

Report of the Chief Executive

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

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

1 Purpose of the Report

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

1.2 Recommendation

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

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

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

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

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

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

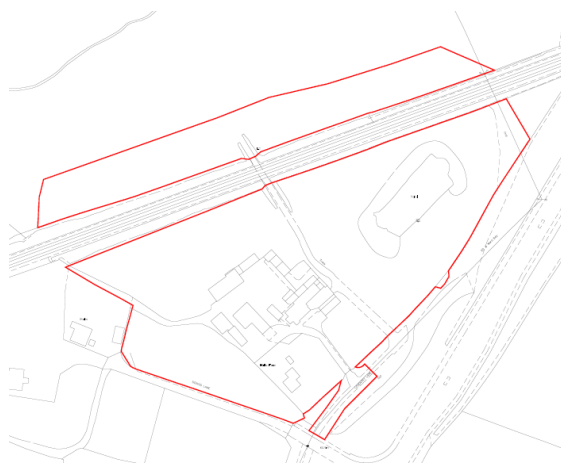
- Access from Sidings Lane has been amended that it will no longer prejudice the access or delivery of the wider allocation (20/00352/OUT)
- Minor amendments to the house types (names/design)
- Minor amendments to the layout but layout of roads remains the same.

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

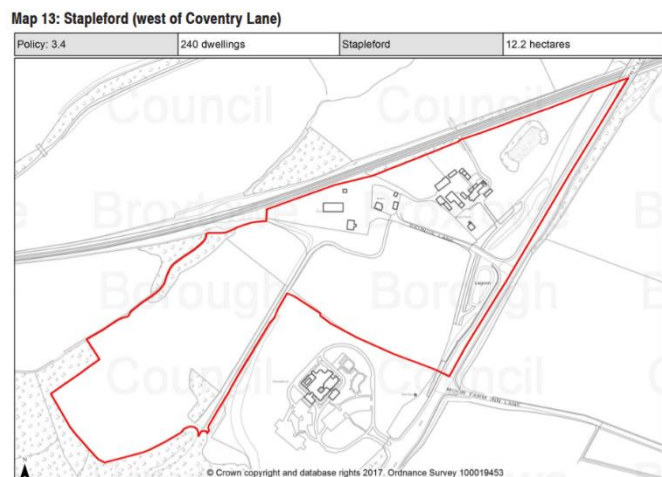
APPENDIX

1 Details of the Application

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



Site Location Plan (1:1250)



Wider allocation (Policy 3.4 of the P2LP 2019)

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

2 Site and surroundings

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

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

3 Relevant Planning History

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

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan**

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

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

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

4.3 National Planning Policy Framework (NPPF) 2021:

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

5 Consultations

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

Open Space Contribution:

The Section 106 contributions per dwelling:

Capital - £850.64 x 60 = £51,038.40

Maintenance - £651.49 x 60 = £39,089.40

= £90,127.80

Landscaping:

Landscaping General

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

Trees

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

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

Shrubs and Herbaceous Planting

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

Hedges

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

Open Space

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

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

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

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

Biodiversity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.7 **Nottingham County Council (Via):** no objection.

5.8 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection.

5.9 **NHS Nottingham City Clinical Commissioning Group (CCG):** has made a health contribution request for £32,512.50 for primary health care.

5.10 **Network Rail:** no objection in principle but request the following conditions:

- Further clarity is required on the gate restricting access to railway line in relation to construction that will be undertaken for new pond and request a condition in respect of this

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

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

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

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

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

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

5.14 **Nottinghamshire Wildlife Trust:**

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

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

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

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

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

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

6 Assessment

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

6.2 **Principle**

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

6.3 **Access and Highways**

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

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

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



Proposed Highways Access Arrangement (Sidings Lane)



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

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

Sidings Lane and access

- Widening of Sidings Lane to a minimum of 6.75m in width to accommodate a sufficient single point of access for the number of dwellings on site
- Pavement either side of Sidings, extending to 3m in width approaching junction to Coventry Lane for pedestrian/cycleway
- Refuge crossing in the centre of junction on Sidings Lane for safe pedestrian crossing
- Tactile paving at refuge crossing points and on junction crossing for pedestrians
- Existing access to Hulks Farm widened to 5.5m for the first 5m

Coventry Lane

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

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

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

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

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

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

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

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

- The absence of a footway on the south side of the carriageway will encourage pedestrians to cross Sidings Lane within the mouth of its junction with Coventry Lane, the risks can be mitigated by continuing the footway towards the site access.
- The remote distances of the parking spaces from plot 53 will encourage on-street parking within the confines of a junction and an alternative design should be sought
- A continuous footpath was previously proposed fronting plot 33 and should be retained as it provides a safe route for blind/partially pedestrians to reach their destination
- Plots 10, 11, 17, 18, 19, 20, 24, 25 have no dedicated EV charging spaces which should be corrected
- The tracking exercise has been undertaken with an incorrect size refuse wagon. It should be repeated with an Olympus Elite 6 8x4MS.

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

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

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

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

6.4 Flood Risk and Drainage

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

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

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

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

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

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



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

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

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

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

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

6.5 Ecology

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

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

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

6.6 Amenity

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

- 6.6.3 It is considered all the proposed house types provide an acceptable level of amenity, with adequate sized rooms, primary rooms having outward facing windows and access to private rear amenity space. Details in respect of the boundary treatments will be requested via condition.
- 6.6.4 Environmental Health have confirmed they raise no concerns or objections in respect of noise mitigation for future residents and agree with the methodology and conclusions of the noise report. They have requested that the mitigation measures recommended in respect of the site wide fenestration, passive fenestration ventilation and acoustic barriers and implemented in accordance with the details provided with the report.
- 6.6.5 To conclude, it is considered that the properties on site provide an acceptable amount of amenity provision for future occupiers, and the scheme would not adversely affect the amenity of other uses nearby.

6.7 Layout and Design

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



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE C-C @ 1:200

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

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

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

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

6.8 Landscaping

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

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

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

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

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

6.9 Financial Contributions

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

6.9.2 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

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

7 Planning Balance

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

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

8 Conclusion

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

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990</p> <p>(ii) the following conditions:</p>	
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:</p> <p>Received by the Local Planning Authority on 25 July 2022:</p> <ul style="list-style-type: none"> • Site Location Plan ref: M028-STN-XX-DR-M2-A-02 Rev A • Twin Garage ref: M028-STE-XX-DR-M2-A-G_01 Rev A • Single Garage ref: M028-STE-XX-DR-M2-A-G_02 Rev A • Arboricultural Method Statement page 'Tree Retention Plan' ref: 9864-T-02 Rev H <p>Received by the Local Planning Authority on 3 November 2022:</p> <ul style="list-style-type: none"> • Refuse Tracking Layout ref: 13 Rev C <p>Received by the Local Planning Authority on 14 November 2022:</p>

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

Received by the Local Planning Authority on 15 November 2022:

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

Received by the Local Planning Authority on 16 November 2022:

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

Received by the Local Planning Authority on 18 November 2022

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

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

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

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

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

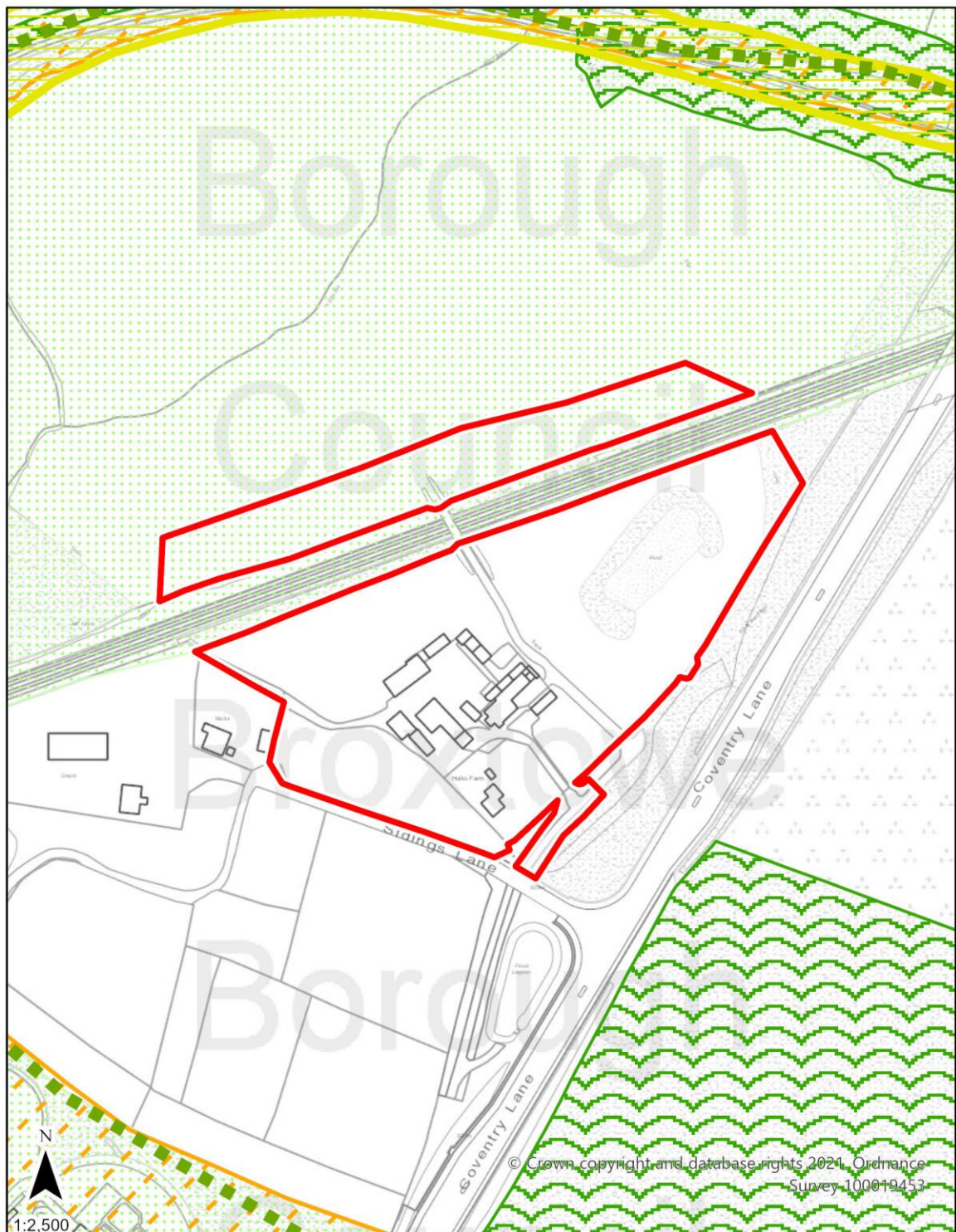
	<i>Reason: To safeguard the operations of the railway and in accordance with the aims and in accordance with the aims of Policies 17 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
15.	<p>Prior to the occupation of the first dwelling hereby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

19.	<p>If no development has commenced within 12 months of the date of this planning permission, no development shall take place until a badger survey has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with any recommendations contained within the updated survey.</p> <p><i>Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
20.	<p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.</p> <p><i>Reason: To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
21.	<p>No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted without the consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.</p> <p><i>Reason: To protect groundwater from contamination and in accordance with the aims of Policies 1 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	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.	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.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
4.	Burning of commercial waste is a prosecutable offence. All waste should be removed by an appropriately licensed carrier.
5.	In order to carry out off-site works, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. The applicant is advised to contact the County Council Highways team for details on hdc.south@nottsccl.gov.uk
6.	The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
7.	The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the developer by Via East Midlands at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.
8.	Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9.	Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the buildings.
10.	The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email: assetprotectionline@networkrail.co.uk
11.	All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

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

Map



Legend

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

Photos



View towards north west of site



Existing access drive into site



Existing farm and residential buildings



View towards north east of site

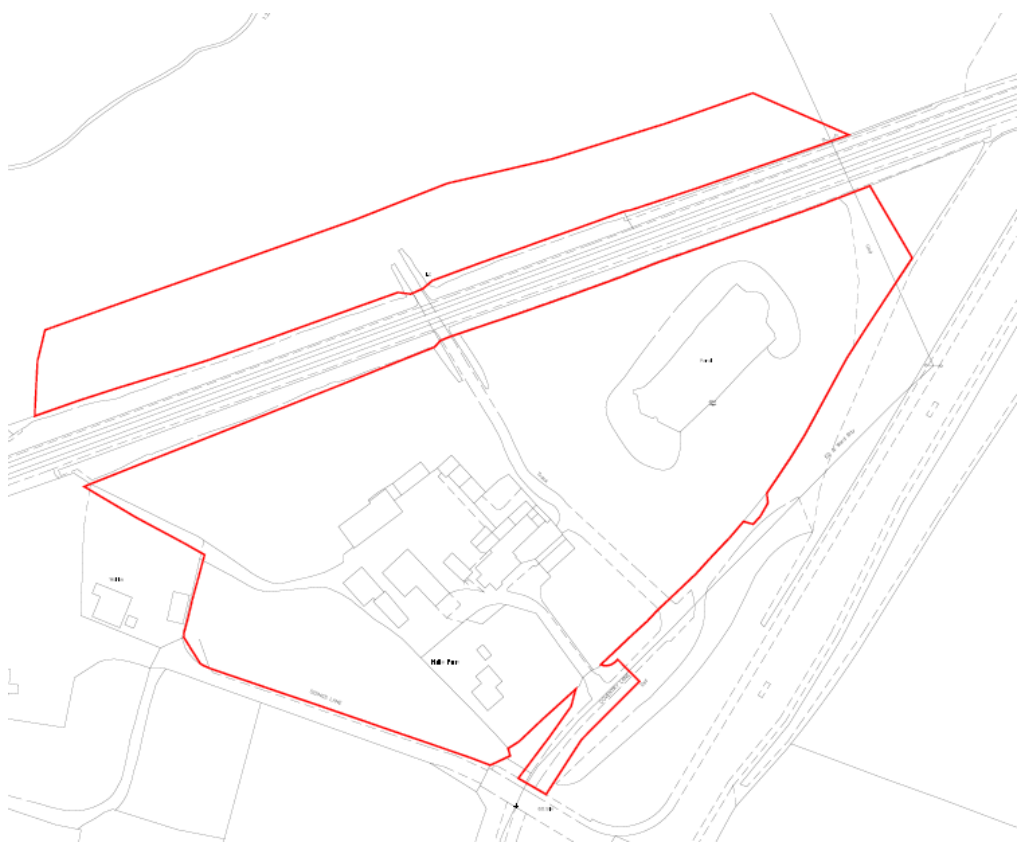


Existing gate to railway line



Existing pond with surrounding trees

Plans (not to scale)



Site Location Plan



Layout plan

GROUND FLOOR PLAN



FIRST FLOOR PLAN



REAR ELEVATION

Plot 13 As
Plot 14 Opp

PV zone shown indicative only, refer to planning notes



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION

8765

8000

8765

5053

3713

8765

8000

5053

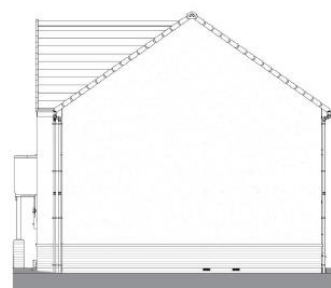
3713

Ground Floor Plan

GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

PV zone shown indicative only. refer to planning notes



FRONT ELEVATION

PV zone shown indicative only, refer to planning notes



REAR ELEVATION



SIDE ELEVATION

Sherbourne House Type

Plans (not to scale)



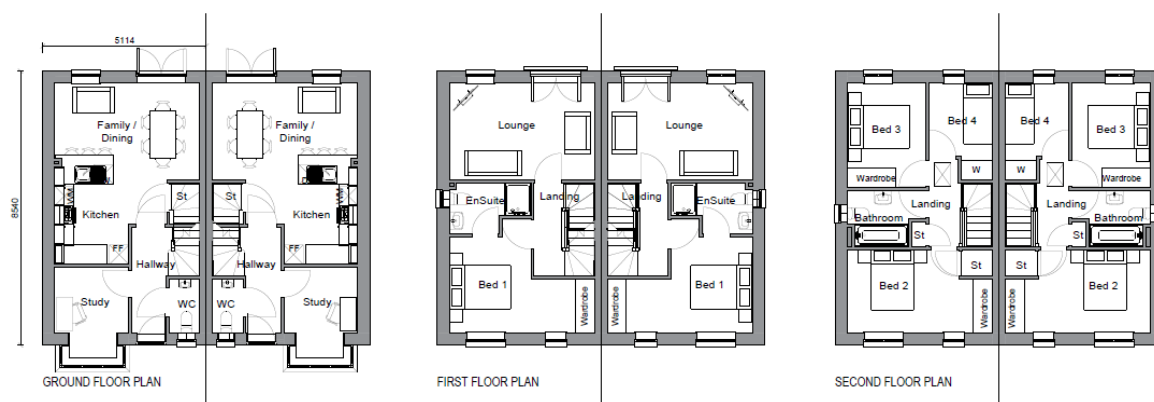
Architectural drawings of a two-story building, including front, side, and rear elevations, and a section view. The drawings show a brick front elevation with a dark roof and a white side elevation. The rear elevation shows a white facade with a balcony. The section view shows the internal structure and roof pitch.

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SECTION



Roundhill House Type