42 and the rear elevations of 30 to 38 Waterloo Road. There are no significant differences in ground levels between the site and neighbouring land. It is considered that there would be no significant impact on neighbour amenity in terms of loss of light, outlook or privacy for the occupiers of these properties.
- 6.5.4 In regard to the proposed dwellings, these would have an internal floor area of 80 and 81 square metres for the two bedroom dwellings, and 81 square metres for the three bedroom dwellings. The two bedroom dwellings would accord with the Nationally Described Internal Space standards, which suggests a minimum of 79 square metres for a two storey dwelling, but the three bedroom properties would fall slightly short of the 84 square metres suggested for a two storey property. Notwithstanding this, it is considered that the shortfall is minimal and all dwellings would have access to an outlook and to natural light, and have access to private outdoor amenity space. Homes England are accepting of the proposed internal space as they are well within their 15% tolerance of the Nationally Described Internal Space Standards for them to fund the scheme, and additionally the Registered Provider, East Midlands Housing, are happy to take the development on, on the above basis. It is therefore considered that the amenities of the occupiers of each dwelling would be of an appropriate standard to meet their needs and are considered acceptable by both Homes England, who are providing funding for the build, and the end user, East Midlands Housing.

**6.6 Pollution**

- 6.6.1 The site is close to the railway line and as such measures to ensure that the amenities of the occupiers of the dwellings are safeguarded in terms of noise and disturbance are proposed. Noise mitigation measures submitted as part of the application are considered to be acceptable, subject to a condition requiring the measures to be implemented prior to occupation. The measures include a 1.8m acoustic barrier to the rear gardens of plots 1 to 7, and upgraded glazing and background ventilation to bedrooms on the south east façade.
- 6.6.2 Given the previous uses of the site, being industrial in nature, a contaminated land survey would need to be submitted and agreed prior to the commencement of the development, and any mitigation measures required would need to be implemented prior to occupation. These measures would ensure that the future health of the intended occupiers of the site would be safeguarded.

**6.7 Access**

- 6.7.1 The location of the new access has been defined by the constraints of the site, which is mainly the presence of the railway to the south east boundary, and therefore in order to safeguard the amenities of the future occupiers in terms of noise, the dwellings need to be set away from the railway line. This also reflects the character of Waterloo Road, which also runs in a south west to north east direction. The principle of the access is considered to be acceptable. Amended plans received now show a T junction into the site, the existing drop off bays to the end of the street removed, and indicative double yellow lines added to the south west of the road and to the initial section of the new access into the development. Network Rail are fully aware of the development proposal, as the land is being purchased from them, and it is understood that Network Rail have safeguarded land for future redevelopment/improvement to facilities at Beeston Station. It is also understood that the proceeds from the sale of the land will go toward funding these improvements. Vehicles visiting the station will be able to enter the development site to turn around and then exit onto Station Road, which is considered to be safer than carrying out this manoeuvre at the turn into the station, as currently occurs, and in any case, it is considered that the provision of a turning head would be outside of the scope of the application.
- 6.7.2 The proposed main access road will have three private drives leading from it, serving those dwellings which do not face Station Road or toward the railway. It is considered acceptable for these drives to be private (i.e. not adopted) in terms of design and is an accepted approach in the Manual for Streets as it is more pedestrian friendly and allows for free play for children. The private drives can accommodate delivery vehicles and communal bin collection points are to be provided. It is understood that as the site will be managed by one registered provider, there will be a single management company responsible for the upkeep of the private drives and the landscaped areas. Notwithstanding this, in order to ensure that the private drives and associated drainage are maintained such that occupiers are not deemed liable for the upkeep of the drives, a condition requiring details of a management and maintenance plan to be agreed prior to occupation of the units served from the private drives will be imposed.

- 6.7.3 Access to the north east of the site would be provided in order to retain access to land still within the ownership of Network Rail.
- 6.7.4 Parking to plots 1 to 7 would be provided to the rear, in order that parking to the Station Road frontage can be made available for users of the train station, including the taxi rank.
- 6.7.5 Parking spaces on the site are allocated to each dwelling. It is considered that the ratio of parking to dwellings is acceptable, given that parking restrictions would likely be required in order to discourage indiscriminate parking by users of the train station. Five of the dwellings would have outside sockets included so as to be capable of facilitating the installation of Electric Vehicle Charging points. Each dwelling would have access to a secure rear garden which could provide space for cycle storage. National Cycle Network Route 6 runs along Waterloo Road, to the north west of the site, and this provides a safe cycling route for the occupiers with links to other cycle routes in the surrounding area, which should incentivise cycle ownership/use.
- 6.7.6 A Travel Plan Statement has been submitted and this states the intention that a Residential Welcome Pack would be supplied to all residents upon first occupation. The contents could include literature on the benefits of sustainable modes of transport; maps showing local walking/cycling routes and places of interest; details of local car share schemes; details of local taxis, on-line retailers, and public transport providers, including timetables; and details of cycle hire schemes. Measures to promote walking, cycling and use of public transport will also be included.
- 6.7.7 A Key Development Requirement of Policy 3.7 of the P2LP is to provide attractive and usable walking and cycling links through the site to the railway station to provide an 'off-road' section of the National Cycle Network Route 6. Route 6 currently runs along Waterloo Road, connecting Station Road through to Humber Road South. The route continues from Station Road south west along Barton Street onto Dovecote Lane and then onto Queens Road West. The aim of the policy requirement is to provide an off-road section of cycle way in order to provide a safer route with less conflict with vehicles.
- 6.7.8 There are constraints to the site which restrict the ability of the development to provide a usable cycle link through the site, these being the third party land to Waterloo Road between the site and the adopted highway, with only a small section to the south west of 2 to 12 Waterloo Road being adjacent to the adopted public highway, and that there is no access available (no public land) beyond the north east of the site, or, even if the retained land for Network Rail were to be made accessible, there is no point of access available on to the adopted highway other than across third party land from this piece of land. Potential access through the development is therefore limited, and, realistically, would not provide much betterment than the existing route, as it would only be for a short section, and would, in any case, only provide the potential for an improved cycle way to the station, to the south west, and not to Route 6, which runs north west away from Waterloo Road.

## **6.8 Flood Risk**

6.8.1 A Flood Risk Assessment (FRA) has been submitted and found to be satisfactory, subject to the development being carried out in accordance with the FRA. Details of a surface water drainage scheme would need to be submitted and agreed prior to the commencement of the development and implemented prior to occupation. The Environment Agency also require details of a remediation survey in respect of contamination on the site, in order to safeguard water supply. It is considered that subject to these matters being satisfactorily addressed, the site would not result in an increase to flood risk or harm to the water supply.

## **6.9 Biodiversity**

6.9.1 The application site consists of areas of scrub and hedging, some small trees, and large areas of hard surfacing. There are some buildings on the site. The ecological survey identifies one of the buildings as providing an ecological resource for roosting bats and potentially for nesting birds. The survey recommends that as an enhancement, a small number of bird boxes should be provided on suitably located new buildings to provide enhanced nesting opportunities for local bird species. These can be secured by condition. A reptile survey is also required, prior to commencement of the development, as there is the potential for the presence of slow worms on or near the site.

## **6.10 Planning Obligations**

6.10.1 The site is proposed to be 100% affordable housing. Policy 15 of the Part 2 Local Plan requires for new residential developments in the Beeston submarket for 30% of the housing to be affordable. It is considered that the proposal meets this requirement, which would need to be secured through a legal obligation.

6.10.2 The County Council do not require any planning obligations in respect of Education, as there is currently a surplus of spaces in the area, or in respect of Transport.

6.10.3 A financial contribution of £61,852.56 toward off site open space is requested by the Parks and Environment Officer, to be allocated to works and maintenance at open spaces in the locality.

6.10.4 NHS Nottingham and Nottinghamshire CCG (Primary Care) have requested a financial contribution of £22,758.75 toward the provision of enhanced capacity/infrastructure at one of three nearby GP practices (The Manor, The Oaks, and Abbey Medical Centre).

6.10.5 NUH NHS Trust (Secondary Care) have requested a financial contribution of £44,100.00. However, as the site is allocated in the Part 2 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.

6.10.6 The developer has agreed to pay the contributions requested in regard to Open Space and NHS CCG, and this, along with the provision of affordable housing, will be secured by a Section 106 Agreement.

#### **6.11 Other Matters**

6.11.1 It is understood that the sale of the land has been agreed with Network Rail, who are fully aware of the application site boundaries, and who have set aside land outside of the site boundary in order to safeguard land to accommodate the potential expansion of the train station facilities, to the south east boundary parallel with the railway, and have also retained land to the north east of the site for access to the line.

6.11.2 The Station Road bridge is outside of the application site boundary and the planning application does not include any proposals to improve the appearance. The maintenance of the bridge would be a matter for the County Council, as Highway Authority.

6.11.3 As the build is to be modular and therefore the construction and completion period of the development would be much shorter. And, as the modular buildings would be built to a high standard of insulation (20% more heat efficient), being built off site with waste kept to a minimum, it is considered that the proposed development would be a highly sustainable build, and would accord with the aims of the Councils' Climate Change and Green Futures Programme.

### **7 Planning Balance**

7.1 The benefits of the proposal are the provision of a 100% affordable housing scheme which is considered to be built in a sustainable manner to a high degree of energy efficiency, and re-development of an unsightly and underused site, allocated for residential development in the P2LP.

7.2 The negative impacts are increase in traffic generation.

7.3 On balance, any increase in traffic generation can be mitigated through the promotion of sustainable modes of transport and would not, in itself, outweigh the benefits of the scheme.

### **8 Conclusion**

8.1 Recommend grant of planning permission, subject to conditions.

**Recommendation**

The Committee is asked to RESOLVE that the Interim Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:

- (i) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990 to secure the provision of affordable housing on the site and to cover contributions towards: provision and maintenance of open space, and Primary Health Care and
- (ii) the following conditions:

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 and drawings numbered PJSL20-05-001A, 600161-HEX-0-GEN-DE-C-0110 sheets 1 and 2, 9478-PL02, 9478-PL06, 9478-PL07, 9478-PL10, and 9478-PL11 received by the Local Planning Authority on 26.10.21, 9478-PL20A, 9478-PL21A, 9478-PL22A, 9478-PL23A, 9478-PL24A and 9478-PL25A received by the Local Planning Authority on 01.12.20, 9478-PL03D, received by the Local Planning Authority on 26.03.21, the indicative TRO shown on 60061-HEX-00-GEN-DR-C-0113 rev P02 and 60061-HEX-00-GEN-DR-C-0114_TRO P01 received by the Local Planning Authority on 31.03.21 and 9530-L-01 rev B and 9530-L-02 rev B received by the Local Planning Authority on 07.04.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development shall be constructed only in accordance with the details of materials as approved on drawing numbers 9478-PL20A, 9478-PL21A, 9478-PL22A, 9478-PL23A, 9478-PL24A and 9478-PL25A received by the Local Planning Authority on 01.12.20, unless alternative details have otherwise been agreed in writing by the Local Planning Authority.</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>No above ground works shall be commenced until a landscaping</p>

	<p>scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) proposed boundary treatments including Armco safety barriers</li> <li>(b) proposed hard surfacing treatment</li> <li>(c) proposed lighting details particularly in regard to lighting near railway land and which shall be bat sensitive</li> <li>(d) planting, seeding/turfing of other soft landscape areas</li> <li>(e) a management and maintenance scheme relating to the landscaped areas not within the curtilage of a dwelling</li> <li>(f) ecological enhancements which shall include the number, type and location of bird and bat boxes</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed 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>
5.	<p>No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>No building hereby approved shall be occupied until all the appropriate remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full.</p> <p><i>Reason: In the interests of public health and safety, and to ensure that the development does not result in unacceptable levels of water pollution and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>No above ground works shall be commenced until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning</p>

	<p>Authority, and shall include details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<p>No above ground works shall be commenced until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, and designed so as to be collected and diverted away from Network Rail property, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.</p> <p><i>Reason: In the interests of minimising flood risk, in accordance with Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
8.	<p>No part of the development (including demolition) shall 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>No part of the development shall be commenced until the results of a reptile survey has 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 reptiles found on the site, and should these be required, the measures 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>No part of the development shall be commenced until an application for a Traffic Regulation Order (TRO) as shown indicatively on approved drawing number 60061-HEX-00-GEN-DR-C-0113 rev P01 and 60061-HEX-00-GEN-DR-C-0114_TRO rev P01 has been submitted to the Highway Authority. The TRO shall thereafter be implemented in accordance with the approved TRO unless otherwise agreed in writing by the Local 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>
11.	<p>All noise mitigation measures shall be designed and installed in accordance with the approved mitigation scheme as detailed in Omnia's Noise and Vibration Impact Assessment (B10610/1.1 Draft September 2020). No building hereby approved shall be occupied until the respective mitigation measures, relevant to that dwelling, have been installed.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>No building hereby approved shall be occupied until the access road and communal parking / turning areas have been completed and made available for use.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance 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>
13.	<p>No building hereby approved shall be occupied until the boundary treatments and in curtilage parking pertinent to that dwelling have been provided.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance</i></p>

	<i>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>
14.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment prepared by Rodgers Leask Limited, 15 October 2020 and finished floor levels shall be set no lower than 27.53 metres above Ordnance Datum (AOD)</p> <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: In the interests of minimising flood risk, in accordance with Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<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 dwellings, 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>
16.	<p>No construction, demolition or site preparation work in association with this permission shall be undertaken outside of the hours of 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Environmental Health team of Broxtowe Borough Council.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

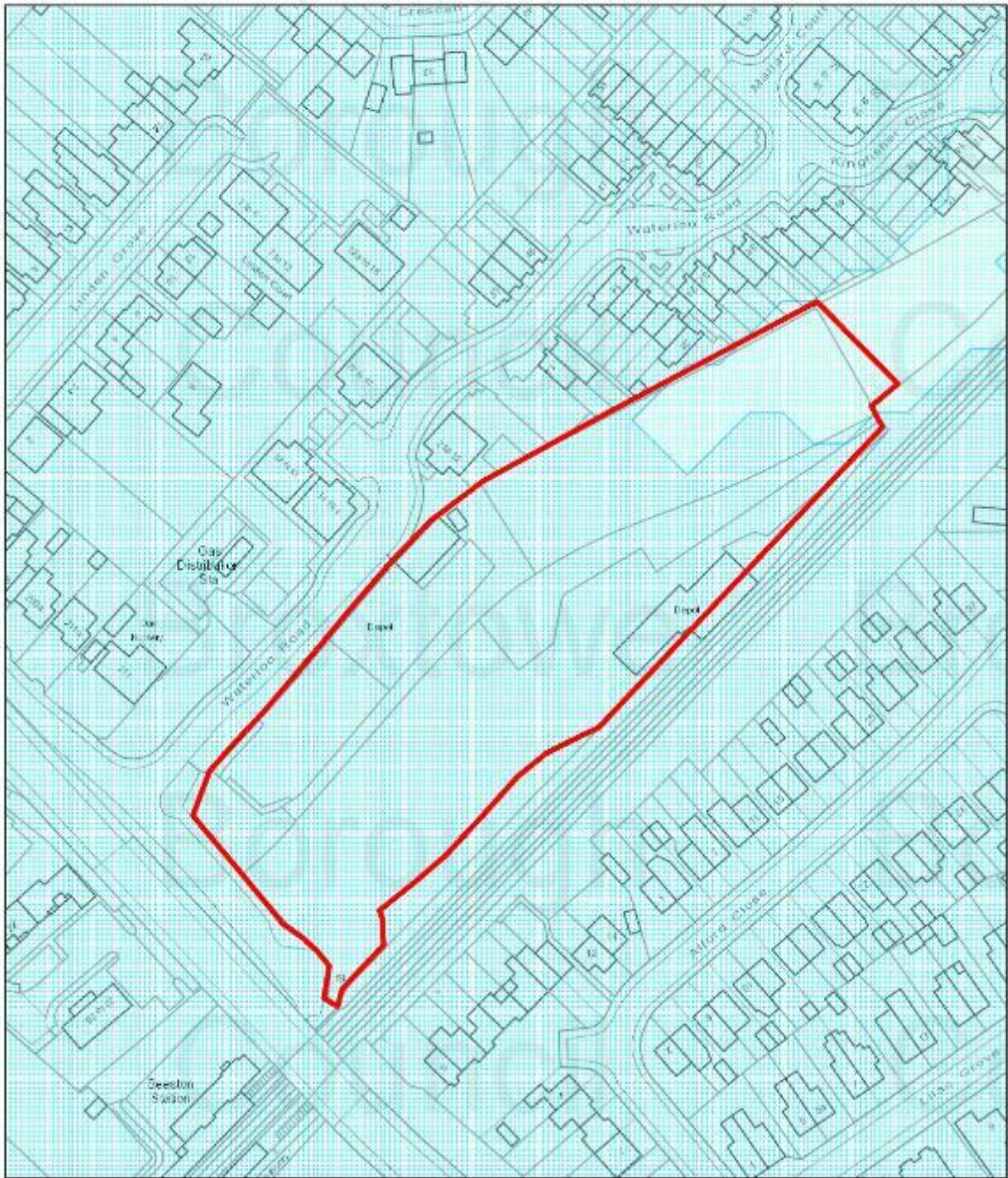
2.	This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3.	Burning of waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	<p>The Highway 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</p>

	<p>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: <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>
5.	<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>
6.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of</p>

	<b>the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</b>
--	--

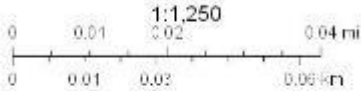


Title



2/10/2021, 1:46:30 PM

- Flood Zone 2
- Flood Zone 3
- Site



© Crown copyright and database rights 2020. Ordnance Survey 100019462. You are not permitted to copy, re-use, distribute or sell any of this data to third parties in any form.



Photographs



View of the site from the road bridge, looking north east



View of the site looking toward the rail line



Waterloo Road, view from Station Road



Station Road, looking north west from the parking area under the road bridge



Beeston Station, a Grade II Listed Building



View north east along Station Road, from the bridge. Access to the site can be seen at the bottom of the bridge

**Plans (not to scale)**



**Proposed layout**



Street Elevation A-A



Street Elevation B-B



Street Elevation B-B

**Proposed street scene elevations**





Cardinham House Type T1



Cardinham House Type T2



Holt House Type T1



Holt House Type T2



Dalby House Type T1



Dalby House Type T2