

Report of the Chief Executive

Application Number:	23/00447/FUL
Location:	Riverside Close, Riverside Road, Beeston
Proposal:	Construct 29 apartments with associated parking and landscaping

The application is brought to the Committee at request of Councillor S Dannheimer.

1. Purpose of the Report

1.1 The application seeks planning permission for the construction of 29 one and two bed apartments arranged over two blocks, with basement parking and landscaping.

2. Recommendation

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

3. Detail

3.1 The site is currently occupied by three static single storey homes with associated separate garaging. There are two empty plots formerly also occupied by static homes, to the east of the site.

3.2 The proposed development would consist of two separate buildings of two and three storeys, which would overall provide for 29 apartments comprising 11 x one bed and 18 x two bed units. The buildings would have two and three storeys of accommodation and external materials proposed would be brick with areas of cladding to the upper most storey.

3.3 Parking would be provided at basement level, accessed by way of a ramp off Riverside Road. The basement level would also accommodate cycle and bin storage. Lift access would be provided to all floors.

3.4 The main issues for consideration relate to whether the principle of the development is acceptable; whether the design, scale and massing is appropriate for the location; whether the development would have a detrimental impact on non-designated heritage assets and the character of the area; impact on highway safety; impact on neighbour amenity; impact on biodiversity assets; and whether the development would increase risk of flooding.

3.5 The site is within Flood Zones 2 and 3.

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

Nil.

Appendix

1. Details of the application

- 1.1 The application seeks to construct 29 apartments (11 one bed and 18 two bed) arranged over two buildings of a maximum 3 storeys of accommodation. Parking with 16 vehicle spaces and cycle enclosures to accommodate 29 cycle spaces, as well as refuse storage (accessed from street level) would be provided to the basement. There would be a lift within each building serving all floors. There would also be a lift accessed from street level giving access to the basement, landscaping area above and pedestrian access to each block, in addition to stepped access from the street. The parking would be accessed via a ramp leading from Riverside Close.
- 1.2 The development would comprise two buildings known as 'Block A' and 'Block B'. Block A would be sited to the east of the plot, and would be two storeys of accommodation to the eastern most point, with an open communal area above, rising to three storeys toward the centre of the site. There would be a landscaped area between and separating the two buildings with stepped access down to the canal side path. Block B would be positioned to the west of the site and would be three storeys of accommodation in height. This block would be set back from the west boundary by a minimum of 4.3m. Both blocks are proposed to be built up to the edge of the south east boundary.
- 1.3 Solar panels are proposed on the roof of both buildings and in order to screen these from view the building would have a shallow parapet to the roof edge, with safety railings set in from the roof edge.
- 1.4 Both buildings would have a flat roof and it is proposed that the external materials would be a mix of brick and cladding, the latter being applied to areas of the uppermost floor. Each apartment would have a balcony with glass balustrade. With the exception of the south west corner of Block A, where the balcony of units A2, A8 and A14 would project out from the elevation, all balconies would be inset within the elevations.

2. Site and surroundings

- 2.1 The application site is roughly triangular in form, and is currently occupied, to the western section, by three single storey static (mobile) homes and five garages which are separate to the homes. Plots to the east of the site were formerly occupied by two static homes, which have since been removed, leaving concrete bases. There is a bus stop directly outside the site, on Riverside Road.
- 2.2 To the west and outside of the site there are two static homes which are parallel to the west boundary. Both properties have windows in the facing elevation. These statics are two of 17 statics, known as Lock Close, which continue to the west. A flood defence (raised area), which runs in a north / south direction adjacent to the site, continues across Riverside Road and into

the sports ground opposite runs on the western edge of the site and has a slightly higher ground level than the statics to the west.

- 2.3 To the north of the site there are three bungalows which have the front elevations slightly angled toward the south east. These properties are set back from the road and have generous front gardens.
- 2.4 To the west of these bungalows, north west of the site, is a green area used as sports pitches. Within this area and close to its southern boundary there is an electricity pylon sited to the edge of the land with electricity lines overhead and over the application site in a north west / south east direction, continuing on over the canal towards Weir Fields and beyond.
- 2.5 To the east of the site is the junction of Canal Side, South Road and Riverside Road. To the corner of this junction, opposite to and north east of the site, there is a detached two storey property, and a pair of two storey semi-detached properties north of this. The detached property has its primary elevation facing south.
- 2.6 To the south / south east of the site runs the Beeston Canal and Beeston Lock, which in turn lead to the River Trent, to the south west. A wide, mainly non-vehicle, access separates the site from the canal. A footbridge over the canal leads to the Canalside Heritage Centre, a series of two storey former lock keeper cottages which have been converted to museum / workshop / event space and café. Further south and beyond this is the River Trent Weir. A further footbridge leads from the heritage centre to the Weir Fields which are sports pitches.
- 2.7 In the wider area, there are residential properties of one and two storeys mainly to the north east, and the Beeston Marina buildings / area and more static homes to the west of Lock Close.
- 2.8 The application site and immediate area are in Flood Zones 2 and 3.

3. Relevant Planning History

- 3.1 Aside from minor planning applications for construction of sheds and garages, and extension to a static home, there has been no relevant planning history on the site post 1974.

4. Relevant Policies and Guidance

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

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 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan 2019:

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 20: Air Quality
- Policy 23: Proposals Affecting Designated and Non-Designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 30: Landscape (TSV01 Attenborough Wetlands)
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2024:

The National Planning Policy Framework (NPPF) 2024, 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 11 - Making effective use of land
- Section 12 - Achieving well-designed places.
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

5. Consultations

- 5.1 Environment Agency:** Initial comments: Object to the proposal as the development would involve building within 8 metres of a flood defence and as such the EA would be unlikely to grant a flood risk activity permit for the application. The proposed development would restrict essential maintenance and emergency access to the flood defences. To overcome the objection, the

development would need to demonstrate an unobstructed 8 metre easement between the toe of the flood defence and the edge of the development. Comments also that the LPA would need to decide whether the access and egress arrangements during a flood are acceptable or not. The EA also advise that the basement parking area is at flood risk and would be completely submerged in the event of a flood. The applicant would need to ensure that the building would be of a construction that would not jeopardise the structural stability of the building and could withstand floating vehicles potentially damaging the basement walls. Additionally, services such as gas, water and electricity pipes and conduits need to be safeguarded from potential impacts of floating or displaced vehicles. A mitigation plan may be required to drain the basement post flood. The Flood Risk Assessment fails to propose flood resilience measures to protect the basement.

Following continued objection from the EA regarding flood risk to basement parking area, ongoing negotiations including incorporation of flood resistant measures such as physical barriers to the basement at times of flood warnings, and a revised FRA, the EA have now removed their objection and recommend conditions relating to compliance with the FRA, as amended.

- 5.2 **Nottinghamshire County Council as Highway Authority:** Initial comments: concerns in respect of gradient of ramp and width / height of access. Would like clarification on how parking spaces would be allocated. Any doors (e.g. to bin stores) would need to be openable inwards and not onto the public highway.

Comments on amended plans / additional information received: The HA are satisfied that outstanding issues with regards to the ramp and parking areas have now been addressed. No objections subject to conditions in respect of provision of dropped kerb prior to occupation; works to remove existing redundant site accesses and kerb reinstated prior to occupation; provision of visibility splays and gradient of ramp as agreed; provision of parking area prior to occupation; restrict any ground floor openings from being over the adopted highway; and installation of wheel washing facilities on site during construction. Will support the inclusion of a condition to require the approval of a Construction Method Statement. Also request Note to Applicant in respect of works to highway.

- 5.3 **Nottinghamshire County Council Right of Way Officer:** Beeston Footpath 69 appears to be unaffected by the proposal and as such the Rights of Way team have no objection. Requests Note to Applicant in respect of method of working alongside the right of way. No further comments following receipt of amended plans.
- 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 approved prior to commencement and implemented in accordance with the approved details.

- 5.5 **Nottinghamshire County Council Policy Officer:** The development would result in the need for a financial contribution of £6,100 toward bus stop infrastructure improvement at the bus stop directly adjacent to the site; and £110,062 toward improving capacity at secondary / post 16 schools within the Broxtowe South area.

Comments received following amended plans June 24. Revised financial contribution of £90,810.00 in respect of Secondary education in the Broxtowe South area. No contribution required for Primary or Post 16 provision, as there is currently a surplus in spaces. Request for financial contribution to Bus Stop infrastructure of £6,000.00. Bus stop to be retained in present location.

County Archaeologist commented on an updated archaeologist report received August 2024. Agrees with the findings which includes a recommendation for further evaluation. Recommends conditions to secure and agree an archaeology mitigation strategy which should be carried out in accordance with the approved details, and reporting of any finds to the County.

- 5.6 **Notts Wildlife Trust:** Initial comments are to require conditions in respect of prior approval of a Construction Environmental Management Plan (CEMP) and a Landscape Ecological Management Plan (LEMP). Ideally established habitats should be retained and designed into the proposals. Would need the submission of a comprehensive Ecological Impact Assessment (EclA) prior to determination that would address impact on the nearby Attenborough Gravel Pits SSSI and nearby Local Wildlife Sites. Further bat surveys have been carried out to assess potential for existing statics to provide bat roosts. The surveys have identified the potential to be low, and NWT agree with the findings, recommending condition to require bat boxes to be incorporated with the buildings, along with a lighting strategy.

An EclA has been submitted, and subject to securement of lighting scheme and details of bat boxes, the NWT are satisfied with the contents.

- 5.7 **Council's Conservation Adviser:** Considers that the development is wholly out of context with the character of the area and most pertinently the 18th Century lock keeper's cottage, being a very ordinary and uninspiring block of apartments bearing little relevance to the surrounding area. The canal itself is a heritage asset, and together with the cottage, forms an important grouping. Notes that the lock keepers' cottage, being of high architectural and historic value, would be a high priority for inclusion on the emerging Broxtowe Local List.

Comments on amended proposal: Considers that whilst the proposed scheme would obliterate the relationship with the non-designated heritage assets (Canalside Heritage Centre, Lock-keepers Cottage and Beeston Lock) with regard to the open countryside and tranquil setting of the River Trent, this would not be a basis to refuse the scheme purely on these grounds and as such, concludes that the level of harm caused to the setting of the non-

designated heritage assets would be less than substantial, in accordance with paragraph 209 of the NPPF.

- 5.8 **Council's Environmental Health Team:** No objections subject to conditions in relation to: restriction on hours of construction; prior approval of a Construction Method Statement; prior approval of contaminated land report and works to be carried out in accordance with approved details; Note to Applicant in respect of no burning of waste on site. In addition to the comments, the EHO comments that, in respect of the overhead power cables and concerns regarding health, the scientific evidence is against Electromotive Force (EMF) from high voltage power lines causing ill health, and that no causal link has been established between cancer or any other disease and EMF's and no established mechanism by which these fields could cause or promote disease. No further comments received following amended plans received June 2024.
- 5.9 **Council's Tree Officer:** There are no protected trees on site (TPO's) and the site is not in a conservation area. The existing trees on site are of poor quality and as such there are no objections to their removal.
- 5.10 **Council's Housing Officer:** As the site is within the Beeston submarket, would require 30% affordable housing to be provided on site, with a split of 20% affordable rent / social rent, 7.5% First Homes, and 2.5% other low cost homeownership. The officer notes that 1 bed properties are in demand in the south of the borough, with 2173 applicants qualifying for this property type.
- 5.11 **Council's Parks and Open Space Manager:** The size of the development triggers the need for open space contributions. A financial contribution of £47,395.28 (comprising 26,839.50 for capital works and £20,555.78 for maintenance) would be required, and would go toward improvements and maintenance at Weir Fields Recreation Ground and Leyton Crescent Recreation Ground.
- 5.12 **Council's Waste and Recycling Officer:** Sets out requirements for size and quantity of bins, distance to collection point, and access arrangements to bin store. A Note to Applicant will set out the requirements.
- 5.13 **Canal and River Trust (C&RT):** Planning permission should not be granted due to impact on the character and appearance of the locality; overbearing; part of site appears to be on C&RT land; and potential impacts on adjacent canal infrastructure. Further comments received following amended plans – previous comments stand. The Trust note, in their comments dated 28 June, their disappointment that the developer has not sought to engage with them regarding concerns over potential damage to infrastructure or as to whether the development can be carried out as proposed.
- 5.14 **Police Designing Out Crime Officer:** Recommend inclusion of Note to Applicant in respect of promotion of Secured by Design initiative.

- 5.15 **Nottingham and Nottinghamshire NHS:** Request a financial contribution of £15,714.37 toward investment in enhancing capacity / infrastructure at existing local practices.
- 5.16 **Councillor Shaun Dannheimer:** The development is not sympathetic to the quirkiness and heritage of the area. Due to height, will cut out daytime light to adjacent properties. The construction will cause major noise and traffic issues in an already congested area and may result in loss of income to businesses in the area and visitors may be deterred from visiting. Connectivity is poor with bus service only hourly at most. These apartments are not designed for families and won't meet housing needs for the area.
- 5.17 **Darren Henry (who was consulted whilst MP):** Comments that the development is not in keeping with the character and heritage of the area. The development would disrupt the visual harmony of the area. Considers that the height of the building would impact on light and quality of life for occupants opposite. Should be promoting sustainable and sympathetic designs rather than focussing on high-density developments. The LPA should take into account the objections raised by the community.
- 5.18 **Beeston and District Civic Society:** Object, and recommend refusal due to the design, choice of materials, scale and massing; damage to or loss of habitat; negative impact on heritage assets; and impact on character of the area. Also concerned in respect of proximity to electricity pylons (health and safety) and construction so close to canal – potential breach of canal walls and pollution from construction, and increase in hard surfacing could lead to increase in flood risk.

Following the receipt of amended plans, the Society recognises that the applicant has responded to some sustainability concerns – solar panels to roof and increase in landscaping area to ground level; changes to brickwork to address character / design objections. Notwithstanding this, the Society remain of the view that the amended proposal would be completely out of character with the site's historic setting, buildings and semi-rural valley landscape; building still poorly designed and too high such that it does not complement the local area; no street trees, and no mention of BNG. Concerns remain in respect of proximity of electricity lines; lack of sustainable travel availability; drainage and flood risk; proximity to heritage assets; poor relationship between ground floor accommodation and surrounding paths / public areas.

Additional comments received following amended plans June 2024. Strongly object due to significant risk of flooding; contrary to NPPF and Local Plan Policy; maintain view that proposal is out of character with site's historic setting; building too high and poorly designed and fails to complement the local area; no street trees proposed / lack of information on Biodiversity Net Gain; and all previous objections still stand.

- 5.19 38 Neighbouring properties were notified, site notices posted and a press notice published. A total of 525 responses were received, of which six were

observations, one no objection, five in support and the remainder objections. Of these, approximately 80 letters of objection used a generic template, with no personal comments included. The comments in respect of objections / observations can be summarised below:

- Buildings in terms of scale not in keeping with the area
- The design of the building does not reflect character of the area or take into account impact on heritage assets
- Building materials should reflect what is used locally i.e. red brick
- Building is too high at 3+ storeys
- Roofs should be pitched as flat roofs leak
- Apartments would spoil peace and beauty of the area / become urbanised
- Development more suited to town or city centre
- Too many apartments in area
- Should use other brownfield sites such as Boots first
- Visitors may no longer come – impact on businesses
- Impact on traffic and parking in area – 16 spaces on site not enough for 29 apartments
- Impact on infrastructure such as schools / doctors / dentists as spaces limited
- Limited bus service – occupiers would be dependent on private vehicles for shopping / commuting etc
- Cumulative impact of development on wider Rylands area when assessed alongside former Plessey site and Station Road development
- Additional parking on street would impact on delivery of bus service and highway safety
- Building would be at risk of flooding / would add to risk of flooding
- Would result in loss of light to neighbouring properties
- Impact on privacy through overlooking
- Will overshadow other properties
- Would result in sense of enclosure
- Light pollution from building itself and from vehicles leaving ramped access
- More dwellings would have detrimental impact on services e.g. doctors, school places and so on
- Impact on biodiversity – loss of trees and loss of habitat
- There is a need for affordable / family housing not luxury apartments
- Will not meet needs of local community
- The development is just for financial gain
- Covenant restricting buildings forward of houses on Canal Side
- Impact on existing static home residents and on those who would be displaced
- Concerns in respect of increase in density of the population in this small area
- Noise, smell and disturbance to existing residents both during construction and as a result of occupation
- Concerns in respect of proximity to overhead power lines in terms of health

- Lack of active frontage – suggest small retail of café to ground floor
- Affect value of existing property
- Allowing this development would set a precedent for development further along canal front
- Lack of soft landscaping
- Development should be low level – bungalows or maximum two storeys to blend in with the area
- The site should be developed for alternative uses such as small retail / independent business hub / craft studios or be kept as green space
- Money would be better spent on upgrading paths
- Concerns in respect of type of tenancy
- Impact on existing drainage and capability
- Loss of green space – should be retained for public use
- Query if need for this type of accommodation been assessed with Broxtowe Borough Council
- No archaeological survey carried out
- Misleading information in the Design and Access Statement – shows site extent smaller than is on accompanying plans / visuals depict people being larger which makes building look smaller in comparison
- Pollution – litter, noise and disturbance both during construction and through occupation
- There is a culvert running beneath site – should not be built over
- An archaeology survey should be carried out given history of site
- Needs to include solar panels and cycle storage [case officer notes these are both included]

In support:

- Disagrees with suggestion that the development is visually unattractive
- Should be supporting campaign to remove unkempt boatyard adjacent rather than worrying about this proposal
- Considers objections to increase in number of residential units odd in midst of housing crisis
- Well thought out proposal and subject to build quality should be supported
- Need for more housing
- Will add value and appeal to area
- Will support local businesses
- Will be catalyst for further regeneration

5.20 A further 33 comments were received following re-consultation in October 2023. 32 were objections with one observation and raised the same concerns as the original scheme, noted above, with additional concerns as follows:

- Considers building encroaches on Canal and River Trust Land
- No revised Heritage Impact Assessment submitted
- Change from buff brick to red only reinforces visual dominance
- Query regarding start and finish times of the building work

- Concerns regarding impact of construction works on stability of canal infrastructure e.g. lock chamber
- Given current high water table (October 23) basement parking would be unusable resulting in additional vehicles on the street

5.21 A further 46 comments were received following the receipt of amended plans June 2024. One comment in support, and 45 objections. No new concerns raised.

6. Assessment

6.1 The main issues for consideration relate to whether the principle of the development is acceptable; whether the design, scale and massing is appropriate for the location; whether the development would have a detrimental impact on non-designated heritage assets and the character of the area; impact on highway safety; impact on neighbour amenity; impact on biodiversity assets; and whether the development would increase risk of flooding.

6.2 **Principle of Development**

6.2.1 The existing use of the site is residential and whilst the site is not allocated or safeguarded in the local plan for any specific use, it is considered that the principle of residential development is acceptable subject to the matters set out below, given the existing use. It is also considered that as the site has previously been developed, this is considered to be a brownfield site, as opposed to a greenfield site, where the definition of greenfield site is land which has not been previously built on.

6.2.2 The proposal to provide apartments on the site is also acceptable in principle. The Council's Housing Officer has identified that 1 bedroom properties in particular are in high demand in the south of the Borough.

6.3 **Building Design, Scale and Layout**

6.3.1 Following the receipt of amended plans, it is considered that the scale of the building, at three storeys of accommodation plus sunken basement, is acceptable in the context of the site. The height to the roof top would be approximately 11.5m from street level (Riverside Road) and a maximum 11.3m on the Canal tow path elevation, for both blocks, the setting back of part of the upper most floor on the canal towpath elevation and the use of contrasting cladding for the upper most floor, along with the use of red brick, has helped to reduce the visual impact of the building. For comparison, a typical new-build two storey detached dwelling would have a height of 8.5m to its' ridge.

6.3.2 The layout of the development, having two separate blocks with landscaping between, is considered to make good use of the site, maximising views out towards the canal or westwards toward the marina area / eastwards over the

landscaped area. Some apartments would have an outlook towards Riverside Close, however balconies have been sensitively located toward the centre of the site so as to reduce impact on neighbour amenity. The separation of the two buildings reduces the massing of the development and allows for landscaped areas between, further enhancing the overall appearance of the development.

- 6.3.3 The layout accommodates parking and cycle storage in a convenient location, and bin storage is contained in an enclosure accessed from Riverside Road.
- 6.3.4 The design, whilst contemporary in appearance, would reflect the character of the area in terms of choice of materials. Originally proposed to be built of buff colour bricks, the change to red colour bricks is welcomed and along with the areas of cladding, feature brickwork to the sub-basement elevations, and design of the windows and balconies, the design would represent an attractive addition to the street scene, creating its own sense of place. Details of materials would be secured by condition.
- 6.3.5 Concerns have been raised in respect of the development having an impact on the character of the area, in terms of context with the surrounding buildings, and openness of the land to the south. It is considered that the buildings would be viewed more in the context of the existing built development to the north and east, and as the site has previously been developed, the openness of the character of the area, which is to the south and south east of the site, would be retained.

6.4 **Flood Risk**

- 6.4.1 Within Beeston and Attenborough there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites are on previously-developed (as this site is) land and some may bring the opportunity to provide housing in areas of substantial need. Sequentially, it is considered that the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Therefore, when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.
- 6.4.2 The site is within Flood Zones 2 and 3. The buildings have been elevated so as to reduce risk of harm to the occupiers in the event of a flood. The basement area, which contains areas for vehicle parking, would be at risk of flooding and as such potential damage to vehicles parked therein.

- 6.4.3 There are flood defences to the west of the site. The Environment Agency advises that the development could restrict essential maintenance to the defence should the building be built within 8m of it.
- 6.4.4 The development would be built close to the canal and as such consideration needs to be given to any impact that construction and excavation works may have on the stability of the canal infrastructure. There is also understood to be a culvert running below the site, which also needs to be protected.
- 6.4.5 To address the Environment Agency's objections, extensive discussions have been undertaken and a revised FRA submitted. The FRA concludes that, subject to the development being constructed in line with the revised FRA, the development would not result in significant impact on flood risk to the development or the area, or pose a significant increase to risk of life. The EA have now removed their objections to the development.

6.5 Amenity

- 6.5.1 The three bungalows opposite, to the north, are at an angle to the site, and face south east. As such there would be oblique views towards the site. There would be a minimum distance of 17.5m between the corner, closest, part of no. 2 Riverside Road and the north elevation of the proposed building. No. 2 is the dwelling to the east and views from that property would generally be toward the eastern most point of the development, where the height drops down from 3 to 2 storeys. 6 Riverside Close is a minimum of 23.5m between the nearest corner of that property and the north elevation of the proposed building. 4 Riverside Close is a minimum of 31m. The distances between habitable room windows of these properties and the development would be greater. It is considered that whilst these properties are north of the development site, the separation distance and the orientation of those properties would not result in a loss of light or an increased sense of enclosure.
- 6.5.2 Whilst there are balconies within both buildings facing the Riverside Road bungalows, these are placed at an angle to the opposite dwellings, and in the case of Block B (east) are set back from the site boundary, and would be inset into the building elevations. As such, it is considered that the use of the balconies would not have a significant detrimental impact on the privacy of the existing residents.
- 6.5.3 1, 2 and 3 Lock Close are the static homes located directly to the west of the site. These are all single storey. No 1 is end on to the site, with no windows in the end elevation and as such there would be no impact in terms of neighbour amenity on these occupants. 2 and 3 Lock Close are side on to the site and have windows and doors on the facing elevations. All three are on a lower ground level than the development site. Whilst there would be a minimum

distance of 8 metres it is considered that, as the living accommodation proposed would be at a higher level, there would be minimal opportunity for overlooking into the habitable room windows of the static homes. Due to the open nature of the static home sites, it is considered that there would be no significant impact on privacy. It is noted that due to the height of Block A building close to the statics to the west, there would be some loss of light to, in particular, 2 and 3 Lock Close. Notwithstanding this, it is noted that the principle elevation and outdoor amenity areas for these properties are to the west of each static and as such it is considered that there would not be a significant impact in terms of loss of light for these occupiers.

- 6.5.4 The Lock Keepers Cottage / Heritage Centre are to the south of the site. There would be a minimum of 20m between the nearest cottage and the south east elevation of the development. The Heritage Centre would be a minimum of 30m distant. As such it is considered that the development would not have a significant impact in terms of loss of light, outlook or privacy.
- 6.5.5 To the north east of the site is 69 South Road and 208 Canal Side. These are two storey properties and there would be a minimum of 27.5m between the closest point of no. 69 and the proposed development. Given the distance between and the relationship between the buildings, it is considered that the development would not have a significant impact on neighbour amenity.

6.6 Highway Safety including Impact on Traffic Generation and Parking

- 6.6.1 Paragraph 109 in the NPPF encourages developers to consider the potential impacts of development on transport networks, and how these can be addressed, and opportunities to promote walking, cycling and public transport use. Paragraph 116 in the NPPF states that development should only be prevented or 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. Policy 17 - Place-making, Design and Amenity of the Part 2 Local Plan advises that for all new development, permission will be granted for development which i) Provides sufficient, well-integrated, parking and safe and convenient access.
- 6.6.2 Concerns have been raised in respect of traffic generation and parking. It is acknowledged that the area is popular with visitors both coming to enjoy the waterfront and heritage centre, and those attending sports events on the nearby sports pitches. As a result, at times (weekends particularly) there is added pressure for on street parking in the area, particularly along Canal Side but also along South Road and Riverside Road.
- 6.6.3 The development would utilise the existing access point on Riverside Road, which currently serves garaging for the remaining static homes. As such the proposed access is acceptable in principle and would not have a detrimental

impact on highway safety or cause detriment to nearby properties in respect of headlights emerging from the basement parking, due to this being an existing access point. The existing bus stop would not be affected by the proposal and is proposed to be updated should financial contributions be secured by way of a Section 106 Agreement.

- 6.6.4 It is considered that, in terms of traffic generation once occupied, the development would not result in an unacceptable impact on highway safety either by itself or as a result of cumulative impact on the road network. The site is also adjacent to a good cycle route giving easy access to Beeston Town Centre, and further afield to the City Centre, for purposes of commuting and shopping etc, and toward Attenborough Nature Reserve along the River Trent, for leisure activities, thereby reducing reliance on private vehicles. Disruption during construction and demolition works would be addressed by inclusion of a condition requiring a Construction Method Statement to be submitted and approved prior to works commencing on site.
- 6.6.5 In respect of vehicle parking, the development would provide a total of 16 vehicle parking spaces in the basement area, one of which would be a dedicated parking space for use by disabled occupants, and a total of 30 cycle parking spaces, which would be provided in the form of dedicated cycle storage areas. The proposed level of parking is in accordance with the County Council's Highway Design Guide, which requires one vehicle parking space per three dwellings, where the parking is unallocated. In the case of the current proposal, which is for 29 apartments, this would equate to ten spaces, and the development is proposing 16 spaces. As such it is considered that the amount of vehicle parking provision is sufficient for the development.
- 6.6.6 Given the above, and that the proposal would provide a minimum of one cycle space per apartment, it is considered that the development would not result in increased demand for on street parking in the vicinity of the site to such a degree that it would result in detriment to highway safety or impact on neighbour amenity through indiscriminate parking on street.
- 6.6.7 There is a bus stop directly outside the site. Currently the bus service in the area is infrequent, a point raised by several objectors. However, it is considered that as the infrequency of the service is in some respects due to levels of demand and therefore viability, the development could potentially encourage use and improved viability of the service.
- 6.6.8 It is noted that the Highway Authority would support a Construction and Demolition Method Statement to be submitted and approved for this development. Given the concerns raised in respect of traffic and parking it is considered that it would be reasonable to require details be submitted and agreed prior to commencement of the development.

6.7 Impact on Surrounds including Non-Designated Heritage Assets

- 6.7.1 The Canalside Heritage Centre, the lock keepers' cottage and the Beeston Lock are considered to be a local interest buildings / non-designated heritage assets.
- 6.7.2 The surrounding area is a popular destination for locals and for visitors from further afield, offering pedestrian and cycle routes both along the canal going eastwards and beyond to playing fields, and westwards along the River Trent and towards the Attenborough Nature Reserve. The lock and marina area also offers café and retail opportunities as well as the Canalside Heritage Centre which offers café and community facilities. It is an attractive area.
- 6.7.3 Whilst the development would be taller than the surrounding buildings, which are mostly one and two storeys, it is considered that the introduction of taller buildings would form an attractive focal point which would complement the existing buildings. As the development would be split into two blocks, views of the heritage centre and the lock would be maintained, particularly when viewed from Riverside Road, and the buildings would be set back from the site boundary so as to create a break from the buildings to the canal and beyond.
- 6.7.4 The Council's Conservation Adviser initially objected to the development on the grounds of the impact of the development would have on the setting of the non-designated heritage assets. Following on from the receipt of amended plans in June 2024, the proposed buildings have been re-designed and the scale and massing reduced. The Conservation Adviser notes that whilst the proposed scheme would obliterate the relationship with the non-designated heritage assets (Canalside Heritage Centre, Lock-keepers Cottage and Beeston Lock) with regard to the open countryside and tranquil setting of the River Trent, this would not be a basis to refuse the scheme purely on these grounds and as such, concludes that the level of harm caused to the setting of the non-designated heritage assets would be less than substantial, in accordance with paragraph 209 of the NPPF.
- 6.7.5 In respect of archaeology, the County Council note that there is the potential within the site for archaeological remains and / or artefacts, given the sites proximity to the River Trent and the industrial heritage of the area, and as such an Archaeological Desk Based Assessment (DBA), accompanied by a Heritage Impact Assessment would need to be undertaken, and assessed prior to decision. The DBA has been submitted and the Archaeologist at County agrees with the assessment of archaeological potential and recommendations for further evaluation, and recommends conditions in respect of agreeing an Archaeological Mitigation Strategy prior to development; undertaking of development in line with the strategy; and

requirement to submit and findings to the LPA and Historic Environment Officer at County Council.

- 6.7.5 As such it is considered that the development would result in less than substantial harm, and any archaeological interest can be secured by condition.

6.8 Environmental Impacts (biodiversity and landscaping)

- 6.8.1 Whilst there are some trees and hedges to the perimeter of the site along the south east boundary, the trees, whilst providing some amenity value, are not considered to be particularly high value in terms of quality and consideration for retention. Aside from the perimeter planting, there is little planting within the site apart from areas of grass and a few small shrubs forming gardens areas to the remaining static homes, the site itself is not well landscaped and as such the loss of the shrubs and grass on the site would be considered negligible. Notwithstanding this, and in order to present an attractive development to the area and to enhance and support biodiversity, details of landscaping would be secured by condition.
- 6.8.2 Notts Wildlife Trust (NWT) note that due to the lack of standing water and minimal habitats within the site it is unlikely that the site would support a significant population of amphibians, although amphibians may be utilising the site for shelter. As such, precautionary working measures would need to be applied during works. The Trust would prefer to see established habitats (hedgerows) retained and included in the design, and additional habitats created. Landscaping details can be secured by condition, in the form of a Landscape Ecological Management Plan (LEMP), and retained features protected by way of a Construction Environment Management Plan (CEMP).
- 6.8.3 The Beeston Canal, to the south east of the site, is allocated as a Local Wildlife Site (LWS) being considered a valuable aquatic habitat in an urban setting with local species on walls of the lock / canal side. Whilst the development would be located close to the canal, as the towpath between would act as a buffer and the buildings would not intrude on the canal itself, it is considered that the development would not have a direct or indeed significant impact on this LWS, subject to details of external lighting being approved in order to protect wildlife in the canal from the effects of artificial lighting.
- 6.8.4 Attenborough Nature Reserve, also allocated as a LWS due to having a mosaic of terrestrial, marsh and aquatic habitats of particular ornithological value, is approximately 350m to the west of the site. Concerns have been raised in respect of the development's impact on biodiversity and in particular foraging mammals, bats and birds due to the links along the Trent and links

across the playing fields and land to the east of the reserve. NWT advise that whilst proposed impacts in relation to pollution (run-off etc) are deemed unlikely, there is a potential to impact on the reserve and Canal LWS in other ways, notably through additional visitor pressure, predation pressure (domestic pets), light spill, noise, spray drift (pesticides), disturbance and litter. As such a comprehensive Ecological Impact Assessment (EclA) would be required prior to the determination of the application, and this has since been received, with Notts Wildlife Trust satisfied with the contents. A bat survey has been submitted which has determined that there are no bat roosts within the existing statics.

6.9 Pollution and Health of Existing and Future Occupiers

6.9.1 Subject to details being submitted and approved prior to commencement in respect of a contaminated land report and a Construction Method Statement, and a restrictive condition in respect of hours of construction and demolition, it is considered that the development would not have a significant detrimental impact on either neighbour amenity, in terms of noise and disturbance, or on the health of existing and future residents, in terms of land contamination.

6.9.2 It is noted that overhead electricity lines cross the site. Concerns have been raised through consultation with neighbours and interested third parties that the proximity of the overhead lines may present a danger to health. The Environmental Health Officer comments that the scientific evidence is against Electromotive Force (EMF) from high voltage power lines causing ill health, and that no causal link has been established between cancer or any other disease and EMF's and no established mechanism by which these fields could cause or promote disease. As such there would be no concerns in respect of potential health impacts resulting from the presence and proximity of the overhead lines.

6.9.3 As the development would introduce two buildings which would produce a source of lighting, which may have a potential to result in light pollution, a condition to secure details of any external lighting is recommended.

6.10 Developer Contributions

6.10.1 Financial contributions are sought in respect of Public Open Space (£47,395.28), Education (Secondary and Post 16) (£110,062.00), Bus Stop Infrastructure (£6,000.00), and NHS Nottingham and Notts ICB (primary care) (£15,714.37) which equates to £179,271.65. There is also a policy requirement to provide 30% affordable housing on site.

6.10.2 The applicant has submitted a viability assessment due to a claim that the scheme would not be viable if the financial contributions and Affordable Housing requirement were to be applied. An independent assessment of the

viability assessment has agreed with this claim and as such developer contributions and affordable housing contribution would not be sought.

6.11 Other Matters

6.11.1 Matters such as impact on housing prices; motive of developer (financial gain); existence of restrictive covenants regarding building lines; setting of a precedent should planning permission be granted; type of tenancy; where money should be spent (upgrading paths instead of development); are not considered to be material planning considerations that would carry any weight.

6.11.2 Suggestions have been made by interested parties that the site should be used instead for alternative uses such as small retail / independent businesses / craft studios or retained as green space. Comments also received that consideration be made to using other brownfield sites such as Boots campus first. It is noted that the LPA must determine the application for the development as submitted, and it would be unreasonable to refuse the application on the basis that alternative uses may be more desirable, particularly where the site is not part of a Part 2 Local Plan site allocation, or that alternative sites be considered first. It should be noted that planning permission for residential on the Boots site has been given and that development has now commenced.

6.11.3 Whilst it is acknowledged that there will be an increase in the density of the population should the development be granted planning permission; it is considered that the increase would not be to a level that would adversely impact on the character of the area such that planning permission be refused for this reason alone. In terms of impact on businesses, it is considered that the viability of the businesses would be impacted positively, particularly where serving a local need or providing leisure services, given the increase in population.

6.11.4 Concerns have been raised in respect of the loss of homes and impact on those residents. It is considered that this would be a matter that the residents would need to address via their tenancy agreements with the landowner, and could not be addressed by way of the planning system.

7. Planning Balance

7.1 The development would result in built development on a site currently occupied by low rise buildings and would therefore have an impact on the character and appearance of the street scene and the area. The development would also have an impact on biodiversity, traffic, heritage and neighbour amenity. These matters carry significant weight. The development would

deliver housing in the form of 1 and 2 bedroom apartments, and would, through design and landscaping, contribute to the enhancement of the appearance of the area. These matters carry significant weight, and, subject to compliance with conditions listed below and securement of financial contributions as set out in the Section 106, it is considered that overall the benefits of the development would outweigh any negative impacts.

8. Conclusion

8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality Duty and comments raised in the representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

It is recommended that conditional planning permission be granted subject to the conditions below.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix and the prior signing of a Section 106 Agreement.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <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>	<p>The development hereby permitted shall be carried out in accordance with drawings received by the Local Planning Authority on the following dates:</p> <p>12.07.23:</p> <p>00101 Site Location Plan</p> <p>06.10.23:</p> <p>00611 P04 00305 P03</p> <p>04.06.24:</p> <p>00612 P06 00601 P06 00304 P02 00303 P02 00302 P05 00211 P06 00210 P06</p> <p>21.06.24:</p> <p>00301 P06</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>No development shall be commenced until details including samples of all external materials 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>4.</p>	<p>The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment compiled by RPS Group (Ref: CLE30316 V5, 24/10/2024) and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • Finished floor levels of the residential accommodation shall be set no lower than 28.32 metres above Ordnance Datum (AOD) as stipulated within section 6.5 of the submitted FRA. • Finished floor levels of the Basement Carpark shall be set no lower than 25.32 metres above Ordnance Datum (AOD)

	<p>as indicated within section 6.1 of the submitted FRA.</p> <ul style="list-style-type: none"> • All utilities are to remain operational during times of flood as stipulated within section 6.1 of the submitted FRA <p>And in accordance with the submitted block plans drawn by Sigma Architects (Drawing Number: 210, Rev: S4-P06 located within appendix B of the submitted FRA) and confirmed within section 6.6 of the submitted FRA and the following measures they detail:</p> <ul style="list-style-type: none"> • All buildings/structures shall be set back to allow a minimum of a 4 metre easement to the existing flood defences <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <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>5.</p>	<p>The development hereby permitted shall not be commenced (excluding the carrying out of any site investigation and/or remediation works) until details of a Construction Method Statement have been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ol 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 canal infrastructure; i) Details, where vibro-compaction machinery is to be used, of the use of such machinery and a method statement; and j) Details of wheel washing facilities.

	<p>The approved statement shall be adhered to throughout the construction / demolition period.</p> <p><i>Reason: In the interests of highway 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>6.</p>	<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>
<p>7.</p>	<p>Prior to the commencement of the development including any site investigation or land clearance works, a detailed Construction and Environmental Management Plan (CEMP) shall be submitted to and approved by the 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>8.</p>	<p>a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p>

	<p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: 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>9.</p>	<p>No development or demolition shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The mitigation strategy will include appropriate Written Schemes of Investigation for evaluation trenching and provision for further mitigation work. These schemes shall include the following:</p> <ol style="list-style-type: none"> 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements). 2. A methodology and timetable of site investigation and recording 3. Provision for site analysis 4. Provision for publication and dissemination of analysis and records 5. Provision for archive deposition 6. Nomination of a competent person/organisation to undertake the work <p>The scheme of archaeological investigation must only be undertaken in accordance with the approved details.</p> <p><i>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework, 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 above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <p>(a) trees, hedges and shrubs to be retained and measures for their protection during the course of development</p>

	<p>(b) numbers, types, sizes and positions of proposed trees and shrubs (c) proposed boundary treatments (d) proposed hard surfacing treatment (e) proposed external lighting details (f) planting, seeding/turfing of other soft landscape areas</p> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policies 10 and 17 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>11.</p>	<p>No part of the development shall be brought into use until the basement parking area, cycle store and bin storage areas have been provided and thereafter made available for such use for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and to ensure the development presents a more pleasant appearance in the locality in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>12.</p>	<p>No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>13.</p>	<p>No part of the development hereby permitted shall be brought into use until any existing site accesses that have been made redundant as a consequence of this consent are permanently closed and the access crossing reinstated as footway and full height kerbs.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>14.</p>	<p>No part of the development hereby permitted shall be brought into use until visibility splays are provided in accordance with the</p>

	<p>approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
15.	<p>No part of the development hereby permitted shall be brought into use until the access ramp to the car parking areas has been constructed with a gradient not exceeding 1 in 8, as shown on plan entitled 'BF GA Plans Blocks A & B, drawing S4-P06'.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<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>
17.	<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, 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>
18.	<p>The archaeological site work must be undertaken only in full accordance with the approved written schemes. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.</p> <p><i>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance</i></p>

	<i>with the National Planning Policy Framework, Policy 11 of the Broxtowe Aligned Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i>
19.	<p>A report of the archaeologist’s findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.</p> <p><i>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework, Policy 11 of the Broxtowe Aligned Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</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.
3.	<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

	<p>team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.</p> <ul style="list-style-type: none"> • 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@nottsc.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>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>5.</p>	<p>Unless the refuse and waste is to be managed by a private contractor, the Council's Waste and Recycling team advise:</p> <ul style="list-style-type: none"> • Developer to purchase the first time provision of bins. Notice served in due course. • The development details the construction of 29 apartments. Comprising of 12 x 1 Bedroom and 17 x 2 bedroom apartments totaling a potential of 46 occupants. • The application does state that there is going to be a bin store on site. • Each property would be allocated the following: • 46 x 140 litre bin for residual waste = 6440 = 6 x 1100 litre bin • 46 x 140 litre bin for recycling waste = 6440 = 6 x 1100 litre bin

	<ul style="list-style-type: none"> • 46 x 37 litre bag for glass = 1702 = 12 x 140 litre bin • The approx. size of a 1100 litre bin is 1380mm (h) x 1270mm (w) x 100mm (d) • The approx. size of a 140 litre bin is approx. 1060mm (h) x 480mm (w) x 550mm (d) • As per the guidance in BS5906 the bins must be within 10m of the collection point. The collection point is the adopted highway. • Access would be required to the bin store on the scheduled collection day, any keys/codes would need to be provided to the refuse teams to enable access.
<p>6.</p>	<p>No openings shall be permitted to open out onto the public highway.</p>
<p>7.</p>	<p>The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p> <p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material ‘tracking’ off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.</p>

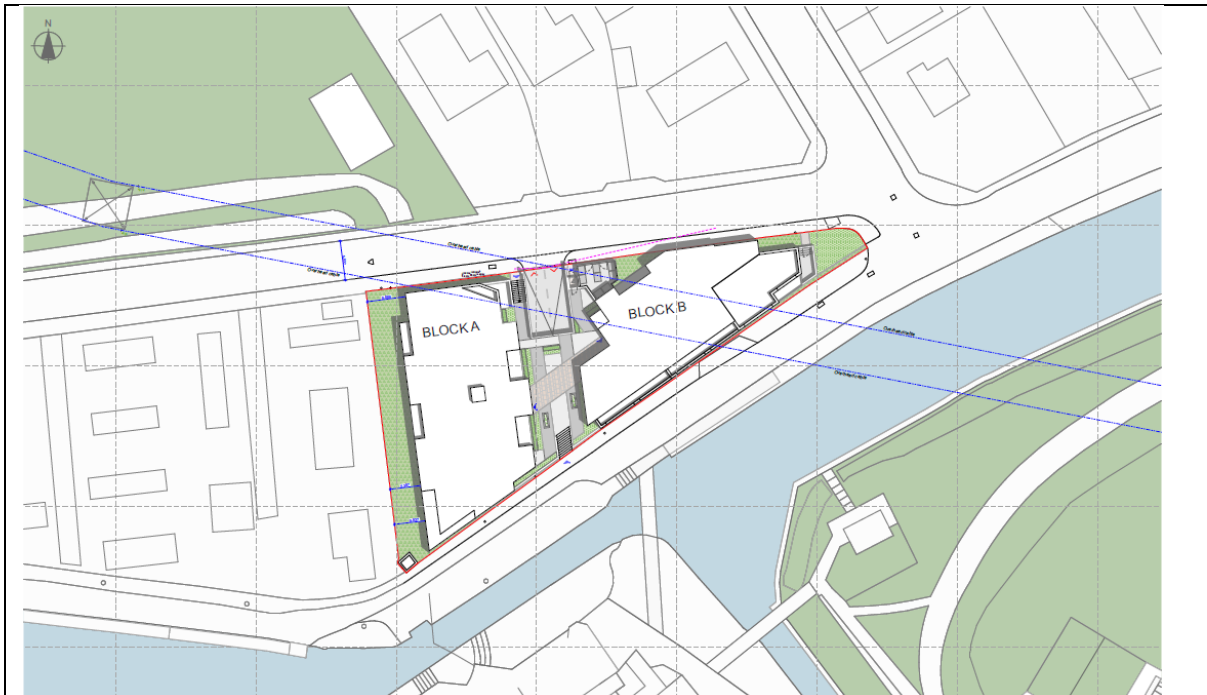
Map



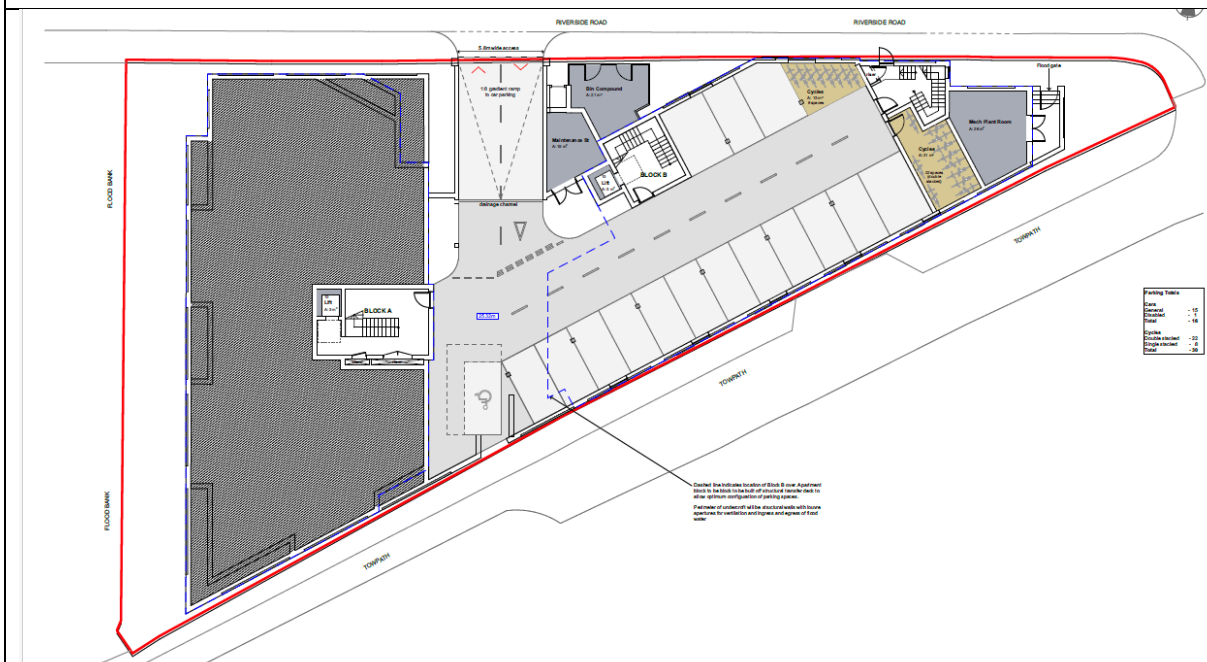
Legend

- | | |
|-----------------------------|--------------|
| Local Interest Building | Bridleway |
| Local Wildlife Site | Footpath |
| SSSI | Green Belt |
| Public Rights of Way | |
| Byway open to all traffic | Flood Zone 2 |
| Site | Flood Zone 3 |

Plans



Proposed block plan



Proposed basement level



Proposed ground floor



Proposed first floor



Proposed second floor



Proposed elevations



CGI of view from Beeston Lock spur



CGI view from Riverside Close (playing fields)