

Report of the Chief Executive

18/00687/FUL**ENHANCED DRAINAGE/BIODIVERSITY ATTENUATION STORAGE INFRASTRUCTURE WORKS COMMON TO APPLICATION REFERENCE 15/00010/FUL TO ENSURE DIRECT DOWNSTREAM DISCHARGE OF SURFACE WATER FROM THE NEW PROPOSED DEVELOPMENTS TO THE EXISTING WATERCOURSE LAND OFF THORN DRIVE AND WEST OF THE PASTURES THORN DRIVE NEWTHORPE**

This application has been brought to Planning Committee due to the site history and previous Councillor involvement with the linked application for 67 houses on land at Acorn Avenue (15/00010/FUL).

1. Details of the Application

- 1.1 This is a major planning application to construct an attenuation storage feature on land to the west of the development for 67 houses on Acorn Avenue recently granted planning permission. It is located on land which is in the process of being transferred to the Council from Langridge Homes. This land transfer forms part of the Section 106 Agreement signed in association with application 15/00010/FUL to enable mitigation measures to be implemented to deal with the flood problems within the wider area. Surface water drainage from the proposed housing developments for 67 houses at Acorn Avenue (15/00010/FUL) will be passed through the attenuation storage feature to enable a greenfield runoff rate to be achieved. The water will then be discharged downstream from the site. This will divert existing surface water runoff which currently discharges into the surface water sewer/culverted watercourses (the Daisy Brook) which runs to the west of the site and is known to flood.
- 1.2 The attenuation storage feature, including any banking will measure approximately 60m in length and 36m in width and will be a maximum depth of 3.9 metres from its highest point where it adjoins the rear gardens of the new properties on Acorn Avenue to its lowest point closer to properties on Thorn Drive. Cross sections through the site showing how the land levels will be reconfigured to create the attenuation feature have been submitted, as has a site plan which shows the banking, existing and proposed drains and the location of a control chamber to restrict surface water discharge rates. A landscaping plan has been submitted which shows planting around the top of the banking and along the channel/flow path formed from the end of 'road 3' directing water run-off into the basin. No information regarding fencing or future maintenance has been submitted with the application.

2. Site and Surroundings

- 2.1 The site lies immediately to the north-east of Smithurst Meadows Local Nature Reserve (LNR) and comprises of rough grassland which is currently private land with a public footpath running through it. A culverted water course (Daisy Farm

Brook) runs to the west behind properties on Thorn Drive and discharges into the open water course within the LNR. To the east and southeast of the site are existing properties on Acorn Avenue and the recently granted housing site (15/00010/FUL). The land level falls across the site from north-east to south-west.

2.2 It is allocated in the Broxtowe Local Plan (2004) as part of a 'Greenway' which runs through Giltbrook Farm from Portland Road and is also allocated for the provision of informal open space. Within the Draft Part 2 Local Plan (2018) the site is allocated for a mix of informal open spaces and flood mitigation measures. Greasley Footpath No. 100 runs north-east to south-west through the site, although this is unaffected by the development.

3. Relevant Planning History

3.1 In 1981 (79/00666/OUT) planning permission was granted for development consisting of 'Use site for residential, industrial, shops and school development'. This was further supplemented by the granting of outline planning permission (81/00566/OUT) for residential, industrial, shopping and school development as part of a comprehensive scheme for the whole of the Giltbrook Farm Estate. These applications established the principle of residential development on the Gilthill Farm site which has been developed in a phased manner since this time. A Masterplan accompanied the planning applications and showed the parcel of land subject to this application as public open space.

3.2 In 2018 planning permission was granted for a similar flood attenuation feature in association with the development of land to the east for 67 homes on land immediately adjacent to this site to the south west, within the Local Nature Reserve.

4. Policy Context

4.1 **National policy**

4.1.1 The revised National Planning Policy Framework (NPPF) July 2018, contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with an up-to-date development plan without delay.

4.1.2 Weight may be given to emerging plan policies according to the stage of plan preparation, the extent to which there are unresolved objections to the policies, and the degree of consistency of the emerging policies to the NPPF.

4.1.3 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users. Design should take into account the views of the community and where early,

proactive and effective engagement with the community has occurred, such schemes should be looked on more favourably.

- 4.1.4 Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessments and developments should only be allowed where it can be demonstrated that the development is appropriately flood resistant and resilient, it incorporates sustainable drainage systems, any residual risk can be safely managed; and safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

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. It states that all developments should incorporate measures to reduce surface water runoff whilst managing surface water drainage in a sustainable manner.
- 4.2.4 ‘Policy 10: Design and Enhancing Local Identity’ sets design and layout principles to be applied to new development and looks to ensure that an attractive, safe, inclusive and healthy environment is created and that valued local characteristics are reinforced.
- 4.2.5 ‘Policy 16: Green Infrastructure, Parks and Open Spaces’ sets out a strategic approach to the provision of new Green Infrastructure, including the provision of biodiversity opportunities and tackling and adapting to climate change.
- 4.2.6 ‘Policy 17: Biodiversity’ sets out the approach to biodiversity and how development affecting biodiversity assets should be considered. It states that designated sites will be protected in line with the hierarchy of designations.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan underwent Examination hearing sessions in December 2018. 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 E16 'Sites of Importance for Nature Conservation' states that planning permission will not be granted for development on or adjoining local nature reserves which would damage or devalue their interest, unless there are special reasons which outweigh the recognised value of the sites. Where it is accepted that there are special reasons for development which outweigh the local value of the site, the applicant shall minimise harm to the site's features. Compensation for the loss of the site's features of interest will be required.
- 4.3.3 Policy E24 'Trees, hedgerows and Tree Preservation Orders' states that development that would adversely affect important trees and hedgerows will not be permitted.
- 4.3.4 Policy E26 'Pollution' states planning permission will not be granted for development which would result in a significant deterioration in air quality, significant loss of health or amenity to nearby occupants or surface water contamination.
- 4.3.5 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.
- 4.3.6 Policy RC8 allocates the site for informal open space. In doing so it states that development should not be granted unless it relates to the recreational use of the site and does not detract from the open character or environmental value of the land.
- 4.3.7 Policy RC14 'Footpaths, Bridleways and Cycle Routes' states that the Council will protect, maintain and where appropriate seek to extend the network of footpaths, bridleways and cycle routes in the Borough.
- 4.3.8 Policy RC16 'Greenways' designates the land as part of a 'Greenway' which forms an important link between built up areas and the countryside. It states that opportunities should be taken to enhance these routes, including through new developments. However, planning permission will not be granted for development which would harm their function or their environmental, ecological or recreational value.

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 been submitted for Examination, with examination hearing sessions having taken place in December 2018. The representations on the plan included 7 no. representations in relation to Policies 1 and 31, 11 no. representations in relation to Policy 17, 4 in relation to Policy 19 and 44 no. representations in relation Policy 44. Given that there remain outstanding objections to Policies 1, 17, 19, 28 and 31 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: permission will not be granted in areas at risk from flooding unless measures are included to ensure that surface water run-off is reduced by 30% compared with pre-development rates.
- 4.4.3 Policy 17 – Place-making, design and amenity: permission will be granted for development which meets a number of criteria including: that it integrates into its surroundings; provides, or is close to, community facilities; incorporates ecologically sensitive design, with features for biodiversity, with a high standard of planting (makes use of native species) and features for biodiversity (including bat/bird boxes).
- 4.4.4 Policy 19 – Pollution, Hazardous Substances and Ground Conditions: permission will not be granted where the development is likely to result in the infiltration of contaminants into groundwater resources.
- 4.4.5 Policy 28 – Green Infrastructure Assets: development proposals which are likely to lead to increased use of land (subject to this application) will be required to take reasonable opportunities to enhance the Green Infrastructure Assets.
- 4.4.6 Policy 31: Biodiversity Assets: All developments should seek to deliver a net gain in biodiversity and contribute to the Borough's ecological network.

5 Consultations

- 5.1 **Nottinghamshire County Council as Lead Local Flood Authority** initially raised concerns with the application and asked for additional information and clarification. They considered that insufficient information has been provided to demonstrate that the pond would not increase flood risk elsewhere or pose a risk. They also did not consider the applicants had given sufficient consideration to the future use of the site for flood alleviation works to address the issues in the wider area.
- 5.2 Following the submission of additional and amended information in an attempt to address these concerns, the LLFA do not raise any further objections. They note that much of the flooding comes from upstream and where possible the development has looked to reduce these impacts, more importantly it has evidenced that it will not be increasing flooding off site, therefore it satisfies the requirements set out in the NPPF. They comment that a judgement as to whether the scheme could jeopardise any future flood alleviation is a decision for the Local Planning Authority to make.
- 5.3 **Nottinghamshire County Council Rights of Way (Via East Midlands Ltd)** advise that Greasley Footpath No. 100 runs adjacent to the proposed development but appears unaffected. They advise the footpath should not be encroached upon or obstructed.
- 5.4 The **Business and Projects Manager (Environment)** supports the proposed location of the pond outside of the LNR but makes comments regarding maintenance, the drainage easement and the requirement for fencing around the banks of the pond for health and safety reasons. The further comments on the amended plans that the grass mix should be suitable for wetland margins,

there needs to be adequate planting on the margins of the pond, the area needs to be fenced off with 1.5 metre high railings and that no thought has been given to the proposed planting scheme, some of which are not appropriate (only the sorbus ana and sorbus aucupana are).

- 5.5 The **Environmental Health Technical Officer** has no objections to the proposal.
- 5.6 The **Estates Manager** has not made any formal comments.
- 5.7 **Severn Trent Water** comments that the use or reuse of sewer connections requires a formal application to be made by the developer. They suggest an informative be placed on any grant of planning permission to make the developer aware of the requirements.
- 5.8 **Nottinghamshire Wildlife Trust** comment that they are pleased to see the pond is no longer proposed within the LNR. However, they raise concerns with the design of the attenuation feature, specifically its uniform shape; the absence of any information in relation to planting; and the absence of any information regarding the permanent water levels of the pond to provide wet areas for wildlife. They recommend that a fence is provided around the basin to reduce disturbance from dogs, cyclists and pedestrians.
- 5.9 In response to the consultation amended plans have been received. They comment that they would like to see biodiversity incorporated within the suds feature, given its location adjacent to the LNR. They have read BSPs response, but believe it is possible to have suitable planting and incorporate wet areas.
- 5.10 **Greasley Parish Council** welcome the relocated position of the pond, however they comment on the need to consider biodiversity appropriately and ensure that existing flooding issues are addressed.
- 5.11 A site notice was posted to publicise the application and 96 surrounding neighbours were sent notification letters. Responses were received from 17 individuals: 14 support the proposals, with some making comments thereon, one makes observations on the proposals, one doesn't indicate, but makes comments and it is not clear on another response either way.
- 5.12 The comments made can be summarised as follows:
- Saves nature reserve
 - Should have protective fencing (post and wire) around the perimeter for safety
 - BBC should extend the nature reserve into this area
 - No details of the works/planting to enhance biodiversity
 - At the end of the 'dead-end' road there should be a measure to direct surface water run-off into the pond.
 - Consideration should be given to the increase in overland flows once the new road network is connected to the existing road infrastructure. The drainage drawing indicates that possibility and gives the direction of the overland flows that exceed the design criteria of the site. This situation

increases flood risk in two key areas; At the end of Road 3 where arrows indicate overland flows directed towards properties already at high risk of flooding along Thorn Drive/Rolleston Drive; and at the bottom of Acorn Avenue where arrows indicate overland flows falling to existing properties who already suffer flooding from storm events. Without mitigation measures this will increase their flood risk. Both of the above flooding scenarios can be prevented at design stage.

- 5.13 In response to the amended plans one email from a local resident has been received confirming they are pleased to see the amendments, but raise concerns regarding overland flows to the lower section of Acorn Avenue, a number of properties here already experience flooding.

6 Appraisal

- 6.1 The application seeks to construct an attenuation storage feature on land which is currently within the ownership of Langridge Homes, but is required to be transferred to the Council under the obligations contained within the Section 106 Agreement signed in relation to planning permission 15/00010/FUL for 67 dwellings. The main considerations with the application are the principle of locating the feature in this area; the design of the feature and if there will be any loss of amenity to neighbouring properties; the potential flood risk of the feature and whether it will be effective in managing existing and future flood risk; and the ecological impact and benefits of the proposal.

7 Principle

- 7.1 A previous application has been approved for the location of a similar flood attenuation feature (15/00018/REG3) directly to the south west of the site within Smithurst Meadows Local Nature Reserve for the same purposes associated with the application for 67 dwellings (15/00010/FUL). This application proposes to move the feature northwards, moving it outside of the Local Nature Reserve to an area of land belonging currently to Langridge Homes (the applicants).
- 7.2 As part of the Section 106 Agreement which was signed for the 67 dwellings approved on land adjacent to the site (15/00010/FUL) the owners are required to transfer the land to the council for flood alleviation purposes. This land transfer has not yet taken place, but demonstrates an accepted use for the site to alleviate surface water flooding issues in the area.
- 7.3 The Broxtowe Local Plan (2004) allocates the site for informal open space (Policy RC8) and as a 'Greenway' (Policy RC16) which runs through Giltbrook Farm from Portland Road. With regard to the greenway, the footpath and route through the site would remain and would not be harmed. The proposed development would retain a green corridor along the north/west boundary.
- 7.4 The Part 2 Local Plan (draft) allocates the site for a mix of informal open spaces and flood mitigation measures (Policy 28), which supports the requirement of the associated Section 106 Agreement.
- 7.5 The proposal would not result in the loss or infringement of the public right of way or Greenway through the site. In addition, whilst the flood alleviation

measures for the wider surrounding area have not been devised the proposed attenuation feature retains a significant amount of land to the north and north-east free from development and therefore there would still be a significant amount of land safeguarded for further flood alleviation purposes.

8 Design and amenity

8.1 The drawings submitted with the application indicate the footprint of the proposed attenuation feature and site sections through the site demonstrate how the existing land levels will be altered in light of the findings of the detailed drainage design for the development of the adjacent residential site.

8.2 The land to the rear of the recently approved dwellings on Acorn Avenue will be cut into to provide relatively steep banks, designed to direct water runoff to the bottom of the basin. The bank will be less steep towards the public footpath and rear of the properties on Thorn Drive, with a bank being built no more than 1.2 metres in height to ensure any water is contained within the basin.

8.3 As this would be a landscaped feature, set at a lower level than existing properties on Acorn Avenue, and being over 10 metres from the rear boundaries of properties on Thorn Drive it is considered that there would be no loss of amenity arising from the development itself. Whilst there may be some disturbance during the construction phase of the development this would only be for a temporary period.

9 Flooding

9.1 The application forms part of the flood risk and management scheme for the adjacent housing development (15/00010/FUL). There have been historical instances of flooding in the area, in particular to properties on Thorn Drive and Gorse Close, which have been flooded internally.

9.2 The attenuation pond and associated drainage scheme has been designed to divert surface water from the adjacent housing development (15/00010/FUL) away from the culverted watercourse 'The Daisy Brook', allowing for water to be discharged further downstream from the site and will allow water to be discharged into the watercourse at Greenfield equivalent rates. The amended location of the attenuation feature is still satisfactory in terms of its need to be in close proximity to the adjacent residential development and at a lower level. In the event that the drainage system fails, the attenuation feature has been designed to include an 'overflow spillway' to allow for a safe overtopping of the feature towards the Daisy Brook, protecting surrounding residential properties.

9.3 Whilst local residents are generally in support of the application to site the proposal on this land as opposed to the LNR, they raise some concerns regarding the increase in overland flows once the new road network (on the adjacent residential site) is connected to the existing road infrastructure, specifically at two locations, at the end of Road 3 and at the bottom of Acorn Avenue. Without due mitigation measures, concern is that flood risk will increase to existing properties in these areas.

9.4 The LLFA also raised concern and requested additional information and clarification on a number of matters including:

- details of the flow and discharges of a diverted surface water sewer;
- demonstration that flows have been considered with regards to pond sizing;
- the possibility for a spur to drain into the site to retain the flows which emanate from the development within the development site;
- evidence to support the proposed pond location to demonstrate that the position of the pond will not impede any surface water flows or bottleneck flows; and
- Further details need to be submitted to provide assurance that the pond will not increase flood risk elsewhere or pose a risk in the proposed location.

9.5 The applicants have provided additional information and amended plans by way of a response to these concerns and comment that:

- Full calculations for the drainage network have been submitted. This will be a section 102/104 sewer adoption and has been approved by Severn Trent as such;
- We propose to landscape the open space to divert any over land flood flows from road 3 towards the proposed attenuation basin to alleviate fears of local residents. Site levels are such that it is not possible to fall this back into the site, nor would it be desirable. The nature of Acorn Avenue falling to the south west is such that we are unable to divert flows anywhere else. The roads within 15/00010/FUL have been designed to have an excess of road gullies to intercept flood flows within the highway which forms the flood flow route;
- The flood exceedance paths are precisely that though, they are paths in the event of exceedance of the drainage systems. The drainage systems have been designed appropriately to reduce flood risk;
- The flood flow route has been amended through the open space above the pond to direct any overland flow into the pond rather than the adjacent housing, by proposing to landscape the open space to create a shallow channel;
- The water retention depth of the proposed detention basin has been designed to be within existing ground, rather than being behind the built up bank. The built up embankment will retain the 'freeboard' over the working depth of the detention basin only; and
- The attenuation basin is designed for the 100 year plus 30% climate change allowance for the site. The feature still has freeboard on this design storm. There is little more we can sensibly do to prevent the site contributing to surrounding flooding.

9.6 Having considered this response and the amended information, the LLFA are content with this as detailed below:

- They don't have any further objections based on the response provided. As addressed in these comments much of the flooding comes from upstream and where possible the development has looked to reduce these

impacts, more importantly it has been evidenced that it will not be increasing flooding off site, therefore it satisfies the NPPF.

- The information that has been submitted is sufficient and shows a viable surface water management scheme for the development site with regards to national planning policies. However, as works were completed on site prior to the submission of this information they would advise that all drainage infrastructure installed to date should be checked to ensure it is in accordance with the submitted plans/ details.
- The issue of whether the construction of the attenuation feature may jeopardise any future flood alleviation works for which the proposed land is set aside is not one that the LLFA can provide an answer. Until further details emerge of what the proposed scheme will require we cannot say what impact the attenuation feature will have for a future scheme. The decision therefore, is one for the Local Planning Authority to make.

9.7 Whilst it is unfortunate that, despite the significant amount of time that the project has been with the LLFA (and now Severn Trent Water Ltd), no detailed proposals have been confirmed for the wider flood land measures, the council has an application to consider and it would not be reasonable to delay a decision pending confirmation of these measures.

9.8 The proposal would retain a significant area of land to the north and north-east of the site which has been set aside for flood alleviation purposes. A strip of land along the current culverted brook would also be retained free from any development. Whilst no proposals have been confirmed regarding the alleviation measures which may be considered, it is reasonable to conclude that the amount of land remaining would be sufficient to implement a strategy which would deal with the wider flood issues in the immediate area.

10 Ecology

10.1 Nottinghamshire Wildlife Trust (NWT) comment that they are pleased to see the attenuation feature moved away from the LNR. They consider that this will provide an opportunity to retain and improve the habitat corridor along the Daisy Brook.

10.2 Concerns have however been expressed about the engineered solution that the proposal presents which could result in limited biodiversity value being created. They have also questioned whether the basin could be designed to be permanently wet to provide habitats for a number of different species.

10.3 The applicants have commented that due to the relatively small size of the basin, it would not be possible to create a more meaningful irregular shape. In addition, its size prevents the basin being designed to be permanently wet as such small basins tend to dry out in the summer and can become muddy, smelly features.

10.4 The applicants have been asked to provide additional landscaping information to enable an assessment of the biodiversity and habitat value of the proposal, this

has been submitted and shared with NWT and the Council's Business & Projects Manager (Environment). This shows areas of planting around the perimeter of the pond and along the flood flow route from the bottom of road three towards the pond. Both NWT and the Council's Environmental Manager raise concerns with the planting proposed, advising that this is both insufficient and inappropriate for the location. The applicants have advised that there is no further budget for landscaping.

- 10.5 Whilst a 'softer' permanently wet feature would be preferable, the main function of the attenuation basin is to prevent surface water flooding and increasing its size simply to present these opportunities is not considered to be something which should be required, particularly given the uncertainty surrounding the flood alleviation measures for the wider area and what land will be required to facilitate this. Should any additional requirements be considered necessary as a result of the comments received in relation to the landscaping plans it is considered that this could be appropriately secured by way of condition to ensure that it comes forward in a positive, timely way.

11 Other matters

- 11.1 A knee rail is proposed to be erected surrounding the basin. This will have a dual purpose of restricting access and ensuring the landscaping is left to establish and habitats are undisturbed.
- 11.2 Local residents, the Council's Business and Projects Manager (Environment) and Nottinghamshire Wildlife Trust had made comments that the area should be fenced off. Whilst the knee rail won't prevent access, it is considered that it would warn and deter people from entering the area, and provide a more open, softer aspect to be enjoyed. Details of this fencing could be secured by way of condition.
- 11.3 The land subject to this application is to be transferred to the council as part of the Section 106 Agreement for the adjacent residential site and will therefore be the council's maintenance responsibility.

12 Conclusion

- 12.1 It is considered that the attenuation feature is designed such that it would be consistent with many similar features which function within areas of informal open space and maintains the existing public right of way and Greenway through the site.
- 12.2 Whilst it would appear that there has been limited progress by Severn Trent Water (Ltd) in respect of bringing forward a design for flood mitigation of the wider area it is considered that, on balance, there would be sufficient open space retained within the site for such purposes.
- 12.3 The LLFA are satisfied that the proposals show a viable surface water management scheme for the development site, in accordance with national planning policies and will not increase surface water flooding outside of the site. Having regard to this, it is considered that the proposals are in accordance with

National and Local Plan Policies and there are no reasons for taking a decision at variance to these policies.

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 this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawings numbered AAGDR03-SLP Rev G received by the LPA on 28 January 2019 and 07282/100 Rev O, received by the Local Planning Authority on 9 January 2019, 07282/146 Rev I and AAGDR11-DSBP Rev A, received by the Local Planning Authority on 1st November 2018 and 078282/140 Rev N and 07282-125 Rev B received by the Local Planning Authority on 10th October 2018. The proposed turfed areas shall consist of a wetland mix and details of this and the proposed hedgerows shall first be submitted to and approved in writing by the LPA.**
- 3. The approved landscaping scheme shown on plan AAGDR03-SLP Rev G shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.**
- 4. Details of the proposed fencing and any access points surrounding the attenuation feature shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first planting season following the substantial completion of the development.**

Reasons

- 1. In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance which will enhance the visual amenity of the area and in accordance with the aims of Policy RC16 of the Broxtowe Local Plan (2004) and Policies 10 and 16 of the Broxtowe Aligned Core Strategy (2014).**
- 4. To ensure a satisfactory standard of external appearance and aid safety and maintenance of the attenuation feature in accordance with the aims of**

Policy RC16 of the Broxtowe Local Plan (2004) and Policies 10 and 16 of the Broxtowe Aligned Core Strategy (2014).

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent during the course of the application.**

- 2. Greasley Public Footpath Number 100 runs through the site. The footpath should remain open and unobstructed at all times. If a temporary closure of the footpath is required Nottinghamshire County Council's Countryside Access Team must be contracted at least 5 weeks before to allow for a Temporary Closure Order to be put in place. Nottinghamshire County Council can be contacted on 0300 500 8080.**
- 3. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.**
- 4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.gov.uk/government/organisations/the-coal-authority**

Background papers
Application case file