

Report of the Chief Executive

APPLICATION NUMBER:	22/00967/FUL
LOCATION:	Land East of Coventry Lane, Bramcote, Nottinghamshire
PROPOSAL:	Construct 470 dwellings and associated access, public open space, drainage, infrastructure, earthworks and ancillary enabling works.

The application is brought to the Committee at request of Councillor D K Watts on behalf of all Bramcote Ward Councillors.

1. Purpose of the Report

1.1 The application seeks planning permission for the construction of 470 dwellings and associated access, public open space, drainage, infrastructure, earthworks and ancillary enabling works.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix and to the prior signing of a Section 106 Agreement.

3. Detail

3.1 This is a major planning application seeking full planning permission to construct 470 dwellings and associated access, internal roads, public open space, landscaping, drainage and associated infrastructure. The proposed dwellings comprise a mix of 2, 3, 4 and 5 bed dwellings which are two storeys in height, some having rooms within the roof to provide 3 storeys of accommodation, and would be a mix of terraced, semi and detached properties. It is proposed that 143 2 and 3 bed roomed dwellings across the site are to be allocated as affordable housing. This represents 30% of the total.

3.2 The proposed point of access to the site would be from Coventry Lane and is shown to be via a junction that would also serve the sites to the west of Coventry Lane, which have recently been granted planning permission. This would be the sole vehicular access serving the site. Public Rights of Way are proposed through the development site which would link the site to the existing PRoW along Moor Lane and to the existing housing development to the east of the site.

3.3 The main issues relate to whether the principle of residential development is acceptable; whether the design and layout of the development is acceptable; whether there would be any detrimental impact on highway safety; whether there would be any impacts on residential amenity; and consideration of impacts on drainage, flood risk, contamination, and impact on local wildlife / biodiversity.

- 3.4 The benefits of the proposal are that the residential development would see the development of a site allocated for such use, in a sustainable location, and would make a significant contribution to housing delivery for the residents of the borough. The proceeds from the sale of the land to the developer would be used to build a replacement secondary school at Bramcote College site. The proposed dwellings are not considered to be harmful to the character of the surrounding area, would not have an unacceptable impact on neighbouring amenity or highway safety, and contamination can be mitigated for through the implementation of conditions. Any impact on biodiversity assets can be adequately mitigated for by way of the design of the layout and through the implementation of conditions and financial contribution to the Council to offset any loss of the Local Wildlife Site. Financial contributions in respect of monies allocated to nearby GP services, improvements and additions to access to public open space, library stock, provision of sustainable transport measures, along with the provision of affordable homes would benefit the wider community of Bramcote and Stapleford, as would the enablement of a replacement secondary school.
- 3.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix and to the signing of a S106 Agreement.
4. Financial Implications
- 4.1 The comments from the Head of Finance Services were as follows:
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. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.
5. Legal Implications
- 5.1 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.
- 6 Data Protection Compliance Implications
- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.
7. Background Papers
- 7.1 There are no background papers related to this report that are not already available publicly.

APPENDIX

1. Details of the application

- 1.1 This application seeks full planning permission to construct 470 dwellings with associated infrastructure including and access from Coventry Lane, internal roads, public open space and public rights of way. The proposed dwellings comprise two storey 2, 3, 4 and 5 bedroom properties, some having rooms within the roof space to provide 3 storeys of accommodation. 30% of the dwellings (143) would be provided as affordable housing and these would be 2 and 3 bedroom properties spread throughout the whole development.
- 1.2 The proposed vehicular point of access would be from Coventry Lane, which would be a shared junction serving the recently permitted residential developments on the west side of Coventry Lane. New non-vehicular routes are proposed through the site so as to link Coventry Lane with the existing PRoW on Moor Lane, and to the existing housing to the east of the site. These links would also provide improved pedestrian access to the primary and secondary schools to the south, on Moor Lane.

2. Site and surroundings

- 2.1 The majority of the site, which lies to the east side of Coventry Lane, north of Moor Farm Inn Lane and south of the railway line, was formerly playing fields associated with the secondary school to the south. The playing fields are now surplus to requirements and have not been in formal use for some years. There is no formal public access to or across the site, although it is noted that the area is used by nearby residents recreationally and for dog walking.
- 2.2 The site is generally flat and is predominately grassland. There are trees to the north and west boundaries, and a hedge lined boundary to the east, where it lies adjacent to Moor Lane, a Public Right of Way (Bridleway). To the south west corner, part of the site is allocated as a Local Wildlife Site (LWS). To the north of the site, outside the application site boundary, is a further Local Wildlife Site and a Local Nature Reserve (LNR) (Nottingham Canal). A Green Infrastructure Corridor runs through this LWS / LNR.
- 2.3 To the east of the site, separated from the site by a Public Right of Way (PRoW) (Beeston BW30, which runs along Moor Lane and runs in a north / south direction), is an existing housing development of two storey detached, semi-detached and terraced dwellings, which mostly back onto the PRoW.
- 2.4 South of the site is a place of worship (Brethren's Meeting Room) which is a detached building and is accessed from Moor Farm Inn Lane, connecting to Coventry Lane.
- 2.5 West of Coventry Lane, opposite the site, there are fields associated with Hulks Farm, and access via Sidings Lane to a small industrial area. This area is allocated in the Local Plan for residential development, with the northern section (known as Hulks Farm) awaiting completion of a Section 106 Agreement

following resolution at committee to grant conditional permission for 60 dwellings (planning reference 22/00602/FUL); and the south west section (known as Land North and West of Bramcote Crematorium) having outline planning permission for 169 dwellings (reference 20/00352/OUT). A reserved matters application has recently been granted permission in respect of this outline planning application (reference 22/00619/REM), and a Variation of Condition application linked to the reserved matters application seeks changes to house types and site plan. The latter is currently under consideration as at 13 October 2023 (reference 23/00411/VOC).

- 2.6 The site forms part of a wider allocated site in the Broxtowe Part 2 Local Plan. Policy 3.3 refers. The allocation is split into two separate sites, with the northern part of the allocation covering this site and the site currently occupied by the place of worship to the south, and is allocated for 500 homes. It is noted that the application site does not include the place of worship (Brethren's Meeting Room) site. The southern part of the allocation covers the Bramcote School and Leisure Centre site (Secondary and Primary school sites, Bramcote Leisure Centre site), where a key development requirement on that part of the allocation is for a replacement secondary / sixth form school, and which should be delivered in conjunction with, or prior to, housing on the northern part of the allocation. Planning permission for the replacement secondary school was granted permission in January 2023 (planning reference 22/00740/FUL). The funding for the replacement school would be raised through the sale of the application site, once planning permission for the residential development has been given.

3. Relevant Planning History

- 3.1 There is no relevant planning history for this site. The last use of the site, as outlined above, was predominately as playing fields associated with the secondary school to the south (Bramcote College).

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 12: Local Services and Healthy Lifestyles
- Policy 13: Culture, Tourism and Sport
- Policy 14: Managing Travel Demand
- Policy 15: Transport Infrastructure Priorities
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity

- Policy 19: Developer Contributions

4.2 **Broxtowe Part 2 Local Plan 2019:**

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

- Policy 3.3: Bramcote (east of Coventry Lane)
- 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 24: The Health and Wellbeing Impacts of Development
- Policy 25: Culture, Tourism and Sport
- Policy 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 **National Planning Policy Framework (NPPF) 2023:**

4.3.1 The National Planning Policy Framework (NPPF) 2023, 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.

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

5. Consultations

5.1 **Nottinghamshire County Council as Highway Authority:** Initial comments – raises concerns in respect of width of highway at point of access; private drives in close proximity to junction; width of parking spaces and private / shared drives; junction conflict within the site; need for swept path analysis throughout site; comments regarding shared surface treatment; need for the plans to show bus stop locations; improvements to existing PRow's so as to prioritise pedestrian / cyclists and other sustainable means of transport; need for each dwelling to have Electric Vehicle Charging Point (EVCP).

In respect of impact on highway surrounding the development, the HA are satisfied with the contents of the Transport Assessment, and conclude that whilst the Coventry Lane / Hickings Lane / Ilkeston Road junction would see an increase in wait times, monies have been secured by way of a Section 106

Agreement from other committed developments in the area to improve the performance of the junction and as such no further request for financial contribution would be sought for these works. Notwithstanding this, a financial contribution of £1000 per dwelling could be sought toward providing sustainable transport measures that help to reduce impacts at this junction, akin to that requested from other developments, which could be allocated to the aspiration to provide a strategic cycling route along Coventry Lane.

In respect of the Travel Plan, there are some amendments required due to conflicting information and additional requirements needed in terms of promoting cycling.

Comments in respect of amended plans (May 2023) – Whilst concerns initially raised in respect of width of site access, conclude that this would reduce capacity of the new signals and as such happy to revert to a 6.2m width access. Concerns raised re conflict with vehicles exiting parking spaces on two plots to detriment of highway safety. Would require measures to reduce speed within the site which should be submitted for assessment. Comments in respect of tracking and some parking spaces appear to be remote from their dwellings, which could result in vehicles being parked on street. No provision appears to have been made for visitor parking. Forward visibility splays need to be annotated. Preference would be to route cyclists towards nature trail (on opposite side of Coventry Lane) by providing a complaint scheme along frontage.

Following the receipt of amended plans August / September, the officer is satisfied in respect of the width of the site access, and upgraded cycling facilities along Coventry Lane. Some minor concerns regarding tracking within the site, which have now been resolved. The Highway Authority are working with National Highways in respect of addressing impact of the development on Bramcote Island, by way of a Travel Plan as revised, which is considered satisfactory subject to conditions to secure delivery and monitoring. Also recommend conditions in respect of ensuring delivery of site access, signalised junction and footway / cycleway to Coventry Lane; dwellings to be provided with parking spaces prior to occupation; and to prior approval of a Construction Method Statement.

In addition, a financial contribution of £15,000 toward monitoring of the Travel Plan is sought.

Conditions are recommended in respect of ensuring bus stops and associated infrastructure both within and outside of the site (on Coventry Lane) are provided in order to ensure the development can be served by any future bus service, thereby promoting the use of sustainable transport.

- 5.2 **Nottinghamshire County Council Public Rights of Way Officer:** No objections subject to an informative to make the developer aware of responsibilities regarding impact on PRow, and to confirmation that paths within the site, which would link to PRows, would be maintained by the developer.

- 5.3 **Nottinghamshire County Council Policy Team:** Request financial contributions toward bus service provision (£525,000); Education (£1,995,034 secondary, £367,556 post 16, and £270,966 SEND); Library stock at Stapleford library (£16,668). Require bus stops and infrastructure to be provided both off and on site, to be shown on an amended plan. Recommend a condition in respect of securing a scheme to provide bus passes to the future occupants to be agreed prior to occupation. Require an Archaeology Desk Based Assessment to be provided due to the presence of historical early coal mining works on the site, which should be carried out and agreed prior to decision, and mitigation proposed be secured by condition.

Additional comments received following re-consultation – subject to highway safety assessment the provision of two sets of bus stops is satisfactory but will require additional details in respect of bus stop locations and walking distances to / from; and details of infrastructure for future bus stop provision on Coventry Lane. Details of the latter will need securing by way of a condition. Revised figures for financial contributions as follows: bus service provision (£525,000 no change); Education (£1,969,050 secondary (75 places), £367,556 post 16, and £180,644 SEND); library stock at Stapleford library (£16,561).

Further to the request for a financial contribution to Education, the developer has queried the need given that the Key Development Requirement of Policy 3.3 is to deliver a new secondary school as part of the redevelopment of the site allocation. The County Council, whilst remaining of the opinion that there would still be a deficit of 36 places, recognises that the scheme may become unviable and could undermine the delivery of the scheme including the re-build of the schools and as such would not object to the approval of the scheme.

Following the receipt of amended plans and information in August / September, the Archaeology Officer recommends a pre-commencement condition requiring details of a programme of archaeological works in accordance with a Written Scheme of Investigation to be submitted and approved, and subsequently to be implemented in accordance with the approved details.

- 5.4 **Nottinghamshire County Council as Lead Local Flood Authority:** No objection subject to a condition requiring details of a surface water drainage scheme to be submitted and approved in writing prior to the commencement of the development, and an informative in respect of re-notification should the FRA or Drainage Strategy be altered. No additional comments to make following re-consultation on amended plans.
- 5.5 **Council's Environmental Health Officer:** In respect of contamination: no objection subject to an investigative survey being carried out and a report submitted and approved by the LPA, prior to the commencement of development. This would be secured by condition. In respect of other matters, no objection subject to conditions relating to noise mitigation measures being implemented in accordance with noise report prior to occupation; details in respect of piling / other foundation design to be agreed prior to commencement; hours of construction; details of a construction method statement; and a note to

applicant in respect of no burning of waste on site. No additional comments to make following re-consultation on amended plans.

5.6 **Council's Housing Officer:** Satisfied with the 40/60 split for 2 and 3 bed affordable properties. General clustering of properties looks good. Pleased to see provision of 30% affordable housing on the site, which meets the criteria of Policy 15 of the P2LP. Mix requirements are: 20% affordable / social rented housing, 7.5% First Homes and 2.5% other low cost home ownership (which can include discounted market housing and / or shared ownership provided by a registered provider). Agent has confirmed agreement to the requirements, which will be secured by way of the Section 106 Agreement.

5.7 **Council's Parks and Green Spaces Officer:** Initial impressions are that the area of usable greenspace is insufficient for a development of this size, and the development would feel very urban. The development should be laid out in a way that retains the intersection of the existing wildlife corridors, although accept that this would reduce density of development. Would like to see the SuDS pond initially proposed to the north of the site re-introduced as this can enhance biodiversity. The existing SuDS on Finsbury Road would be unlikely to cope with additional demand. As loss of LWS to south west corner proposed, would be good to see more species-rich grassland either retained (ideally) or created. Retention of habitat on site should always be considered before off site provision considered. Provision of east – west corridor commendable but will be of little benefit in terms of connectivity without the north – south connection. Extensive use of bird and bat boxes, along with bee bricks, would be an excellent inclusion. More detail required in respect of the LEAP (Local Equipped Play Area) equipment, and should be aiming for more akin to a NEAP (Neighbourhood Equipped Play Area). Overall, plans light on detail, showing only grass and trees, no hedges, fencing lines, path sizes / construction details. In respect of planting, generally the details are acceptable in terms of specifications.

In addition to the above, should the Authority be looking to take ownership of the open space provision, a financial contribution of £708.82 per dwelling (£335,271.86 based on 473 dwellings) would be sought for maintenance of the open space. A request should also be made for capital payment toward infrastructure improvements at Stapleford Hill (Hemlock Stone) and Bramcote Hills Park. It is understood that the developers are proposing to secure private Management and Maintenance of all areas outside of private curtilages and not part of the public highway by way of a clause in any Section 106 agreement.

Landscaping plans were submitted in September and comments received from the officer note that overall impression remains that the development is very urban with little green space. Landscaping plans do not include a planting schedule and there are no details in respect of the LEAP (play area and equipment). Would be good to see swift / bee / bat bricks incorporated into the design.

Following the receipt of BNG proposals, whilst happy in principle for offsetting of loss of LWS to be provided on adjacent BBC land, would need assurance as to how management and maintenance of off-site BNG be undertaken.

- 5.8 **Council's Tree Officer:** Trees to west boundary are within the adopted highway and maintained by the County Council. Woodland to the north adjacent to Latimer Drive is in Nottingham City Council ownership. Both authorities would need to comment on future maintenance and access issues. No objections to removal of trees as shown; groups along the boundary with Coventry Lane and T6 Ash. The latter and another Ash in the vicinity are liable to be infected with Ash Die Back either now or in near future. Within the site there are various category C trees, to which there is no objection to their removal.
- 5.9 **Council's Environment and Waste Officer:** Sets out requirements in respect of bin provision and sizes. Would require bins to be presented at the edge of adopted highway for collection or within 15m of the adopted highway where properties are served by a private drive. Refuse lorries and operatives would not enter private / unadopted roads. Roads need to be wide enough to accommodate the access and manoeuvring of refuse vehicles.
- 5.10 **NHS Nottingham and Notts Integrated Care:** The development would generate the need for enhanced capacity / infrastructure at nearby GP Practices. As such a financial contribution of £256,306.87 would be sought, based on 473 dwellings, and which would be allocated to one or all of the following practices: Grange Farm Medical Centre, Deer Park Family Medical Practice, and Bilborough Medical Centre. Following reduction in amount of dwellings, NHS request revised figure of £254,681.25 based on 470 dwellings.
- 5.11 **Environment Agency:** No objections subject to condition regarding contamination where not already identified, and a Note to Applicant alerting developer to presence of landfill site nearby. No additional comments to make following re-consultation on amended plans.
- 5.12 **Coal Authority:** Material Consideration – the site falls within the defined Development High Risk Area. Agree with recommendations contained in the Site Investigation Report. Recommend conditions in respect of: remediation works / mitigation measures to have been implemented on site in full; a pre-occupation condition requiring a signed declaration confirming that the site is or has been made safe and stable for the approved development. A Note to Applicant also recommended in respect of responsibilities of the developer. Comments received following re-consultation – object due to garage being sited in the zone of influence.
- Following the receipt of amended plans in August, The Coal Authority remove the holding objection as garage removed from zone of influence. Previous recommendations in respect of conditions and note to applicant still stand.
- 5.13 **Severn Trent Water:** No comments received.

5.14 **Network Rail:** No objections subject to conditions relating to construction methods; drainage; boundary to NR land; landscaping; lighting; and consideration of impact of noise on residential uses. Also recommend notes to applicant in respect of safe operation and construction near the railway line.

5.15 **Notts Wildlife Trust:** Initial comments: Raise concerns with the level of information, as consider that a full Ecological Impact Assessment should have been submitted rather than the Ecological Appraisal. The development would result in an almost complete loss of all core habitats on the site, including a significant reduction to the mosaic of habitats that make up the LWS.

Following the receipt of an Ecological Impact Assessment (EclA), would require further consideration of impact on foraging bats, and recommend conditions in respect of Construction Environmental Management Plan (CEMP) and a Landscape Ecological Management Plan (LEMP). Whilst the EclA found no evidence of badgers on site, would recommend a pre-commencement survey to confirm this.

5.16 **Nottinghamshire Police Designing Out Crime Officer:** Requests that the Secured By Design standard is adopted as part of the development.

5.17 **Sport England:** Request that Sport England be formally consulted as they consider the development to result in loss of playing fields. LPA note in response: It is considered that as the site is not being used as a playing field, has not been used as a playing field in the last 5 years (disused much longer), is not allocated for use as a playing field in the adopted local plan, nor does it involve development that sees the replacement of grass with an artificial surface, then there is no requirement to formally consult Sport England on this occasion. Sport England are, however, within their right to comment on the planning application should they wish to do so. Furthermore, the site is allocated in the adopted Part 2 Local Plan (2019) (Policy 3.3) for residential development. The site allocation has been through a robust inspection prior to the adoption of the P2LP by the Planning Inspectorate. **Further response** from Sport England: Whilst the proposal is not considered to meet SE adopted playing fields policy or NPPF 2021 para 99, it is acknowledged that the recently approved sports facilities at Bramcote College are a significant improvement over that which is currently available to the college and to the community which have the potential to provide a significant benefit to the development of both the school and community sport and on that basis Sport England does not wish to raise an objection to the development.

5.18 **Nottingham City Council:** (as neighbouring land owner) – no response received.

5.19 **Beeston and District Civic Society:** Recommends refusal due to absence of Heritage Statement (in respect of potential archaeological features); lack of clear landscape strategy / landscape and ecological maintenance plan (LEMP); lack of street trees within the development, which would create hostile

environment; several strips of land with little detail as to how will be treated; turning heads intrude into green areas and not consistent in provision of paths around them; public open spaces could be better laid out; concerns over links to existing routes (PRoW's); landscape plan does not respond to the ecology study, pond could be enhanced, lack of details re hedges and links from dwellings to paths etc, opportunities for woodland planting missed; lack of detail regarding shallow drainage channels through the site, which could be a benefit to the development; notes that gas fired boilers proposed, which are not sustainable use of energy, consideration should be toward air source heat pumps, solar panels, green roofs, vehicle charging points, nothing to encourage bees or birds (e.g. bird bricks); concerns regarding impact on traffic infrastructure, layout designed for car users; lack of community infrastructure such as shops, which should be provided on site; could be better Travel Plan incentives / motivation which should be at the start before travel behaviours of the occupiers are too established.

- 5.20 **National Highways:** Request more information in respect of existing modelling so as to assess impact of additional traffic generation on trunk road A52, specifically Bramcote Island.

Additional information submitted to National Highways by the applicant, principally in respect of a revised Travel Plan to help mitigate impact on wider highway network. National Highways confirm that following the review of the information, no objections. National Highways note that the Travel Plan achieves as good as it can in reducing traffic impact at Bramcote Island and cannot be improved further.

- 5.21 **Bramcote Neighbourhood Forum:** Object on grounds that the proposal does not constitute sustainable development. Fails to provide sufficient open space / play space for residents; does not provide Biodiversity Net Gain on or adjacent to the site; density of development too great; will result in increase in traffic and impact on air quality; assessment of public transport unrealistic; reliance on gas fired boilers fails to provide for renewable and low carbon forms of heating, difficult to meet local or national carbon reduction targets.

Comments following amended plans received August / September: consider that the amendments do not address objections raised and do not constitute sustainable development and as such should be refused.

- 5.22 **Ward Councillors (joint response):** In respect of the amended plans (470 dwellings) have the following comments: design poor, does not reflect character of area, appears to result in large areas of hard surfacing; no inclusion of measures such as solar panels, battery storage, heat pumps etc; no provision for grey water harvesting; layout does not appear to recognise or address flood risks on the site, which floods particularly on southern end; draining to Tottle Brook (on Eastcote Avenue estate) would increase risk of flooding on the estate as drainage system unable to cope with existing; street layout looks narrow, would a bus be able to access and run round the development; housing layout looks cramped; dwellings extremely small, would need to meet NDSS;

questions if new landscaping to south west corner appropriate; concerns regarding boundary treatment to Moor Lane; welcome measures to provide hedgehog highway; green strip through middle of site too small to be functional, just pays lip service; proposed play area in wrong place, would be better to be centrally located. No further comments following amended plans received in August / September.

5.23 146 addresses were consulted, site notices posted and a press notice published. 57 responses were received, 45 objections, 12 observations and none in support. The comments can be summarised as follows:

Objections:

- Impact on traffic / highways:
 - Impact on infrastructure, especially when in conjunction with adjacent developments, what plans are there to accommodate additional traffic
 - Increase in heavy traffic along Coventry Lane / congestion at junctions / increase risk of accidents
 - Should have more than one point of access as vehicles from almost 500 homes would cause congestion
 - Site access must not be from east of site (Moor Lane)
 - Transport Assessment refers to tram and train services being nearby – but these are not within convenient, usable, distance to be considered a viable, sustainable, option
 - Existing roads in poor condition, additional traffic will worsen this
 - Disturbance to PRow during construction
 - Hickings Lane / Coventry Lane junction floods in heavy rain, situation would worsen with additional traffic
 - Increase in traffic would increase levels of pollution, to the detriment of new residents to the west of the site along Coventry Lane
 - Need to prioritise provision through and to of sustainable travel routes from the start for all non-vehicular traffic (e.g. cyclists, pedestrians, horse riders, disabled transport users) so as to promote sustainable modes of travel and ensure that appropriate and viable links are made to the existing routes, in order to ensure impact on existing highway is minimised
 - Too many parking spaces provided within the development; this sends out message that car use would be main method of travel
 - Need to consider traffic generated within the site from online shopping deliveries
 - Travel plan – future occupiers should be made to sign up to sustainable methods of travel right from the point of occupation and the developer should be responsible for monitoring this

- Drainage / flooding:
 - The site regularly floods particularly to south / southeast corner – concerns that the development would make this worse or the surface water / flooding would divert to the properties to the east

- Disagree with statement that the land is not at risk of flooding
 - The proposed attenuation tank won't be able to hold enough water from the development
 - Connections to existing drainage network should be from Coventry Lane and not connected to the network to the east (existing housing development)
 - The attenuation tank and pumping station is proposed to be under the LEAP – concerns regarding safety of use of the LEAP (smells, contamination, subsidence)
- Loss of Green Space:
 - Should not build on Green Belt land
 - Land should not have been taken out of Green Belt
 - Loss of green space (visual amenity)
 - Loss of green space (recreational use / impact on community use)
 - Need green spaces to offset flooding
 - No green space or social space provided in the development
 - Loss of green space should be offset by providing more elsewhere – the new residents would need access to green space
 - Loss of playing pitches
 - Dispute the statement that the land is not in use – walkers and families use it
- Impact on infrastructure (non-highway)
 - No provision for additional amenities such as doctors, dentists, shops, and additional school places
 - No provision for public transport – concerns that it wouldn't be viable to operate a new route particularly in the long term
 - Bus stops external to the site are too far for any future elderly / disabled residents to easily get to
 - This alongside adjacent developments would result in increased demand for the above services, which cannot be met
 - Increase footfall to the area as a whole would have impact on nearby green spaces
 - Nearest shops too far away, would be reliant of private vehicles
 - A small convenience store should be included on site
- Visual Impact:
 - Lack of trees / green space along east and south boundary
 - If fence constructed on east boundary will make PRow dark and unwelcoming, as will allowing the hedging (as proposed) to grow to 4m in height
 - Design of properties don't reflect local area / existing architecture
 - Density of development too high
 - There is a substantial visual impact on the area and when viewed in conjunction with other development planned

- Pond is not functional and only there for visual impact – would not benefit wildlife as too busy an area
- Biodiversity / Ecology:
 - Should provide a wildlife corridor, preferably along the east boundary of the site
 - Major impact on local wildlife
 - Loss of wildlife including protected species (birds) present on the site
 - Loss of habitats – reference to nesting skylarks on the site
 - Lack of sufficient amount of Public Open Space on the site given amount of green space being lost
 - Ecology Assessment poor
 - Loss of trees would increase net CO2
 - South West corner (LWS) should be fenced off / left untouched, and not built on
 - Pond should be located in area where most surface water collects or within LWS
 - Insufficient mitigation for loss of habitats / wildlife
- Neighbour Amenity:
 - Noise during construction – should restrict hours of work
 - Noise from occupation
 - Potential noise impact from pumping station
 - Loss of privacy
 - Loss of light – dwelling height
 - Loss of light – proposed increase in height of hedge to 4m on east boundary
 - Air and dust pollution
 - Increase in activity in the area (footfall)
 - Concerns regarding height of dwellings
 - Sense of enclosure
- Sustainability:
 - Building more houses won't achieve Nottingham goal to be a net zero city
 - The developer is not going far enough to address sustainability e.g. solar panels, EVCP's etc
 - The use of gas fired combination boilers, as proposed, is not appropriate or sustainable given Government requirement for no more to be installed in the near future
- Other matters:
 - If revenue required, why not charge people to park at Bramcote Park
 - Density of the development is too high, looks crammed in
 - Should be making a more pleasant environment
 - This plus other sites will urbanise the village [of Bramcote]
 - Do not want to be one big sprawl of housing estates

- Would support smaller development with access from Coventry Lane
- There are previous mining works on the site – what protection is being made
- The proposal does not balance need for affordable housing against need for green space
- Increase in risk of burglary
- Path to school will be compromised
- Impact on houses prices of those currently overlooking the site
- Agree with providing housing but this should be affordable
- Proposed Exploratory Hole Location Plan incorrect on the north boundary
- No detail as to what the contents of the Section 106 would comprise (inference to improvements to transport infrastructure)
- Increase in height to hedge on eastern boundary would compromise users of the PRow safety especially in hours of darkness
- Archaeology survey not thorough enough
- The Section 106 Agreement should secure the funding of sustainable travel infrastructure (cycle / pedestrian etc routes)
- Lack of consultation – lives nearby but not directly adjacent to the site
- Difficulty of accessing the information
- Neighbours should be informed of any proposed changes
- Air Quality – less habitat and more cars equals less oxygen
- Concerns regarding gas contamination from former mine works
- Application form says no new Public Rights of Way created when clearly there are (inc new access road)
- Should not have any new connections to the PRow to the east
- LEAP should not be built over old mine shafts – danger to users through collapse
- Funding of the new secondary school should be via the Government and not through the sale of the land

Observations:

- Site access must not be from the east of the site
- Lack of consideration for / accommodation of cycle users and horse riders through the site
- Increase in traffic
- Concerns in respect of watercourse on Pimlico – would drainage divert to this
- The site floods – is there sufficient drainage proposed
- The development would result in loss of green space / recreational area
- Impact on infrastructure such as doctors and schools
- Potential harm to skylarks
- Detailed bird survey required
- Houses to north will be impacted from railway noise

- Housing should have more sustainable features
- There are no bungalows proposed
- Layout wrong way round – luxury houses nearer schools and cheaper / social housing toward railway
- A 3d drawing would help existing residents get a better idea of the development
- Need more detail in respect of boundary treatment to Moor Lane
- Should have more street trees throughout the development
- The play area should be more central to the development so as to become a community space and in easier reach of all, there is lack of surveillance over the play area, who will design this area and who will maintain it
- Lack of detail on the pond area – should be designed so as to be a wildlife haven in a way which is safe for children
- The layout should incorporate swales in the street network, which could benefit wildlife as well as dealing with surface water run-off

5.24 A total of 11 representations have been received following the receipt of amended plans in May 2023. All 11 were objections, raising comments included in the above and with the following additional points:

- No room for buses to turn
- Woods should be preserved
- Query as to what percentage of housing would be affordable
- Dwelling sizes very small – will result in poor quality of life for occupiers
- Should be wider buffer separating proposed from existing on east side
- Don't like name of development
- Arboricultural report not updated

5.25 Following the receipt of amended plans in August 2023, a further 11 comments were received. One letter was in support citing overwhelming need for new and affordable housing; and one with observations citing land has been stripped for investigative works so already loss of habitat. Most raised concerns already noted above; concerns not previously raised are as below:

- Bus stop locations should be reconsidered
- Play area should be relocated to the east of the site
- Lack of explanation re abbreviations on plan
- Too much hard surfacing to front of dwellings (parking)
- The affordable housing appears to be clumped together – will lead to lack of community cohesion
- Concern regarding choice of materials
- Lack of detail in terms of appearance for fencing
- Fencing should be designed with hedgehogs and other foraging animals in mind
- Should be an increased 'buffer' between housing and boundaries of site
- Should keep existing trees / shrubs on site and be protected
- More pedestrian access to perimeters of the site
- Query in respect of which houses would be terraced or choice of materials and other questions regarding house types

- Query in respect of numbers of overall occupancy figures
- Query regarding amount and effectiveness of PV panels to be installed and other sustainability measures
- Need for an Ecological Survey to be carried out prior to determination
- Concerns regarding reputation of house builder

6. Assessment

6.1 **Principle**

6.1.1 The application site is allocated land in the Part 2 Local Plan – Policy 3.3 Bramcote (east of Coventry Lane). The allocation is split into two parts; north and south, with the north part of the allocation including the application site and land currently occupied by the place of worship. The latter section of land is not included in the development site. The site is not allocated as being within the Green Belt.

6.1.2 Policy 3.3 requires development on this site to meet Key Development Requirements. Relevant to this application, the requirements are: provide 500 new homes [within the wider allocated site including the place of worship]; incorporate design measures to slow speed of traffic on Coventry Lane; provide safe pedestrian and cycling routes including crossing points on surrounding roads linking to the re-developed (secondary) school, development to the west side of Coventry Lane and to the Erewash Valley Trail; vehicular access to the site to be from Coventry Lane via a single junction which serves the allocated site to the west; enhance bus routes adjacent to or within the site; provide enhanced Green Infrastructure corridors linking urban areas to the east with Bramcote and Stapleford Hills, Bramcote Park, Boundary Brook, Pit Lane Wildlife Site, Nottingham Canal and Erewash Valley Trail; ensure any loss of the Local Wildlife Site land is mitigated / compensated at equivalent quality within close proximity to current location; school (secondary) re-development to be delivered in conjunction with or prior to housing development and no houses are to be occupied until the school is substantially complete.

6.1.3 Subject to the matters outlined below, the principle of residential development is acceptable.

6.2 **Layout, Scale and Massing**

6.2.1 The layout as amended shows a principal road entering the site from Coventry Lane, which will then form a loop within the site, with secondary streets leading off. The layout would be of a standard such that a bus route and stops can be accommodated, and which would allow for refuse vehicles to access and turn within the site. There would be some shared drives proposed, serving a maximum of 5 dwellings per drive. It is considered that the road layout follows the hierarchy required by the Highways Authority, that is, primary streets, secondary streets and quieter shared drives, the latter of which provide

opportunity for use by pedestrians, particularly in terms of providing outdoor play for children, without through traffic.

- 6.2.2 The layout of the site would also help to promote sustainable modes of transport by providing non-vehicular links through the site connecting to the bridle way to the east and onwards to facilities such as health and education, and to the west, to connect to existing cycle routes. The non-vehicular routes would also encourage and enable the use of sustainable modes of travel to nearby public spaces and walking routes such as to Stapleford Hill, Bramcote Park and Nottingham Canal. The site is also within convenient distance to facilities such as small retail outlets nearby, which can easily be reached by walking or cycling.
- 6.2.3 The scale and massing of the development, at two and two and a half storeys, is considered to be acceptable given the context of the site, and the character of existing dwellings to the east and approved developments to the west. Dwellings would be orientated such so as to provide overlooking of public roads and open space, and would be positioned so as to provide adequate distance between each dwelling, to avoid overlooking or overshadowing. The site, whilst visible from Coventry Lane, would in part be screened by hedging and trees on the west boundary, which form part of the public highway. It is considered that the development would not have a detrimental impact on the wider landscape and views toward Bramcote Ridge from Coventry Lane.
- 6.2.4 Within the site a children's play area, green corridor running east - west and a pond would be provided in order to create a site with its own character, and to provide an attractive setting both within and into the site.
- 6.2.5 Details of materials, enclosures, bin storage, cycle storage, play equipment and hard and soft landscaping would be secured by condition to ensure that the overall visual appearance creates an attractive development whilst ensuring privacy and safety.
- 6.2.6 A Building for a Healthy Life Assessment (formerly Building for Life 12) has been submitted. This indicates 7 green and 5 amber scores however on officer assessment and subject to conditions this could be assessed more generously, with the weaker areas being memorable character (in terms of house type design), lack of features such as brooks and ponds, and boundary treatments, however given the features on site would be difficult for the developer to replicate, it is considered that overall the BHL score is good.

6.3 Design of Housing

- 6.3.1 The housing would be of traditional appearance being built of brick with tile, and having gable roofs. It is considered that there would be a good variation of house types in order to provide visual interest within the street scene. The brick choice would be mainly red brick, with some dwellings of brown brick, and the

tiles would be grey or brown. Areas of feature render would be introduced to the Miller Housing. The dwellings would have architectural features such as gable roofs over entrance doors, and soldier courses between each storey. It is considered that the design of the housing, subject to details and samples of materials which would be secured by condition, is acceptable.

6.3.2 Whilst no bungalows (raised as a comment through consultation) would be proposed, a proportion of the dwellings would be adaptable for use by persons with disabilities or as the occupiers age, and would be compliant with Building Regulations in respect of accessibility.

6.3.3 Affordable housing proposed on the site equates to 30%, as required by Policy 15 of the P2LP. The housing, which would be of the same external design as the equivalent market housing proposed, would be located throughout the site alongside market housing, to ensure assimilation between differing types of tenure. To ensure the delivery of the affordable housing, this will be secured as part of the Section 106.

6.3.4 In respect of energy efficiency of the development, where possible dwellings would be fitted with solar panels and every dwelling would have access to an Electric Vehicle Charging Point (EVC point). The dwellings would be constructed so as to achieve a 10% carbon reduction and would be in accordance with building regulations requirements.

6.4 **Amenity**

6.4.1 Concerns in respect of impact on the amenity of existing dwellings, to the east in particular, have been addressed following the receipt of amended plans. Most dwellings proposed along the east side of the site, with the exception of three which are side on, would front on to the bridle way, and would have roads and a landscape strip between the dwellings and the east boundary of the site. This has enabled a minimum distance of 20m to be achieved (these being from dwellings which are side on to existing), and as such it is considered that the development, as amended, would not result in significant detrimental impact on neighbour amenity.

6.4.2 In regard to the amenity of future occupiers, all dwellings would have access to private gardens proportionate to the size of the dwelling, and would have access to natural light and an outlook from all habitable rooms.

6.4.3 All but one dwelling type would meet the Nationally Described Space Standards in terms of internal space and whilst one house type does not technically meet the standard, it is considered that this dwelling could still provide an adequate standard of accommodation without detriment to the intended occupiers, if occupied by a minimum number.

6.4.4 A Health Impact Assessment has been carried out and submitted by the developer. It is considered that whilst matters pertaining to increase in traffic generation (air quality) and access to healthcare / other infrastructure are weaker points, overall the development has the potential to encourage sustainable methods of transport, through provision of electric vehicle charging points, and walking, cycling and public transport options which would give access to the wider area in terms of open space, leisure and other facilities. As such it is considered that the development would not result in a significant detrimental impact on health for the future occupiers, or for existing nearby occupiers.

6.5 Access and Highways

6.5.1 Within the site, concerns were initially raised in respect of parking spaces and conflict with other road users during manoeuvres, and measures to reduce speed. This has now been addressed and as such it is considered that the site has been designed so as to enable safe use and access by buses and larger refuse vehicles can be achieved within the site.

6.5.2 There is a bridleway (PRoW) to the east of the site, outside the site boundary. This would be retained and new non-vehicular paths would be provided within the site to connect to the bridleway, and would continue through and across the site to encourage sustainable methods of transport and would connect to the proposed play area, by way of an east / west green corridor. Improved cycling facilities along Coventry Lane, connecting to the site, are proposed.

6.5.3 A scheme, in the form of a Travel Plan, to ensure all residents, upon first occupation, would have access to free bus passes as well as access to cycle maintenance opportunities and training; and a requirement to include details of bus stops and associated infrastructure, both secured by condition, as well as a financial contribution toward provision of a bus service and toward sustainable transport measures, secured by way of a Section 106 Agreement, would, along with provision of non-vehicular links, ensure that the development would contribute to promoting less reliance on the private motor vehicle and as a result, minimise impact on the capacity of the public highway.

6.5.4 Conditions are recommended in respect of ensuring bus stops and associated infrastructure both within and outside of the site (on Coventry Lane) are provided in order to ensure the development can be served by any future bus service, thereby promoting the use of sustainable transport.

6.5.5 In order to ensure disruption is minimised during the development and construction stage, a condition to secure details of a Construction Method Statement prior to commencement would be imposed should planning permission be granted.

- 6.5.6 In respect of impact on the wider highway, the proposed development would be required to provide an access to the site via a new traffic signalled junction which would also serve the recently granted permissions to the west of Coventry Lane. Indicative plans have been submitted and are considered satisfactory.
- 6.5.7 National Highways have raised concerns in respect of the cumulative impact of the development upon the wider network, which is already over capacity. The agent has worked with National Highways and whilst it has not been possible to fully address the impact on the wider network due to the inherent design of the Bramcote Island, which cannot be improved, measures such as the introduction of a Travel Plan, which can be secured by condition and would be monitored for a minimum of 5 years, would reduce any impact to a minimum. National Highways have confirmed that they are satisfied and raise no objection.

6.6 Ecology and Biodiversity, including Biodiversity Net Gain

- 6.6.1 There are trees forming the perimeter of the site. Approximately two thirds of the site is grassed, albeit overgrown, being formerly school playing fields. The south west part of the site is a Local Wildlife Site (Bramcote Moor Grassland LWS), designated as such due to its mosaic of habitats which include acid grassland; scrub; wet grassland; tussocky grassland and a small pond. This site as a whole also forms part of a secondary corridor and the Nottingham Canal Corridor, and as such the overall ecological value of the site extends beyond the LWS site boundary.
- 6.6.2 Whilst it is acknowledged that the LWS part of the site is included in the allocation as part of Policy 3.3 of the Broxtowe Part 2 Local Plan, a Key Development Requirement of that policy requires any loss of the LWS to be mitigated / compensated at the equivalent quality with close proximity of the site; and, additionally, that any development should provide 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. It should be noted that whilst this area is designated as a LWS, the Local Plan acknowledges that following a review by the Nottinghamshire Biological and Geological Records Centre, carried out as part of the Local Plan adoption process, the area of qualifying interest is confined to the very south western corner of the LWS (approximately 0.7 hectare) and as such it is this part of the LWS only which needs to be mitigated or compensated for.
- 6.6.3 As indicated on the layout plan, this area would not be developed and would remain as part of the open space / natural area of the site.

- 6.6.4 Notwithstanding the above, the loss of habitat within the site, as well as impact on any fauna dependent on or visiting the site would need to be thoroughly assessed through the submission of an Ecological Impact Assessment. The submitted EclA has been agreed in principle with Notts Wildlife Trust subject to conditions in respect of a Landscape Ecology Management Plan (LEMP) and a Construction Environmental Management Plan (CEMP), and subject to a further survey to ensure no badgers on site, prior to commencement.
- 6.6.5 From January 2024 applications made valid for all major developments would be required to demonstrate that, where habitat would be impacted as a result of the development, a Biodiversity Net Gain of a minimum 10% can be achieved either elsewhere on the site, off-site on land that the developer owns or has control over (and which should be as close to the site as possible), or, as a last resort, by way of credits brought from the Government who will invest in habitat creation elsewhere in England. As the application was received prior to the introduction of the BNG requirements, and as such not yet a statutory requirement and / or supported by Local Plan Policy, the developer does not have a statutory obligation to provide BNG of 30%. As a Biodiversity Net Gain could not be achieved on-site, a financial contribution should be paid to the Council in lieu of this so that enhancements can be secured on nearby sites. It is considered that securing off site biodiversity enhancements in this way would meet the requirement of Policy 17 of the P2LP.
- 6.6.6 Biodiversity and ecology enhancements would be in the form of green corridors running both east / west and north / south through the site; retention and enhancement of the existing pond; retention of the south west corner of the LWS; and offsetting loss by way of a financial contribution to the Council to secure enhancement of habitat and assets on Council managed sites adjacent or close to the site which could include the Quarry site to the south, Nottingham Canal, Stapleford Woods, Bramcote Park, Crow Hill, and / or Pit Lane Nature Reserve. The management and maintenance of the ecological enhancements and mitigation on-site would be secured by way of a Section 106 Agreement.

6.7 **Pollution and Coal Mining Risk**

- 6.7.1 In respect of Coal Mining Risk, the site layout has been designed in order to ensure that the built development, other than hard surfaced areas, avoid plotted coal mining shafts within the site. The Coal Authority would require details of remediation / mitigation works, and confirmation that site, including location of LEAP, has been made safe prior to occupation / first use, which would be secured by condition.
- 6.7.2 In respect of potential contamination of the site, the Environmental Health officer raises no objections subject to details of an investigative survey to be secured by pre-commencement condition.

6.7.3 A noise assessment has been submitted, the contents of which are accepted and which need to be implemented in accordance with the assessment. This would be secured by condition, and would ensure that the health and safety of future occupiers is safeguarded. In regard to noise and disturbance during construction, and in order to safeguard residential amenity of the occupiers of neighbouring properties, details would need to be submitted and agreed in respect of building methods, hours of construction, and a Construction Method Statement. In addition, a note to applicant regarding burning of waste on site would be included.

6.8 Drainage / Flood Risk

6.8.1 The site is in Flood Zone 1 although it is acknowledged that small areas of the site to the north west and eastern boundaries are subject to surface water flooding.

6.8.2 The Drainage Strategy Statement, submitted as part of the application, states that the surface water disposal strategy would be to discharge surface water, in order of priority, to a soakaway / infiltration system; local watercourse; public surface water sewer / highway drain; public combined sewer. Included as part of the site layout is a pumping station sited under the open space, the details of any above ground equipment will be secured by condition. Notwithstanding these details, the County Council, as Lead Local Flood Authority, raises no objection to the scheme subject to prior approval of a surface water drainage strategy. This would be secured by condition so as to ensure that surface water on the site would be managed and disposed of appropriately and would not increase risk of surface flooding either on the site or to neighbouring properties outside the site, particularly those to the east.

6.9 Archaeology

6.9.1 Due to the presence of historic mining activity on the site, which could include nationally important early post-Mediaeval bell pits and shafts, there is a need to undertake a desk based assessment prior to determination of the application.

6.9.2 Following receipt of additional information and discussions with the County Council Archaeological Officer, recommendation to condition details of a programme of works and scheme of investigation be submitted and approved pre-commencement would be deemed acceptable and would safeguard any potential non-designated heritage assets that may be present on the site.

6.10 Developer Contributions

6.10.1 Financial contributions are sought in respect of provision of sustainable transport measures (£1000 per dwelling), allocated toward aspiration of providing strategic cycling route along Coventry Lane; contribution of £15,000 toward monitoring of the Travel Plan; contribution toward maintenance and

management of nearby public open space (£708.82 per dwelling based on Open Space figures 2022); contribution toward biodiversity and habitat enhancements including management of at nearby Council managed habitats (£817,287.70); provision of bus service (£525,000); education – secondary, post 16 and SEND (£1,969,050, £367,556 and £180,644 respectively); library stock at Stapleford Library (£16,561); and enhanced capacity / infrastructure at nearby GP practices (£254,681.25).

6.10.2 In respect of education, the County Council state that there would be a need for secondary, post 16 and SEND provision at nearby schools. As the purpose of the sale of the land is to fund the building of a new secondary / post 16 school at Bramcote College, which already has planning permission (reference 22/00740/FUL), and that the delivery of the school is required to be delivered in conjunction with or prior to the residential development as a Key Development Requirement of Policy 3.3, it is considered that the request for a financial contribution to the provision of additional school places is unreasonable as it would render the scheme unviable, and would undermine the delivery of the scheme, jeopardising the delivery of the new replacement school. It is noted that the new school would, once built, provide 950 places overall (750 11 to 16 and 200 post 16), which is an increase of 150 places compared to the existing capacity.

6.10.3 The affordable housing proposed to be delivered on site would be secured as part of the Section 106 Agreement.

6.10.4 As the developer would be responsible for the management and maintenance of open space within the site, including play equipment, the financial contribution would not be requested, however a management and maintenance scheme would be secured as part of the Section 106. The request for a financial contribution toward infrastructure improvements at Stapleford Hill and Bramcote Hills Park, recommended by the Parks and Green Spaces Team, would not be pursued as it is considered unreasonable, given that this was not requested as part of the nearby recently permitted developments to the west of Coventry Lane, and Field Farm, and furthermore could render the scheme unviable if it were to form part of the Section 106.

6.11 Other Matters

6.11.1 Several matters have been raised as part of the consultation process which include: raising revenue by charging people to park at Bramcote Park (in lieu of developing the site); increased risk of burglary through allowing residential development; impact on house prices adjacent to site; inconsistency on plan in respect of exploratory holes; funding of school via government not through sale of land. These are matters which are not considered to be material to the assessment of the application.

6.11.2 Other matters raised such as inconsistency in information on plan, lack of consultation, difficulty of accessing the information and location of 'cheaper' / social housing nearer to noise sources such as the railway can be responded to as follows: information such as location of exploratory holes on plan or creation of public rights of way have been assessed by the relevant technical authority who have responded appropriately and where necessary information clarified; in respect of lack of consultation, site notices have been displayed at the site at the start of the consultation period and each time amended plans received, and all adjacent occupiers were also notified. It can be seen from the amount of responses received that the level of consultation was extensive and that the LPA carried out and indeed exceeded their statutory obligations in respect of consultations; details of the application were made publically available on the Broxtowe Borough Council website and, should there be any difficulty in understanding or interpreting the plans and information, contact can be made with the case officer or the duty planning officer; proposed 'name' of the development – this would be for the developer to decide how to market the new development and what to call it; locating 'luxury' housing nearer schools and 'cheaper / affordable' housing nearer to the railway would fail to achieve a coherent and community based approach to development and would disadvantage some occupiers.

7. Planning Balance

7.1 The development would result in a loss of part of the Local Wildlife Site and have an impact on biodiversity and ecology. The development would also have an impact in terms of traffic generation. These matters carry significant weight. The site is allocated in the Part 2 Local Plan for residential development, subject to the prior delivery of a secondary school, and mitigation for the loss of the LWS. The development would achieve both these key development requirements. The development would deliver a wide range of housing, including the delivery of 30% Affordable Housing to be provided on site. These matters carry significant weight, and, subject to compliance with conditions listed below, and securement of financial contributions and ecology enhancements set out in the Section 106, it is considered that overall the development would outweigh any negative impacts.

8. Conclusion

8.1 It is recommended that conditional planning permission be granted subject to the conditions below and the prior signing of a S106 Agreement.

<p><u>Recommendation</u></p> <p>The Committee is asked to RESOLVE that planning permission be refused/granted subject to the following conditions.</p>	
<p>1.</p>	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>

2.	<p>The development hereby permitted shall be carried out in accordance with drawings numbered:</p> <ul style="list-style-type: none"> • 47039/001 REV A - Proposed Exploratory Hole Location • 47039/002 REV A - Proposed Exploratory Hole Location <p>Received by the Local Planning Authority on 05.12.22</p> <p>Boundary treatments:</p> <ul style="list-style-type: none"> • SD 12-045 - Hedgehog Highway Standard Design • SD 12-001 – Boundary Treatment • SD 12-010 – Boundary Treatment • SD 12-025 – Boundary Treatment • Q9229 – Play Equipment <p>Received by the Local Planning Authority on 28.04.23</p> <ul style="list-style-type: none"> • 500-005 – Single Gable Front Garage • 502-006 – Double Side Gable Garage • 503-006 – Double Hipped Garage • 506-006 – Jack and Jill Hipped Garage <p>Received by the Local Planning Authority on 02.05.23</p> <p>House types:</p> <ul style="list-style-type: none"> • APP/0-001 REV A • APP/0-002 REV A • ASK/END/0-001.5 REV A • ASK/END/0-002.5 REV A • ASK/MID/0-001.5 REV A • ASK/MID/0-002.5 REV A • BAI/0-001 REV A (END) • BAI/0-002 REV A (END) • BAI/0-001 REV A (MID) • BAI/0-002 REV A (MID) • BIL/0-001 REV A • BIL/0-002 REV 2 • COO/0-001.5 REV A • COO/0-002.5 REV A • COV/0-001 REV A • COV/0-002-REV A • DAL/0-001 REV A • DAL/0-002 REV A • DAR/0-001.5 REV A • DAR/0-002.5 REV A • EAS/END/0-001.5 REV A • EAS/END/0-002.5 REV A • EAS/MID/0-001.5 REV A
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- EAS/MID/0-002.5 REV A
- FER/END/0-001.5 REV A
- FER/END/0-002.5 REV A
- HOR/0-001 REV A
- HOR/0-002 REV A
- LEY/DET/0-001 REV A
- LEY/DET/0-002 REV A
- OAK/0-001 REV A
- OAK/0-002 REV A
- RIP/END/0-001.5 REV A
- RIP/END/0-002.5 REV A
- SAL/END/0-001.5 REV A
- SAL/END/0.002.5 REV A
- THO/DET/0-001.5 REV A
- THO/DET/0-002.5 REV A
- B3/0.001 REV A (END)
- B3/0.002 REV A (END)
- B3/0-001 REV A (MID)
- B3/0-002 REV A (MID)
- E2.1/END/0-001.5 REV A
- E2.1/END/0-002.5 REV A
- E2.1/MID/0-001.5 REV A
- E2.1/MID/0-002.5 REV A
- MILLER HOMES HOUSE TYPE PACK

Received by the Local Planning Authority on 18.08.23

- 6220-261 (Boundary treatment plan)
- NC1v-004 REV 1.1 (substation details)
- SD 12-027 (Timber knee rail)

Received by the Local Planning Authority on 01.09.23

Detailed landscaping proposals:

- 3942/6 REV A
- 3942/7 REV A
- 3942/8 REV A
- 3942/9 REV A
- 3942/10 REV A
- 3942/11 REV A

Received by the Local Planning Authority on 08.09.23

- 6220-201 REV D (Site Layout)
- 6220-290 REV B (Tracking Plan)

Received by the Local Planning Authority on 20.09.23

	<ul style="list-style-type: none"> • ADC2733-DR-001 REV P5 (Off-site Highway works) <p>Received by the Local Planning Authority on 25.09.23</p> <ul style="list-style-type: none"> • 6220-270 Rev A - Bus Stop Distribution Plan • 6220-280 Rev B - Ecological Mitigation Plan • 6220-250 Rev B - Materials Layout • 6220-260 Rev C – Boundary Treatment • BRAM/PL003 REV B - Materials Plan • BRAM/PL/004 REV A - Boundary Treatment <p>Received by the Local Planning Authority on 04.10.23</p> <ul style="list-style-type: none"> • 6220-220 Rev A – Site Sections <p>Received by the Local Planning Authority on 10.10.23</p> <p>In addition to the above, the development as hereby approved shall be phased in accordance with the details shown on drawing number 6220-201 Rev D (site layout), unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>(a) No part of the development hereby approved within a phase, (excluding the carrying out of any site investigation and/or remediation works) shall be commenced until an investigative survey of the phase has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>(b) No building within a phase to be erected pursuant to this permission shall be first occupied or brought into use until:</p> <p>i) all the necessary remedial measures for that phase have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures for that phase have been implemented in full and that they have rendered the phase free from risk to human health from the contaminants</p>

	<p>identified, unless an alternative has first been approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>4.</p>	<p>The development hereby permitted within a phase shall not be commenced (excluding the carrying out of any site investigation and/or remediation works) until:</p> <p>a) any remediation works and/or mitigation measures to address the mine entries and the shallow coal mine workings, as may be necessary, have been implemented within a phase in full in order to ensure that the site within that phase is safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>5.</p>	<p>The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy for that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme for that phase shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> ● Demonstrate that the development will use SuDS throughout the phase as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169. ● Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area within that phase. ● Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme for that phase, including details on

	<p>any attenuation system, the outfall arrangements and any private drainage assets within that phase.</p> <p>Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.</p> <ul style="list-style-type: none"> ○ No surcharge shown in a 1 in 1 year. ○ No flooding shown in a 1 in 30 year. ○ For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. <ul style="list-style-type: none"> ● Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from that phase. ● Provide a surface water management plan for that phase demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. ● Evidence of how the on-site surface water drainage systems for that phase shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness. <p><i>Reason: To ensure the development is in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of Broxtowe Part 2 Local Plan (2019).</i></p>
<p>6.</p>	<p>No above ground works shall be commenced within a phase until details including samples of all external materials for that phase have first been submitted to and approved in writing. The development shall thereafter be carried out in accordance with the approved details.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>The development hereby permitted shall not be commenced within a phase, (excluding the carrying out of any site investigation and/or remediation works) until details of any necessary piling or other penetrative foundation design for that phase have been submitted to and approved in writing by the</p>

	<p>Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>8.</p>	<p>The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) until details of a Construction Method Statement for that phase shall have been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access and routing to / from the site for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials including details of hours of loading / unloading; d) The storage of plant and materials used in construction of the development; e) A scheme for the recycling / disposal of waste resulting from construction / development works; f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; g) Details of dust and noise suppression to be used during the construction period; h) Full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence: and i) Details, where vibro-compaction machinery is to be used, of the use of such machinery and a method statement <p>The approved statement shall be adhered to throughout the construction / demolition period.</p> <p><i>Reason: In the interests of highway and rail safety, and residential amenity, in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>9.</p>	<p>No development (excluding the carrying out of any site investigation and/or remediation works) within a phase shall take place until a programme of archaeological work within a phase has been secured, in accordance with an approved Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall include a programme for the</p>

	<p>archaeological investigation and recording (including extant earthworks) of all significant remains across that phase with provision for post-excavation analysis, reporting and publication proportionate to the significance of the remains. The scheme shall thereafter be implemented in full accordance with the approved details.</p> <p><i>Reason: In order to safeguard potential designated and non-designated heritage assets in accordance with Policy 11 of the Broxtowe Aligned Core Strategy (2014), and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>10.</p>	<p>No development within Phase 1 (excluding the carrying out of any site investigation and/or remediation works) shall take place until details of any above ground works associated with the pump station including elevations and plans of above ground structures, and any enclosures have first been submitted to and approved in writing by the Local Planning authority. The approved details shall be carried out in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>11.</p>	<p>No above ground works shall take place within a phase until a landscaping scheme for that phase has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) measures for the protection of any trees, hedges and shrubs to be retained during the course of development (b) proposed boundary treatments including to public spaces including retained pond, public highways, and railway boundaries (c) proposed external lighting details (other than to the public highway / adopted roads) (d) enclosures pertaining to bin collection points where outwith dwelling curtilage <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe</i></p>

	<i>Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
12.	<p>No above ground works shall take place until details of play equipment to be provided within the site has been submitted to and approved by the Local Planning Authority. This scheme shall include the following and shall thereafter be provided in accordance with the approved details:</p> <ul style="list-style-type: none"> a) Appearance, position and location of the play equipment which shall include provision for accessible equipment and surfacing; b) Access and boundary treatments; and c) Timetable for delivery of the play area and associated equipment. <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
13.	<p>No above ground works shall take place within a phase until details of solar panels for that phase, including design, appearance and location, have been submitted to and approved by the Local Planning Authority. The solar panels shall thereafter be installed in accordance with the approved details prior to first occupation.</p> <p><i>Reason: In the interests of addressing climate change, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
14.	<p>Prior to the commencement of the development including any site investigation or land clearance works, a Landscape Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved LEMP.</p> <p><i>Reason: In the interests of ensuring that biodiversity enhancements can be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<p>Prior to the commencement of the development within a phase including any site investigation or land clearance works, a detailed Construction and Environmental Management Plan (CEMP) for that phase shall be submitted to and approved by the</p>

	<p>Local Planning Authority. The Construction and Environmental Management Plan shall contain mitigation measures to ensure the protection of wildlife on the site. The development shall be implemented in accordance with the approved CEMP.</p> <p><i>Reason: In the interests of protecting existing environmental features and habitats during the construction period, 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>
<p>16.</p>	<p>Prior to the commencement of the development, a badger survey shall first be carried out and the results submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of safeguarding protected species, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>17.</p>	<p>Prior to first occupation of the development within a phase, or the development within a phase being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the phase is, or 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 methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary for that phase to address the risks posed by the recorded mine entry.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>18.</p>	<p>No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new bus stops located on Coventry Lane fronting the development to the south of the access junction have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole; polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core</i></p>

	<p><i>Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
19.	<p>No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new pairs of bus stops (four in total) within the site including two safeguarded bus stop locations within the site to facilitate the counter direction operation and two stops with infrastructure to facilitate single direction working have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole; polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
20.	<p>No dwelling shall be occupied until the off-site highway works relating to the site access, and no more than 50 dwellings shall be occupied until the associated highway improvements including improved cycle lanes shown indicatively on drawing reference ADC2733-DR-001 revision P5 received 25.09.23 have been provided.</p> <p><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
21.	<p>No dwelling shall be occupied until the boundary enclosure, parking and access pertinent to that dwelling have first been provided in accordance with the approved details. Parking bays shall be surfaced in a material other than loose gravel for a minimum of 5 metres behind the highway boundary, and shall be constructed so as to prevent the discharge of surface water to the public highway and retained as such for the lifetime of the development.</p> <p><i>In the interests of the appearance of the area and to ensure highway safety and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
22.	<p>No dwelling shall be occupied until the noise mitigation measures as approved under BWB ref 220488-003 for that dwelling have</p>

	<p>been installed, and shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>23.</p>	<p>No dwelling shall be occupied until an Electric Vehicle Charging point for that dwelling has first been provided and made operational.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>24.</p>	<p>No more than 10% dwellings within a phase shall be occupied until a travel plan co-ordinator has been appointed for that phase. The travel plan co-ordinator shall then be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan, and whose details of shall be submitted to the Local Planning Authority. The travel plan co-ordinator shall thereafter remain in place for a minimum period of 5 years to perform this role, with any changes in details to be submitted to the Local Planning Authority.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>25.</p>	<p>The revised Travel Plan (reference ADC2773-RP-D received 04.10.23) shall be implemented and monitoring carried out in accordance with the approved details contained within the Travel Plan.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
<p>26.</p>	<p>If, during development, contamination not previously identified is found to be present at within a phase then no further development (unless otherwise agreed in writing with the local planning authority) within a phase shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning</p>

	<p>authority. The remediation strategy shall be implemented as approved.</p> <p><i>Reason: In the interests of public health and safety as well as prevention of contamination to the water system and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policies 1 and 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
27.	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturdays and at no time on Sundays or Bank / Public Holidays.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
28.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the buildings within a phase, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: In the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of 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.

<p>3.</p>	<p>The County Council Public Rights of Way team advise:</p> <ul style="list-style-type: none"> • There should be no disturbance to the surface of the paths without prior authorisation from the Rights of Way team. • If the Public Right of Way is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. • If a structure is to be built adjacent to the paths, the width of the right of way is not to be encroached upon. • Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of Way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. • The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line, ensuring that it is cut back so as not to interfere with the right of way. • Should scaffolding be required on or over the RoW then the applicant should apply for a license via email licences@viaem.co.uk and ensure that the scaffold is constructed so as to allow the public use without interruption. If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), via email countryside.access@nottscc.gov.uk <p>If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status e.g. equestrians if on a bridleway, motorised vehicles if on a byway open to all traffic.</p>
<p>4.</p>	<p>The Council's Waste and Refuse team advise:</p> <ul style="list-style-type: none"> • Developer to purchase the first time provision of bins. Notice served in due course. • Each property would be allocated the following:

	<ul style="list-style-type: none"> • 1 x 240 litre bin for residual waste • 1 x 240 litre bin for recycling waste • 1 x 37 litre bag for glass • The size of a 240 litre bin is 1074mm (h) x 580mm (w) x 734mm (d) • Bins need to be presented at the edge of adopted highway for emptying or within 15m of the adopted highway in accordance with BS5906 for properties on private roads • The layout in the design and access statement appears to show some roads servicing properties are unadopted. The refuse vehicle and operatives will not enter these roads to collect, empty and return bins • The road needs to be wide enough to accommodate the access and maneuvering of a vehicle with the attached specification
<p>5.</p>	<p>The Environment Agency advise:</p> <p>The proposed development is located on or within 250 metres of a landfill site that is potentially producing landfill gas.</p> <p>Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.</p> <p>The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.</p> <p>Under the conditions of the environmental permit for the landfill, the operator is required to monitor for sub-surface migration of landfill gas from the site. An examination of our records of this monitoring show that there is no previous evidence of landfill gas migration from the site that could affect the proposed development. This environmental monitoring data from the site is available on our public register. The following publications provide further advice on the risks from landfill gas and ways of managing these:</p> <ul style="list-style-type: none"> • Waste Management Paper No 27 • Environment Agency LFTGN03 ‘Guidance on the Management of Landfill Gas’ • Building Research Establishment guidance – BR 414 ‘Protective Measures for Housing on Gas-contaminated Land’ 2001

	<ul style="list-style-type: none"> • Building Research Establishment guidance – BR 212 ‘Construction of new buildings on gas-contaminated land’ 1991 • CIRIA Guidance – C665 ‘Assessing risks posed by hazardous ground gases to buildings’ 200
<p>6.</p>	<p>The Coal Authority advise:</p> <p>The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.</p> <p>The undertaking of remedial measures, prior to the commencement of the development, is considered to be necessary. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.</p> <p>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. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; 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</p> <p>Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p>
<p>7.</p>	<p>Network Rail advise:</p> <p>Wayleaves and or easements for underline drainage assets:</p>

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area:

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site.

Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a 'fail safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following: crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the

normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

	<p><u>Two Metre Boundary</u> Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail’s adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail’s boundary. This will allow construction and future maintenance to be carried out from the applicant’s land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.</p> <p><u>ENCROACHMENT</u> The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant’s land ownership. Should the applicant require access to Network Rail land they must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.</p> <p><u>Access to the Railway</u> 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.</p>
<p>8.</p>	<p>Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.</p>
<p>9.</p>	<p>The Travel Plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year after 50% occupation, and produce monitoring reports at intervals as required by the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data</p>

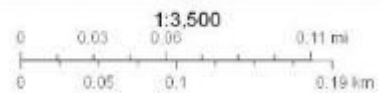
	<p>collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Local Planning Authority.</p>
<p>10.</p>	<p>Nottinghamshire County Council as Highway Authority advise:</p> <ol style="list-style-type: none"> 1) Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottsc.gov.uk 2) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at: www.nottinghamshire.gov.uk/transport/roads/highway-design-guide 3) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring by installing wheel washing facilities on site. 4) In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact hdc.south@nottsc.gov.uk for details.

Site Plan

Land East of Coventry Lane, Bramcote, Notts



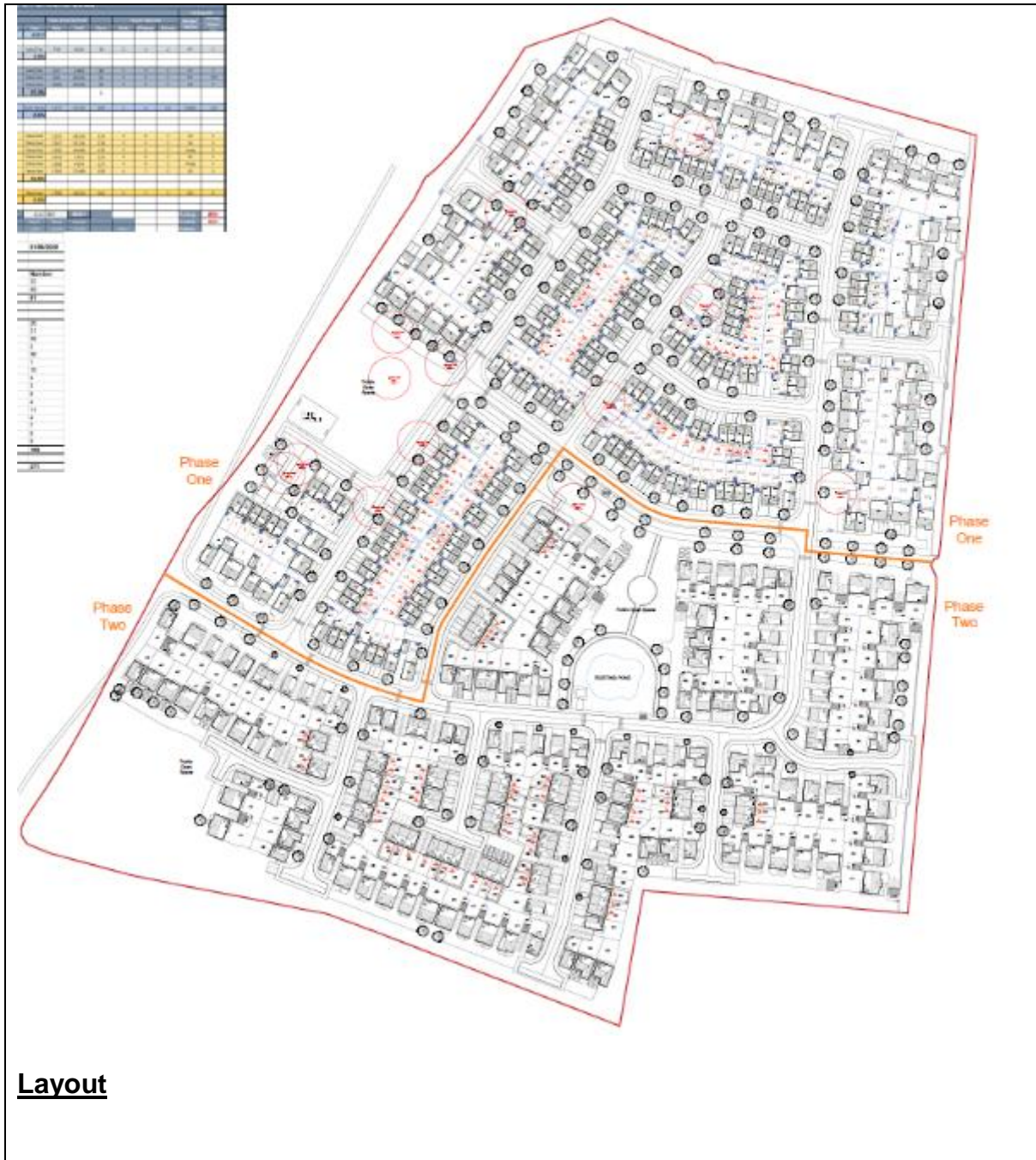
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- Green Infrastructure Corridor
- Open Spaces
- Coal Referral Area
- Green Belt
- Local Nature Reserves
- Local Wildlife Site
- Public Rights of Way
- Byway open to all traffic
- Bridleway

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Plans (not to scale)



Layout



Indicative impression of street scene



Indicative impression of east west green corridor street scene



Front Elevation
1:100



Left Side Elevation
1:100



Rear Elevation
1:100



Right Side Elevation
1:100

Example of 4 bed detached property (Avant)



Front Elevation
1:100



Left Side Elevation
1:100



Rear Elevation
1:100

Example 2 bed end terrace or semi property (Avant)



FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

Example two bed semi (Miller Homes)



FRONT ELEVATION

SIDE A ELEVATION

REAR ELEVATION

Example four bed detached (Miller Homes)



Visualisations



Visualisations – Miller Homes



Visualisations – Miller Homes



Visualisations – Avant Homes



Visualisations – Avant Homes

Photos



