

## Report of the Chief Executive

**18/00516/FUL  
ERECT 10 ONE BEDROOM APARTMENTS  
147 - 151 QUEENS ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2FE**

Councillor P. Lally has requested this application be determined by Planning Committee.

1 Details of the Application

- 1.1 This is a major planning application to construct a two/three storey, flat roof building comprising ten, one bedroom apartments. Each apartment will have a double bedroom, kitchen/dining room and either an en-suite, bathroom or shower room with toilet. A 2.5m high fence will extend along the boundary with no. 1 Hawthorn Grove. A communal bin store will be provided at ground floor level. 10 cycle stands are to be located to the rear of the building and a cycle store if proposed within the building. No parking is proposed.
- 1.2 Amended plans were received during the course of the application to reduce the building in size. The entire fourth and part of the third storey were removed, the number of apartments was reduced from 13 to 10 and the internal layout was reconfigured. All first and second floor windows were removed from the south east (rear) elevation and a 2.5m high fence has been introduced along the boundary with no. 1 Hawthorn Grove. Clear glazed windows have been removed from the north east (side) elevation beside no. 145 Queens Road and replaced with three obscurely glazed, fixed shut windows. Where applicable, windows and downpipes have been amended to avoid overhanging onto the highway boundary. The roof terrace has been removed.
- 1.3 The building will be two storeys beside no. 145 Queens Road and no. 1 Hawthorn Grove, increasing in height to three storeys beside the junction of Hawthorn Grove and Queens Road. It will be predominantly red and brown brick with panels of black aluminium cladding and render.

2 Site and Surroundings



View of north west site boundary, looking towards no. 1 Hawthorn Grove with no. 145 Queens Road on left



View of south west site boundary with side elevation of no. 145 Queens Road in centre and no. 1 Hawthorn Grove on right



View of site from rear garden of no. 3 Hawthorn Grove



View of site from rear garden of no. 145 Queens Road

- 2.1 The application site is 234 square metres and operates as a car sales business with a forecourt for cars and a single storey flat roof building located beside the south eastern boundary. 2m high metal railings extend across the boundary with Queens Road and Hawthorn Grove. A 2m high fence and the single storey building extend across the boundary with no. 145 Queens Road. A path extends between the north east boundary site and no. 1 Hawthorn Grove. The north east boundary of the site comprises a mesh fence, the side elevation of the single storey building and wooden boarding.
- 2.2 The site lies within a predominantly residential area with some commercial units. The site is within walking distance of Beeston town centre and is in close proximity to the tram and regular bus services along Queens Road. The site is relatively flat and is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding.

2.3 No. 145 is an end terrace dwelling positioned to the north east and has a second floor window in the south west elevation. No. 1 Hawthorn Grove is a semi-detached dwelling with a first floor window and ground floor window and door in the north west (side) elevation. No. 3 Hawthorn Grove is a semi-detached dwelling positioned to the south east. One the north west side of Queens Road, no. 140 is an off-licence (Booze Express), no. 140A is a takeaway (Better than home) and no. 142 is a takeaway (King Cod). All these premises have first floor flats above. Nos. 144 and 146 are semi-detached properties positioned to the west. A bingo hall and retail outlet with associated car park are located to the south.

### 3 Relevant Planning History

3.1 An application for a sales office (74/00185/FUL) was granted permission in July 1974.

3.2 An application for an extension to an office to form a car valeting bay (81/00504/FUL) was granted permission in August 1981.

### 4 Policy Context

#### 4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be plan-led, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Paragraph 59 states that a sufficient amount and variety of land should come forward where needed, and that land with permission is developed without unnecessary delay.

4.1.3 Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 105 states if setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

4.1.4 Paragraph 127 states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible.

4.1.5 Paragraph 155 outlines how inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk

(whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

4.1.6 Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

## 4.2 **Broxtowe Aligned Core Strategy**

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

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 'Policy 1: Climate Change' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings.

4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

4.2.5 'Policy 4: Employment Provision and Economic Development' seeks retention of good quality existing employment sites which are an important source of jobs.

4.2.6 'Policy 8: Housing Size, Mix and Choice'. Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space.

4.2.7 'Policy 10: Design and Enhancing Local Identity'. Aims to ensure that all new development should aspire to the highest standards of design, including construction methods and materials, and consideration of residential amenity should be integrated in the design.

4.2.8 'Policy 14: Managing Travel Demand' aims to reduce the need to travel by private car. It states that the priority should be to select sites which are already accessible by walking, cycling and public transport.

4.2.9 'Policy 18: Infrastructure' seeks to ensure new development is provided with the necessary infrastructure.

4.2.10 'Policy 19: Developer Contributions' confirms the current use of section 106 agreements.

### 4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy E27 'Protection of Groundwater' states planning permission will not be granted for development which would be liable to result in the infiltration of contaminants into groundwater resources unless mitigation measures are proposed.
- 4.3.3 Policy E34 'Control of Noise Nuisance' suggests planning permission should not be granted for housing if the occupants, even with appropriate mitigation measures, would experience significant noise disturbance.
- 4.3.4 Policy H5 'Affordable housing' states that on housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25% of dwellings built will be affordable or, exceptionally, that a financial contribution is made to facilitate off-site provision.
- 4.3.5 Policy H6 'Density of Housing Development' provides density requirements for residential development: where development is within 400m walking distance of frequent public transport services, a minimum density of 40 dwellings per hectare is required and if the distance is beyond 400m, 35 dwellings per hectare.
- 4.3.6 Policy H7 'Land Not Allocated for Housing Purposes' small scale residential development within existing built-up areas will be permitted providing the residents of the new dwellings would have a satisfactory degree of privacy and amenity, that satisfactory arrangements can be made for access and parking and that the development would not result in an undesirable change in the character or appearance of the area. The development should not prejudice the potential for future development of a larger area and the development should not have an unacceptable effect on the privacy and amenity of the occupiers of nearby properties.
- 4.3.7 Policy RC6 'Open space: requirements for New Developments' provision should be made for public open space and children's play areas on residential development sites which exceed 0.5 hectares. The design of any open space provision should take into account the possible provision of features beneficial to wildlife.
- 4.3.8 Policy T1 'Developers' Contributions to Integrated Transport Measures' planning permission for developments which generate a demand for travel will not be granted until a contribution towards transport infrastructure has been negotiated.
- 4.3.9 Policy T11 'Guidance for Parking Provision' planning permission will not be granted for new development unless appropriate provision is made for vehicle parking and servicing.

### 4.4 Part 2 Local Plan (Draft)

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the

Inspector's report awaited. The representations on the plan included seven representations in relation to Policy 1, three representations in relation to Policy 9, 12 no. representations in relation to Policy 15, 11 no. representations in relation to Policy 17, seven representations in relation to Policy 26 and 11 no. representations in relation to Policy 32. Given that there remain outstanding objections to Policy 1, 9, 15, 17, 26 and 32 with the Inspector's view on these not yet known pending her report, these policies can be afforded only limited weight.

- 4.4.2 Policy 1 'Flood Risk' states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included.
- 4.4.3 Policy 9 'Retention of Good Quality Existing Employment Sites' - permission will not be granted for other purposes unless it is demonstrated that the site is not viable for its specified employment use.
- 4.4.4 Policy 15 'Housing Size, Mix and Choice' states that 30% or more of housing should be affordable if more than 10 dwellings are proposed. If less than this is proposed, a viability assessment must accompany the application. Affordable housing provision should be made on site, unless there are exceptional circumstances. Developments should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the borough are met. At least 10% of the dwellings should comply with requirement M4(2) of the Building Regulations regarding 'accessible and adaptable dwellings'.
- 4.4.5 Policy 17 'Place-making, Design and Amenity' states that permission will be granted for development which meets a number of criteria (where relevant) including that it integrates into its surroundings; provides, or is close to, community facilities; has good access to public transport; creates a place with a locally inspired or otherwise distinctive character; takes advantage of existing topography and buildings; provides sufficient, well-integrated parking; ensures satisfactory standards of amenity for existing and proposed residents; enables convenient use by people with limited mobility; incorporates ecologically sensitive design, with a high standard of planting (makes use of native species) and features for biodiversity (including bat/bird boxes) and does not prejudice the development of a larger site. An assessment in relation to 'Building for Life' criteria will be required to be submitted within the Design and Access Statement.
- 4.4.6 Policy 26 'Travel Plans' states that a Travel Plan will be expected to be submitted for developments of 10 or more dwellings or 1000 sqm or more gross floor space.
- 4.4.7 Policy 32 'Developer contributions' financial contributions may be sought from developments of 10 or more dwellings or 1000 sqm or more gross floorspace for provision, improvement or maintenance, where relevant, of: affordable housing; health; community facilities; green space; biodiversity; education and highways.

5 Consultations

- 5.1 The Council's Waste and Recycling Officer has no comments due to the bins being privately managed.
- 5.2 The Environmental Health Officer raises no objection subject to a condition requiring implementation of noise mitigation measures prior to occupation as stated within the noise report. An advisory in respect of working hours has been advised.
- 5.3 The Private Sector Housing Officer has no objection but has stated that appropriate ventilation, fire prevention detection measures, emergency lighting and fire blankets are required within the building.
- 5.4 The Housing Strategy and Development Officer raises no objection and has not requested an affordable housing contribution.
- 5.5 The Business and Projects Manager (Environment) would not require on-site provision of open space or a financial contribution towards off-site provision as 10 dwellings are proposed.
- 5.6 The County Council as Highways Authority raise no objection following the submission of amended plans but have requested a condition that all windows and doors on the corner elevation of the building should open inwards to prevent any overhang onto the highway.
- 5.7 The County Council as Lead Local Flood Authority (LLFA) initially objected to this application in the absence of a drainage strategy. Further information has been provided and the comments of the LLFA are awaited.
- 5.8 The County Council Planning Policy team have not requested a transport or education contribution.
- 5.9 The Environment Agency were consulted but did not provide comments as the site is within Flood Zone 2 and standing advice applies.
- 5.10 Severn Trent Water Ltd were consulted but did not provide comments.
- 5.11 A site notice and amended site notice were posted and nine neighbouring properties were consulted. Six responses were received (four objecting and two observations). Comments received can be summarised as follows:
- Plans are missing information in regards to the dimensions of the building and internal measurements
  - Design and Access Statement states a separate planning statement has been prepared but unable to find this and states the flats will be affordable but numbers have not been provided to support this
  - Concerns with parking as no spaces are provided
  - Limited parking in area which already encourages parking on double yellow lines on Hawthorn Grove
  - Flats should be reduced and parking increased

- Part of building is four storeys which will impact on daylight/sunlight received by direct surrounding properties
- Block views
- All light would be blocked to loft window (which is a primary window) in side elevation of no. 145
- Overlooking from roof terrace and rear windows facing Hawthorn Grove
- Sense of enclosure
- Density is too high
- East elevation is three storeys high with a flat roof and is featureless
- The design does not fit in with surrounding design of the area due to the location on the corner and the size/height of the building
- Advertisement on side of no. 145 provides annual income would be blocked
- Loss of revenue for landlords
- Unfair to penalise landlords who provide adequate sized accommodation as opposed to a development that does not meet the Government's guidelines on space standards
- New build is for the graduate market and therefore should have a communal room as the feeling of seclusion could impact their mental state
- East side of building will block light to adjoining alleyway which will be a security hazard, especially when used at night
- Better use of space than the business that occupies it

Comments received in relation to amended plans for 10 apartments can be summarised as follows:

## 6 Appraisal

6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking, the loss of employment land, the relationship to neighbouring properties and if satisfactory financial contributions are proposed.

## 6.2 **Principle**

6.2.1 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a significant need to boost housing supply which sites such as this can help deliver. The Council currently does not have a five year housing land supply and this can only be rectified with the allocation of sites currently in the Green Belt in the Broxtowe Part 2 Local Plan. The provision of 10 apartments on this brownfield site is considered to be a benefit in terms of five year supply and provision of homes.

6.2.2 Whilst it is acknowledged there will be a loss of a small car sales business, it is considered the loss is outweighed by the proposal of residential units which make an efficient use of the land. Whether there is sufficient space for 10 apartments and the impact a development of this size will have on neighbouring properties will be discussed below.

## 6.3 **Flood Risk**



- 6.3.1 The site is relatively flat and is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application. The Environment Agency were consulted on this application and did not provide comments due to the site being located within Flood Zone 2 and being subject to standing advice.
- 6.3.2 Paragraphs 155 – 158 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. All plans should apply a sequential, risk-based approach to the location of development in order to steer new development to areas with the lowest risk of flooding. A Sequential Test has also been submitted with the application which concludes that there are no alternative sites available within areas located in zones with a lower probability of flooding.
- 6.3.3 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. The FRA has addressed the probability of flooding, climate change, flood resilience measures within the design of the building, floor levels in relation to the probability of flooding and off-site and residual risks. The FRA states that new hardstandings are to be constructed using porous paving and the existing site is mostly made of impermeable surfacing so the proposal will not increase run-off. It is considered the development is acceptable in terms of dealing with the issues of flooding.
- 6.3.4 The Lead Local Flooding Authority has objected due to the absence of a drainage strategy. Further information has been provided to overcome this objection.
- 6.3.5 To conclude, within Beeston there are substantial areas which are within Flood Zone 2 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites are on previously-developed land and some may bring the opportunity to provide housing in areas of substantial need. Sequentially, it is considered the site is acceptable and it can be viewed positively and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Therefore when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.

#### 6.4 Amenity

- 6.4.1 During the course of the application the plans were amended to reduce the building in size, reduce the number of apartments (from 13 apartments to 10), reduce and reposition the fenestration, remove the roof terrace and introduce a boundary fence. Concerns have been raised in regards to the impact the building will have on a loss of light/sunlight to the adjoining neighbours and the creation of a sense of enclosure.
- 6.4.2 No. 1 Hawthorn Grove is a semi-detached dwelling adjoining the south east of the site. The plans were amended to remove the majority of the third floor and all windows above the ground floor level in the south east elevation of the building. The third floor element of the proposed building is relatively in line with the main east (rear) elevation of no. 1 and is set back 1.2m from the adjoining boundary.

Beyond this, the building reduces to two storeys and is set back 3.4m from the boundary with no. 1. A 2.5M high fence is proposed across the boundary with no. 1 which will largely obscure the ground floor windows from view. Whilst it is acknowledged the building is positioned to the north west of no. 1 and will cause some loss of light to the rear garden, it is considered the separation distance, reduction in height and removal of first and second floor windows is sufficient that an acceptable amount of amenity will be retained and there will not be a detrimental impact on a loss of sunlight or daylight. No. 1 has a second floor window in the north west (side) elevation. It is acknowledged the three storey element of the building will be opposite this window causing a loss of light but it is considered the separation distance of 3.2m is sufficient that it would not be detrimental to the light received into this window that would warrant refusal of the application.

- 6.4.3 A large portion of the third floor of the building facing the north east has been removed and the fenestration has been changed so that three windows which will be obscurely glazed and fixed shut, face the south west (side) elevation of no. 145 Queens Road. It is considered necessary to condition these windows accordingly to protect the amenity of the adjoining neighbours. No. 145 has a second floor window which is the only source of light to a primary room. Given the removal of part of the third floor and the separation distance of 9.4m from the third floor, it is considered the impact on this window is acceptable. Whilst it is acknowledged no. 145's garden is positioned to the south east of the building, it is considered the main impact of the building will be the two storey element which could be compared to the impact a house may have.
- 6.4.4 To conclude, it is acknowledged that no. 1 Hawthorn Grove and no. 145 will be most directly affected by the development but due to the reduction in the height of the building, removal of the roof terrace, carefully placed windows and the separation distance of 3.4m from part of the building to the south east boundary, it is considered the impact on these neighbours is acceptable.
- 6.4.5 It is considered the proposed building is a sufficient distance from the remaining neighbours consulted that there will not be a detrimental impact on their amenity.
- 6.4.6 With regards to the amenity of the prospective occupiers, whilst apartments 3 and 8 are relatively small, it is considered all of the apartments are an acceptable size and would have an adequate outlook to provide an acceptable standard of living. Although no outdoor amenity space is provided, this is commonly accepted with flats. However, the building is within walking distance to Broadgate Recreation Ground. It is considered the amenity of the future occupants has been considered adequately.
- 6.4.7 To conclude, it is accepted the difference of a car sales business to an apartment block on this plot of land is relatively significant but after seeking amendments from the applicant in order to reduce the size of the building, it is considered the development is acceptable in regards to impact on neighbour amenity.

## 6.5 Design and Layout

- 6.5.1 Policy 10 of the Aligned Core Strategy sets out design and layout principles to be applied to new development and looks to ensure that valued local characteristics

are reinforced. Local Plan Policy H7 states that residential development on sites within the existing built-up area will be permitted provided the development would not result in an undesirable change in the character or appearance of the area and the development of a larger area is not prejudiced.

6.5.2 It is considered the proposed building positively addresses the street scene from the frontage. The three storey part of the building creates a focal point for the development without creating an overbearing appearance to the adjoining residential properties. The surrounding area has a mix of buildings alongside the typical residential dwelling. Mecca bingo is a large flat roof building positioned to the south and there is a terrace of flat roof buildings to the north (Subway/KFC/One Stop/Papa Johns). There is a three storey apartment block (Fountains Court) positioned to the north west. The Methodist Church positioned to the south west is a prominent building along Queens Road. Considering the mix of designs, materials and variance in heights and number of flats roofs, it is considered a contemporary, flat roof building would not appear out of character with the surrounding area.

6.5.3 The building will be constructed using red and brown bricks, black aluminium cladding and render. It is considered the recessed windows and cladding on the front and side elevations break up the massing of the building and provide visual interest. The varying height from three to two storeys softens the appearance of the building in the street scene. The roller shutter door in south west (side) elevation will have perforations to provide a degree of visibility through this section of the building. To conclude, it is considered the proposed building achieves an acceptable level of design that is not out of keeping with the surrounding area.

## 6.6 Parking

6.6.1 It is evident within the consultation responses that there is concern that the development does not include any parking provision and that this will lead to increased demand for on-street parking which would be detrimental to the area.

6.6.2 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.

6.6.3 The site lies within a sustainable location with access to regular bus services along Queens Road and within walking distance of the tram and Beeston town centre. Hawthorn Grove has double yellow lines restricting parking which would deter an increase of parking along this road. The Highways Authority have not raised any concern in relation the lack of parking. As the apartments are one bedroom, it is considered likely that car ownership associated with the building will be low. However, it is acknowledged that there is likely to be an increase in parking in the surrounding area but for the reasons set out above it is considered this would not

be detrimental to highway safety. Therefore, it is considered that a pragmatic approach needs to be taken in respect of developing this plot of land for residential development.

## 6.7 Financial Contributions

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

6.7.2 As the site is less than 1ha in size and is for 10 dwellings, no financial contributions have been requested.

## 6.8 Other issues

6.8.1 The developer has advised that the bins will be privately managed.

6.8.2 The plans state the internal measurements of the flats and the overall height and dimensions of the building. The separate planning statement as mentioned in the Design and Access Statement is available to be viewed on the Council's website. Information on the tenure of the flats is not provided within the application and there is no requirement to do so. The loss of revenue to landlords within the area is not a consideration that can be taken into account within a planning application.

## 7 Conclusion

7.1 To conclude, it is considered that significant amendments have been sought so the proposed development has an acceptable impact on the amenity of the surrounding neighbours, the design is acceptable and will not appear out of keeping with the surrounding area and an acceptable standard of amenity has been provided for future occupants. The information provided in relation to flooding and drainage has satisfied objections and is considered to be acceptable. Whilst it is acknowledged no parking is provided, it is considered this would not be detrimental to highway safety due to the flats having one bedroom so car ownership is unlikely and the sustainable location of the site. Therefore, it is considered the proposal is acceptable for the reasons set out above.

### **Recommendation**

**The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.**

- 2. The development hereby permitted shall be carried out in accordance with drawing numbers: 003 Rev J and 004 Rev N received by the Local Planning Authority on 30 November 2018, drawing number: 006 Rev K received by the Local Planning Authority on 13 December 2018 and drawing number: 002 Rev M received by the Local Planning Authority on 18 December 2018.**
- 3. No development above slab level shall be carried out until samples of the materials to be used in the facing walls have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**
- 4. No development, including site clearance, shall commence until wheel washing facilities have been installed on site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times.**
- 5. The building hereby approved shall be constructed to include the noise mitigation measures as detailed within section 4 of the noise assessment report ref: 12581.01.v2 dated November 2018. Confirmation of the installation of these measures shall be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.**
- 6. No development above ground level shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
  - (a) numbers, types, sizes and positions of proposed trees and shrubs;**
  - (b) planting, seeding/ turfing of other soft landscape areas;**
  - (c) details of the site boundary treatments**
  - (d) a timetable for implementation of the scheme.**

The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.**
- 7. Prior to the first occupation of the flats hereby approved, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with these details.**
- 8. The windows in the north east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and fixed shut and retained in this form for the lifetime of the development.**
- 9. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed**

in writing with the Local Planning Authority 7 days in advance of being undertaken.

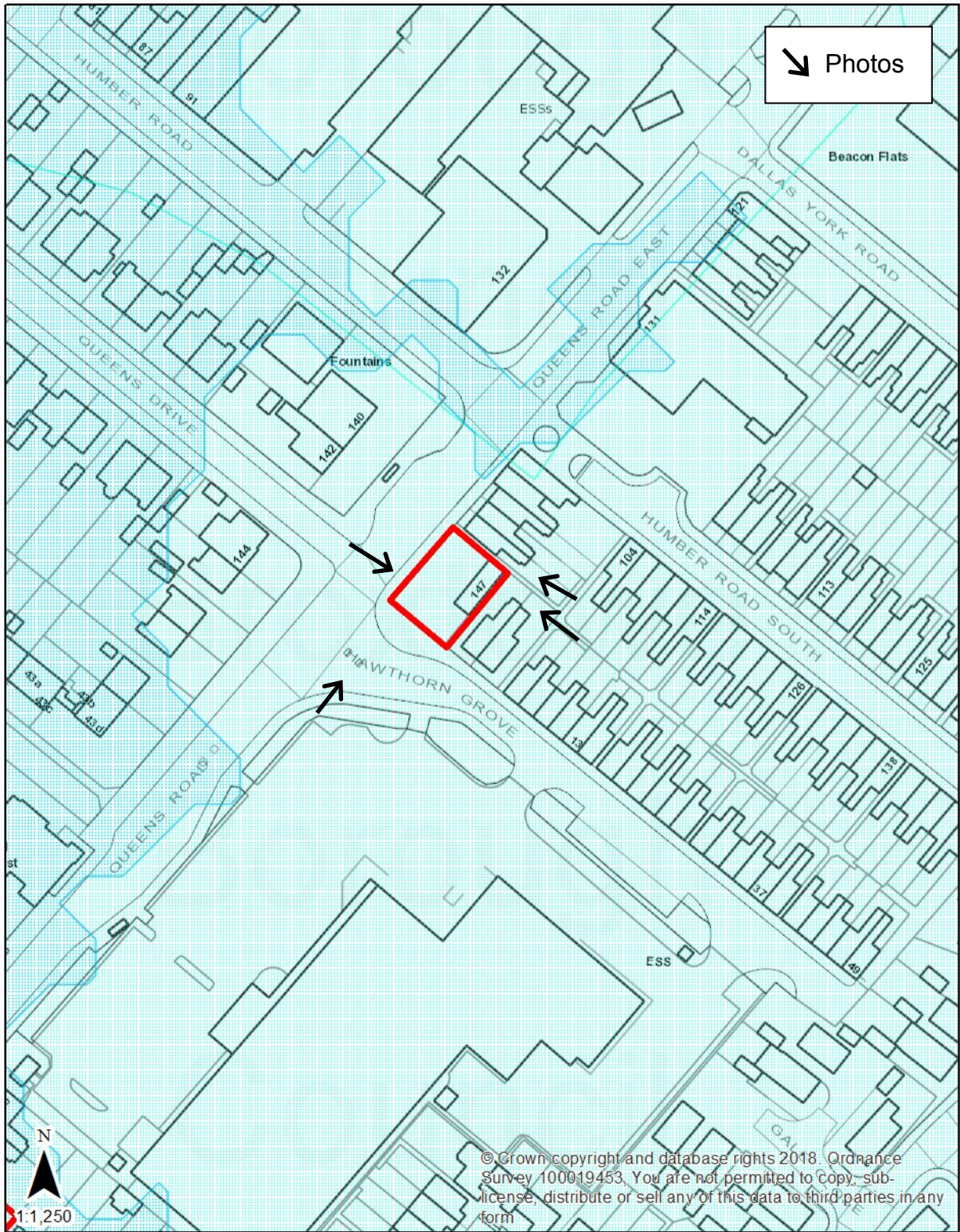
#### Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. Full details of materials were not submitted and in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
4. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
5. To protect residents from excessive external noise and in accordance with the aims of Policy E34 of the Broxtowe Local Plan (2004).
6. To ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policies H7 and E24 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. To prevent an increase in flood risk and to improve and protect water quality and in accordance with the aims of the NPPF and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
8. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
9. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).




#### Note to applicant

1. The Council has acted positively and proactively by working to determine this application within the agreed determination date.
2. Given the proximity of residential properties, contractors should 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.

Background papers  
Application case file



**Legend**

-  Site
-  Flood Zone 3
-  Flood Zone 2