

## Report of the Chief Executive

**18/00737/FUL****CHANGE OF USE FROM PUBLIC HOUSE (CLASS A4) TO A HOUSE IN MULTIPLE OCCUPATION COMPRISING 3 FLATS (TOTAL 18 BED ROOMS) INCLUDING SIDE EXTENSION ABOVE FLAT ROOF, DORMERS TO FRONT AND REAR AND EXTERNAL ALTERATIONS QUEENS HOTEL, 189 QUEENS ROAD, BEESTON, NG9 2FE**

Councillor P Lally requested this application be determined by the Committee.

1 Details of the Application

- 1.1 This is a planning application for the change of use of the public house to a house in multiple occupation comprising three flats with a total of 18 bedrooms, including a north east side extension above the flat roof, three dormers to the front and two to the rear, and external alterations including insertion of roof lights to the front roof; insertion of window at ground floor level to the Mona Street elevation; removal of door and secondary windows to rear elevation at ground floor; enlargement of a rear ground floor window; and replacement of existing window frames. The outbuilding to the rear would be retained, and used as a storage area and communal room. The yard between would be used for bin and cycle storage, an outdoor seating area, and, fenced off from the yard, the proposal would provide one parking space. The application as originally submitted included a two storey rear building and link to the existing building, and comprised five flats with a total of 26 bedrooms, and alterations to the front elevation. The two storey rear building and link have now been omitted from the scheme.
- 1.2 There would be one flat per floor and each flat would have a shared living / kitchen space, and shared bathroom facilities. The ground floor would have six bedrooms, the first floor would have eight and the second floor, which is within the roof level, would have four bedrooms.

2 Site and Surroundings

- 2.1 The Queens Hotel is a two storey public house no longer in operation which is located to the north east of the junction of Queens Road and Mona Street. The building sits in an elevated position adjacent to the highway. Single storey flat roofed extensions are to the front, with the main entrance accessed via a flight of external stairs. A further flat roofed single storey extension is to the side, adjacent to the north east boundary with 187 Queens Road. There is a secondary pedestrian entrance within the Mona Street elevation, with a stepped access. There is a single and two storey extension to the rear. A gated yard separates the building from two adjoining outbuildings which are sited to the south east of the site, forming the common boundary with 1 Mona Street. The yard provides a servicing area of around 25 square metres accessed from Mona Street, and a beer garden enclosed from the servicing area, of around 50 square metres, behind this. The outbuildings comprise a skittle alley and a separate storage area.

- 2.2 There are a mix of uses in the surrounding area. The north west side of Queens Road, opposite the site, is predominately retail uses with residential above. Other commercial uses, such as a chiropractor business, are on the south east side of Queens Road. Mona Street is wholly residential in character. In the wider area, there are other uses such as leisure and places of worship.
- 2.3 The site shares a common boundary with 1 Mona Street, to the south east, a two storey semi-detached dwelling which is currently being extended and altered under planning permission reference 17/00703/FUL. This property has an existing window within the gable end which serves accommodation in the roof. The planning approval sees a two storey rear extension to the width of the property, and the insertion of windows at both ground and first floor level in the existing side elevation facing the outbuilding within the Queens Hotel site.
- 2.4 The site also shares a common boundary with 187 Queens Road, which is to the north east. This is a two storey semi-detached property which is a mixed use as chiropodist and dwelling.
- 2.5 The site is within Flood Zones 2 and 3.



Front elevation of the site, showing 187 Queens Road to the north east



The site, showing junction with Mona Street, side elevation and 191 Queens Road



Side elevation to Mona Street, and outbuilding with 1 Mona Street adjacent



1 Mona Street, adjacent to outbuilding

Second floor window in 1 Mona St with on-site outbuilding below



Looking north west from the south eastern end of Mona Street toward Queens Road

3 Relevant Planning History

3.1 There have been two applications for advertisement consent, in 1991 and 2011, both granted consent (references 91/09020/ADV and 11/00696/ADV).

3.2 In 2007, planning permission was granted for the construction of a shelter to the rear of the building (reference 07/00270/FUL).

#### 4 Policy Context

##### 4.1 **National policy**

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

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

4.1.3 Planning conditions and obligations should only be used where they meet the requirements set out in paragraphs 54-56.

4.1.4 The document outlines that the government's key housing objective is to significantly boost the supply of homes and states that there should be a sufficient number and range of homes within safe and well-designed environments. It advises that the needs of groups with specific housing requirements should be addressed.

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

4.1.6 To promote healthy and safe communities, social interaction should be promoted through active street frontages, places should be safe and accessible and enable and support healthy lifestyles.

4.1.7 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

4.1.8 Section 11 outlines the need to make effective use of land, particularly previously-developed land. To achieve appropriate development density, consideration should be given to the identified need for different housing types, local market conditions, viability, the availability and capacity of infrastructure and services, promotion of sustainable transport, desirability of maintaining an area's character and setting or promoting regeneration and change and the importance of securing well-designed, attractive and healthy places. Where there is an existing or anticipated shortage of housing land, low density housing schemes should be avoided.

4.1.9 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the

lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users. Design should take into account the views of the community and where early, proactive and effective engagement with the community has occurred, such schemes should be looked on more favourably.

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

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

## 4.2 Broxtowe Aligned Core Strategy

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

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

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

4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6150 in the Broxtowe Borough part of GN, of which 3800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

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

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

4.2.7 'Policy 14: Managing Travel Demand' makes it a priority to select sites which are accessible by the most sustainable means of transport. It sets out measures to encourage a switch to sustainable forms of transport first before major highway capacity improvements are considered.

**4.3 Saved Policies of the Broxtowe Local Plan**

- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy H4: Subdivision or Adaptation of Existing Buildings. Development will be permitted subject to the development providing an acceptable standard of amenity and the development not resulting in an unacceptable level of parking problems either by itself or setting a precedent.
- 4.3.3 Policy H6: Housing Density. Seeks to ensure an appropriate density of housing for sites, which should be higher where close to frequent public transport services.
- 4.3.4 Policy E34: Control of Noise Nuisance. Planning permission will not be granted for housing and other noise sensitive development if the occupants would experience significant noise disturbance.
- 4.3.5 Policy T11: Guidance for Parking Provision. Planning permission will not be granted for new development unless appropriate provision is made for vehicle parking and servicing.

**4.4 Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 7 no. representations in relation to Policy 1, 12 no. representations in relation to Policy 15 and 11 no. representations in relation to Policy 17. Given that there remain outstanding objections to Policies 1, 15 and 17 with the Inspector's view on these not yet known pending her report, these policies can be afforded only limited weight.
- 4.4.2 Policy 1 'Flood Risk' seeks to ensure that development does not increase risk of flooding to the development and the wider area and would not result in harm through flooding for the occupiers.
- 4.4.3 Policy 15 'Housing Size, Mix and Choice' seeks to ensure that housing developments provide a mix of house type, size, tenure and density to ensure the needs of the residents of all parts of the borough are met.
- 4.4.4 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria including that it should integrate into its surroundings, have good access to public transport and ensure a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

## 5 Consultations

- 5.1 The Environmental Health Technical Officer has no objection subject to a condition requiring a noise report to be submitted and agreed prior to the commencement of the development.
- 5.2 The Private Sector Housing Officer has no objections.
- 5.3 The Environment Agency has no objection subject to the development being carried out in accordance with the Flood Risk Assessment as submitted.
- 5.4 The County Council as Highway Authority have no objections to the development, since there is no off-street parking currently available for the use as a public house.
- 5.5 The Conservation Advisor considers the property to be a non-designated heritage asset. The original submission would have been harmful to the asset through the design, scale, massing and detailing of the proposed extensions and alterations that would have left the historic building illegible. The amended proposal overcomes these concerns through the omission of the front extensions, the omission of the rear building and link, and the amendments to the dormers to the front and rear.
- 5.6 12 neighbouring properties were consulted. 55 letters of objection have been received in regard to the proposal. Three petitions have also been received, on behalf of residents of the street (61 signatures), customers of the chiropractors at 191 Queens Road (100 signatures) and the chiropodists at 187 Queens Road (five signatures). As a result of re-consultation, a further ten letters of objection were received.
- 5.7 The objections on the scheme as originally proposed raised concerns in regard to:
- the number of future occupiers which would result in an increase in on-street parking in an area where there is pressure for on-street parking spaces, and possible restriction for emergency vehicle access
  - increase in HMO in the area, which should be restricted by the Council
  - increase in occupants which would give rise to anti-social behaviour through noise and disturbance
  - loss of privacy, outlook and light for existing properties
  - design and scale of the alterations and extensions which would not be in keeping with the character of the building and would result in the loss of a heritage asset
  - access to adjacent properties during construction (scaffolding and vehicles)
  - scaffolding should not be erected on neighbouring property
  - scale, massing and height of the new building
  - impact on drains and other services
  - too many transient occupants which is leading to a loss of community
  - no loading or servicing provision in the site
  - increase in traffic generation



- public transport is poor (in provision)
- intensity of occupation could lead to major fire hazard
- noise during construction / development
- burning of waste on the site is occurring
- could potentially house 52 occupants as double beds are shown
- need for permit parking on Lower Regent Street (to deter parking by non-residents)
- front entrance should be maintained
- lack of amenity space and opportunity for biodiversity
- amount of waste generated by the use
- access to bin storage is poor
- alternative uses should be sought.

Whilst all the letters received raised objections, two letters gave support to the principle of residential conversion.

- 5.8 Letters received as a result of re-consultation raise similar concerns, specifically:
- lack of off-street parking provision leading to congestion and pressure for on-street parking spaces
  - already sufficient student accommodation in the area, need family housing instead
  - the proposal only benefits the developer and not the community
  - no commitment to the protection or promotion of biodiversity
  - works already being carried out at the property prior to planning permission being granted
  - concerns over access and safety to occupiers / users of adjacent property
  - impact on privacy through overlooking into habitable room windows
  - noise nuisance and other anti-social behaviour from future occupiers
  - high density of occupation is a potential fire risk
  - no provision for drop off / pick up of students at start and end of term
  - no details of soundproofing
  - the development would not contribute to a sustainable community
  - the development on Mona Street appears too heavy and dominant
  - the outbuilding could be removed in order to provide more space for parking
  - the kitchen to the eight bed flat appears too small for the number of residents.

## 6 Appraisal

6.1 The main considerations relate to the principle of residential accommodation in this location, impact on the occupiers of neighbouring properties, impact on highway safety, and the design and appearance of the proposed building.

### 6.2 **Principle**

6.2.1 Whilst the site is not allocated for housing purposes in the adopted Local Plan, it is acknowledged that the surrounding area, predominately to the south east, is residential in character. The site is not identified as being safeguarded for any particular use in the Local Plan. There would have been an element of residential



accommodation to the upper floors of the public house. Subject to the design and an assessment of the proposal in terms of its impact on the amenities of neighbouring uses, the principle of residential use on this site is acceptable and would contribute to providing a mix of house type, size and tenure sufficient to meet the needs of a wide range of residents.

### 6.3 Amenity

- 6.3.1 There are two properties directly adjoining the application site. 1 Mona Street, to the south east, has its' side elevation facing the site. There is an existing window at second floor level in the gable end, which serves accommodation in the roof. The property is currently implementing planning permission for a rear single storey extension, and the insertion of two windows in the side elevation at ground and first floor level facing the site (planning reference 17/00703/FUL). The proposal at the Queens Hotel as originally submitted would have seen the erection of a two storey building in the place of the existing outbuildings. This was proposed to have a pitched roof with a gable end facing 1 Mona Street. The proposed new building would have had an unacceptable impact on the amenities of the occupiers of 1 Mona Street by virtue of a loss of light and outlook to the new windows and from the existing second floor window in particular. The proposal has been amended and the proposed rear two storey building has been omitted. This has ensured that there is no significant impact on light for the occupiers of 1 Mona Street. Whilst it is acknowledged that some overlooking would be possible from bedrooms 3 and 4 of proposed flat 2 on the first floor, in the rear elevation, toward the new window at first floor of 1 Mona Street, and to a lesser degree the proposed windows in the dormers, it is noted that the new window in 1 Mona Street is required due to the two storey extension at the rear of that property, which saw the removal of the rear window to that room, and has been granted permission on the basis that it would look toward the rear elevation of Queens Hotel. As such, this should not prejudice the consideration of development at the adjacent site. The existing first floor window of the pub would have served living accommodation, and it is therefore considered that the existing and proposed windows in the rear elevation facing 1 Mona Street would not have a significant impact on privacy for the occupiers of that property.
- 6.3.2 187 Queens Road, which is understood to be a mixed use of chiropodist and residential, is to the north east of the site. The new building which was proposed to the rear would have had habitable room windows in the elevation facing over 187, at 6.3m from the common boundary, which would have led to a loss of privacy for the occupiers of that property. This element has now been omitted from the scheme under the amended plans. The proposed first floor extension to the north east side would not have any windows inserted in the side elevation. It is considered that the front and rear dormers would not result in any significant overlooking of this property. As the former use was as a public house, which would have been open until late at night with frequent comings and goings by the customers, and the potential for late night music and events, then it is considered that the conversion to a house in multiple occupation, where comings and goings would potentially be more regular and the activity of the residents self-contained, would not result in a significant impact on the amenities of the occupiers of 187 Queens Road compared to the existing use as a public house.

- 6.3.3 No.2 Mona Street, to the opposite side of the road from the site, would have directly faced the glazed link. Whilst the distance between the two would otherwise have been acceptable given the character of Mona Street, it was considered that the fully glazed link, which housed the stairs leading to flats in the new and existing building, would have had the potential for an unacceptable level of overlooking, which would have resulted in a detrimental impact on the amenities of the occupiers of 2 Mona Street. As this element of the proposal has now been omitted, it is considered that the proposal as amended would not have a significant impact on the amenities of the occupiers of 2 Mona Street, as the view would be unchanged due to the retention of the outbuilding.
- 6.3.4 In regard to the living standards of the future occupiers, concerns were raised in regard to the restricted floor area of some of the shared spaces. The amended plans now address this concern and it is considered that the future occupants would have an adequate level of internal space and access to natural light and to an acceptable outlook. Due to the proximity of the busy Queens Road, a noise assessment would be required to be agreed prior to the commencement of the development and the mitigation measures identified in the assessment to be installed prior to occupation, in order to safeguard the amenities of the future occupants. The inclusion of a pre-commencement condition to this effect has been agreed with the agent.
- 6.3.5 Concerns have been raised in regard to anti-social behaviour from the future occupants in terms of noise nuisance, particularly late at night, due to the intensity of occupation. It is considered that the proposal, for residential accommodation, would potentially have no greater impact on the amenities of the existing residents compared to the last use of the property, as licensed premises. Concerns have also been raised in regard to noise and disturbance whilst the development is being carried out. A note to applicant will set out reasonable hours of works and also that no bonfires shall be allowed on the site at any time. Any anti-social behaviour or unreasonable disturbance which occurs can be reported to the relevant body, being either the Environmental Health section of the Council, or the Police.

#### 6.4 Design and scale

- 6.4.1 The application as originally submitted saw alterations to the front elevations with the introduction of cladding and render to the elevations, and modifications to the roof slope. Render panels would also have been introduced to the side elevation on Mona Street. Other additions included dormer windows to the front and rear. The building is in a prominent location and it is considered that these alterations would have, in the whole, detracted from the character of the building and its non-designated heritage asset status. In addition, the link and the new building to the rear would have failed to respect the character and appearance of the site and the street scene, by virtue of their scale and design, and have resulted in the loss of the hierarchy of the buildings as it would have challenged the primacy of the main building.
- 6.4.2 The application as amended sees the omission of the link and rear building, and more sympathetic alterations to the front extensions, retaining the character and appearance of the building. Both the front and rear dormers have also been

modified, to the betterment of the scheme. The side extension at first floor is set down from the main ridge height, and set back slightly from the front elevation, with a design that reflects the features of the host building. The proposed materials would match those used in the existing building and no longer include elements of render or cladding. Accordingly the scale and design of the proposal as amended now respects the character and appearance of the building, and its status as a non-designated heritage asset.

## 6.5 Highway Safety

- 6.5.1 It is clear from the consultation responses that there is significant concern that the development does not include sufficient parking provision within the site and that this would lead to increased demand for on-street parking. Concerns are also expressed in regard to existing congestion along the road.
- 6.5.2 In regard to assessing the highway impacts of a proposal, paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.5.3 The site lies within close proximity to Beeston town centre, being 1km to the north west of the site and therefore within walking distance. The Skylink bus route runs along Queens Road, which gives access to Nottingham and Long Eaton, as well as to East Midlands Airport. It is accepted that there will be additional parking demand from the development and this may lead to on-street parking along Mona Street. However, it is considered that there would not be a severe highways impact and the future residents of the proposal would have the opportunity to use more sustainable transport options. Secure cycle storage is included as part of the proposal. Furthermore, the Highways Authority states no objection and it is considered that a pragmatic approach also needs to be taken in respect of developing sites within existing urban areas. Based on the above, it is considered that there would not be sufficient policy justification for refusing the application on transport or parking grounds.
- 6.5.4 As a result of the amendments, one parking space has been shown. Whilst this would not, in itself, address concerns in regard to pressure for on-street parking, it would provide the opportunity for servicing and deliveries to the site, and for loading and unloading, to the benefit of highway safety.
- 6.5.5 Some letters of objection have suggested that Mona Street and surrounding streets would benefit from a parking permit scheme. Nottinghamshire County Council would be responsible for these schemes as it would be outside the scope of the planning process to require a scheme as part of any planning approval.

## 6.6 Other Matters

- 6.6.1 The site falls within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been submitted and the contents are considered acceptable, subject to the development being carried out in accordance with the FRA.
- 6.6.2 Concerns have been raised in regard to the lack of details of the impact on drainage and other services; soundproofing; and that the high density of occupation would be a fire risk. A noise assessment would be required by condition. The drainage of the site and a fire risk assessment would need to conform to Building Regulations. The Environment Agency raise no objections to the proposal subject to the development being carried out in accordance with the Flood Risk Assessment.
- 6.6.3 Concerns have been raised in regard to works already being started on the site. It is understood that the property has been cleared internally and that no works which would require planning permission have been undertaken. Notwithstanding this, any works undertaken prior to obtaining relevant planning permission would be at the developers' own risk.
- 6.6.4 Concerns have been raised in regard to access and safety of users / occupiers of the adjacent properties, in regard to scaffolding or other works either over or adjacent to these properties. This would be a civil matter between the developer and the owners of the adjacent properties which would be separate to the planning process.
- 6.6.5 Concerns have been raised in regard to lack of protection or promotion of biodiversity on the site. It is noted that the existing site is mainly hard surfaced. The proposal does not include any landscaping within the site however there is the potential for the developer to introduce areas of landscaping. This would be secured by condition.
- 6.6.6 Adequate provision for the storage and collection of waste has been included as part of the application. The storage area would be within the rear of the site, and there would be space within the site for the bins to be collected close to the highway.
- 6.6.7 Comments have been received which question why family housing could not be provided as there is plenty of student accommodation in the area. It is considered that it would be difficult to convert the public house into family housing of a suitable size and without access to a usable private outdoor amenity space. In addition, as the building has the status of a non-designated heritage asset, it would be undesirable to demolish the building in order to build replacement family housing. The conversion of the building to flats could potentially allow for family housing in the area to be retained as such. It would also contribute to the creation and maintenance of a sustainable community by providing a mix of housing tenures, types and sizes, to the benefit of the wider community.
- 6.6.8 The proposal for three flats with a total of 18 bedrooms would be of benefit as the Council do not currently have a 5 year land supply. The development is considered to provide much needed housing in a sustainable location.

**7. Conclusion**

- 7.1 It is concluded that the proposal to convert the public house to a house in multiple occupation comprising three flats, including side extension and dormers to front and rear, is acceptable and will not have an adverse effect on neighbouring amenity or highway safety, and would respect the character of the non-designated heritage asset. The proposal therefore accords with Policies E34, H4, H6, and T11 of the Broxtowe Local Plan, with Policies 1, 2, 8, 10 and 14 of the Aligned Core Strategy, Policies 1, 15 and 17 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

**Recommendation**

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawings numbered: 702 003 rev D; 702 004 rev C; and 702 005 rev D received by the Local Planning Authority on 18 December 2018.**
- 3. No development shall commence until a report, prepared in accordance with the provisions of DoT Calculation of Road Traffic Noise, to predict noise levels at the nearest noise sensitive location has been submitted to and approved in writing by the Local Planning Authority.**

**Predictions shall be contained in a report which sets out: a large scale plan of the proposed development; noise sources and measurement/prediction points marked on plan; a list of noise sources; a list of assumed noise emission levels; details of noise mitigation measures; description of noise calculation procedures; noise levels at a representative sample of noise sensitive locations and a comparison of noise level with appropriate current criteria.**

**Where current criteria are exceeded at any location, the applicant should explain why that excess is immaterial or what further mitigation will be undertaken to ensure that criteria will be met. Any mitigation measures agreed shall be installed prior to occupation and be retained for the lifetime of the development.**

- 4. No above ground development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:**
  - (a) numbers, types, sizes and positions of proposed shrubs**
  - (b) proposed boundary treatments**
  - (c) proposed hard surfacing treatment**
  - (d) proposed lighting details**
  - (e) planting, seeding/turfing of other soft landscape areas**

The approved scheme shall be carried out strictly in accordance with the agreed details.

5. 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 building(s), 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.
6. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by SCC, November 2018. Specifically finished floor levels shall be set no lower than 27.67m above Ordnance Datum (AOD), as stated in section 3a of the FRA. Finished floor levels shall be retained and maintained at this level thereafter throughout the lifetime of the development.
7. The extensions and dormers shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.

#### Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of the amenities of the future residents and in accordance with the aims of Policy E34 of the Broxtowe Local Plan (2004).
4. No such 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 H4 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).
7. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

**Note to applicant**

1. **The Council has acted positively and proactively in the determination of this application and a decision was issued within the agreed determination period.**
2. **The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

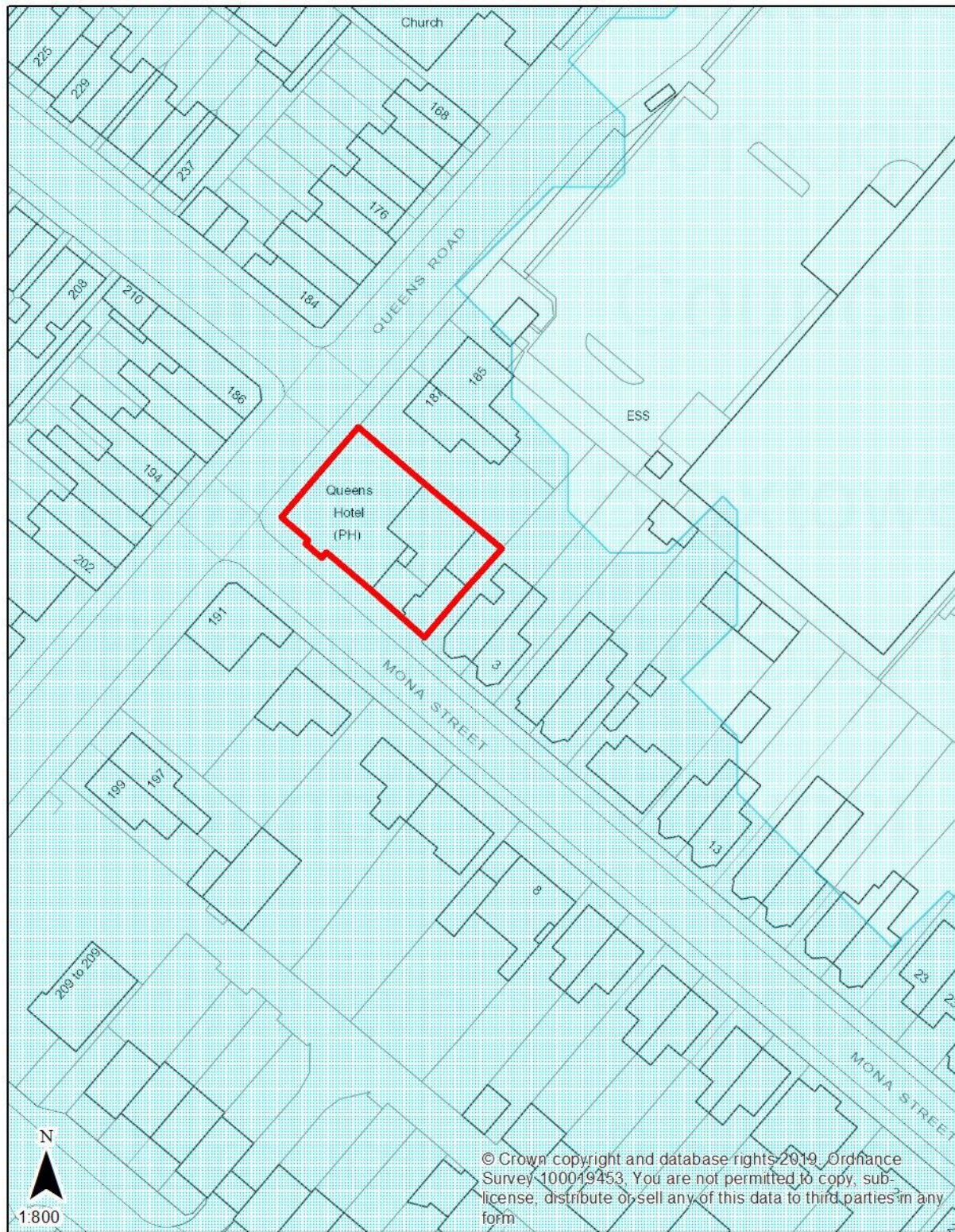
**Further information is also available on the Coal Authority website at:**

**[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)**

3. **Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.**
4. **It is recommended that the developer signs up for the Environment Agency's early flood warning system.**

Background papers  
Application case file





**Legend**

- Road Names
-  Site
-  Flood Zone 3
-  Flood Zone 2