

Report of the Chief Executive

Application number:	24/00375/FUL
Location:	121 and land to the rear of 123 Brookhill Street, Stapleford, Nottinghamshire NG9 7GU
Proposal:	Construction of 4 dwellings following the demolition of 121 Brookhill Street

Councillor J W McGrath has requested that the application is determined by the Committee due to concerns regarding highway safety.

1. Purpose of the Report

1.1 The application seeks to gain planning permission for the construction of four dwellings following the demolition of 121 Brookhill Street.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the conditions outlined in the appendix.

3. Detail

3.1 The application seeks full planning permission for the demolition of 121 Brookhill Street and the construction of a pair of semi-detached two storey dwellings fronting Brookhill Street and two single storey dwellings to the rear.

3.2 The main issues relate to the impact of the proposal on the character and appearance of the area, the impact on the living conditions of neighbouring properties and highway safety.

3.3 The proposed development would provide four new dwellings. The design includes a contemporary style which has been carefully considered to respect the character of the area. The layout, scale and appearance have been designed to protect the amenity of neighbouring properties and the future occupiers of the proposal. The proposal includes off street parking and has provided vehicle tracking to demonstrate two acceptable vehicle accesses. The proposal complies with the biodiversity statutory requirement and demonstrates 18.28% biodiversity net gain on site.

3.4 The benefits of the proposal are that it would provide additional general needs housing in a sustainable location, within the built up area of Stapleford. The design has addressed concerns that were raised during the previous application that was for five dwellings (22/00563/FUL). The proposed development aims to maintain a spacious character and includes a contemporary appearance. Acoustic fencing is proposed to reduce any noise impact from the comings and goings of the access serving two dwellings located in the rear of the site. All proposed plots include off street parking and turning facilities. Given the modest number of units proposed overall, it is considered that the proposed development would not result in an unacceptable impact on highway safety. The proposal would satisfy the

statutory 10% BNG requirement and precautionary working measures to protect existing wildlife during the construction period have been conditioned.

- 3.5 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

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 Section 106s (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 Application

- 1.1 The application seeks full planning permission for the demolition of 121 Brookhill Street and the construction of a pair of semi-detached two storey dwellings fronting Brookhill Street and two single storey dwellings to the rear of the site.
- 1.2 The layout includes two separate accesses, a shared vehicle access serving the front units and a shared vehicle access between existing properties 123 and 125 Brookhill Street. The layout has been designed to maintain a spacious character between plots.
- 1.3 The proposal has been amended so as to soften the appearance of the two front units by removing the chimney stacks and first floor box bay windows. The overall appearance of the proposed dwellings using a contemporary style including a modern materials palette.
- 1.4 Plans have been further amended in response to comments received removing reference to car ports and pedestrian access from the rear units to the Queen Elizabeth park to the north has been removed. Furthermore, the height of the acoustic fencing has been reduced to 2m in height.

2. Location and Site Characteristics

- 2.1 The site is located within the main built up area of the borough within Stapleford. As such, it is considered that the principle of residential development is considered to be acceptable subject to any other material considerations.
- 2.2 The site consists of a bungalow with associated garden land and additional garden land to the rear of 123 Brookhill Street.

3. Relevant Planning History

3.1

Planning		
15/00635/OUT	Outline application to construct two dwellings - all matters except access are reserved	Refused
15/00867/OUT	Outline application to construct one dwelling with some reserved matters reserved (revised scheme)	Approved
17/00373/REM	Construct dwelling and garage (approval of	Refused

	reserved matters relating to planning reference 15/00867/OUT)	
19/00146/REM	Construct one dwelling (approval of reserved matters relating to planning permission 15/00867/OUT)	Approved
22/00563/FUL	Construct 5 dwellings, following demolition of 121 Brookhill Street, including creation of access between 123 and 125 Brookhill Street	Refused
Development Monitoring		
Appeals		
23/00011/APLWR	Construct 5 dwellings, following demolition of 121 Brookhill Street, including creation of access between 123 and 125 Brookhill Street	DISMIS

4 Planning Policy

4.1 Part 1 Broxtowe Aligned Core Strategy 2014:

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 16: Green Infrastructure, Parks and Open Space

4.2 Part 2 Local Plan 2019:

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity
- Policy 28: Green Infrastructure Assets

4.3 National Planning Policy Framework 2024:

- Part 5 – Delivering a sufficient supply of homes
- Part 9 – Promoting sustainable transport
- Part 12 – Achieving well designed places
- Part 15 - Conserving and enhancing the natural environment.

5. Consultee and Third Party Comments

5.1 Consultees

- **Cllr J W McGrath** - Stapleford South West Ward – Application called in to planning committee due to concerns regarding highway safety.
- **Broxtowe Tree Officer** - No objections, no TPOs in the application site. The hedge to the rear of the site is a shared boundary that Broxtowe Parks Team maintains.
- **Broxtowe Parks & Environment** – Access gates to Broxtowe managed parks should not be allowed. Further detailed landscaping plans should be provided including tree planting and biodiversity enhancements (bird / bat boxes).
- **Broxtowe Environmental Health** - No objections, subject to conditioning land contamination, construction hours and a construction / demolition method statement.
- **Broxtowe Waste** - Recommended bin dimensions and quantities provided.
- **NCC Highways** - No objections, subject to conditioning that proposed vehicle accesses are widened in accordance with the submitted plans and surfaced with a hard bound material and provision of surface water drainage.
- **NCC Rights of Way** - No objections, informative notes to applicant suggested in consideration for adjacent public footpath Stapleford Footpath 14.
- **Nottinghamshire Wildlife Trust** – No objections subject to conditioning a Landscape and Ecological Management Plan which contains precautionary working measures.

5.2 Neighbours

Resident comments - 8 objections received raising the following concerns:

- The proposal represents overdevelopment of the site and detracts from the spacious residential garden character of the area.
- The design of the proposed development is out of keeping with properties in this location.
- Garden sizes for rear units too small.
- Unacceptable loss of privacy for existing neighbouring properties.
- Loss of light affecting neighbouring properties.
- Noise impact on living conditions for neighbouring properties as a result of increased comings and goings.
- Highway safety impact in locality due to increased traffic.
- Lack of off street parking proposed and on street parking shortages in area.
- Unacceptable access width proposed.
- Lack of bin storage provided.
- Nearby public right of way should be enhanced, land adjacent should be used.
- The development is close to neighbouring park boundary.
- Increased pollution caused by the proposal.
- Proposal fails to meet the relevant fire escape building regulations.
- Inaccuracies in submitted drawings and supporting documents.
- Limited economic benefits.
- Lack of renewable energy technologies provided on site to support the proposal.
- Loss of security for neighbouring properties by the creation of extended private driveway.

Re-consultation (12/11/24 – 26/11/24) – 3 objections received: Concerns raised above were repeated, additional concerns included:

- Height of acoustic fencing 2.1m would be overbearing and restrict maintenance of neighbouring property boundaries.
- Loss of security caused by introduction of new single gate opening on to Queen Elizabeth park.
- No lighting provided to the rear of the site for future occupiers.
- Lack of drainage details provided.

6. Evaluation

6.1 Principle

6.2 The site is located within the main built up area of the borough within Stapleford. As such, it is considered that the principle of residential development is considered to be acceptable subject to any other material considerations.

6.3 The site consists of a bungalow with associated garden land and additional garden land to the rear of 123 Brookhill Street. It should be noted that part of the rear of the site, currently garden land, falls within 'playing pitches' land protected by Policy 28.b Green Infrastructure Assets of the Part 2 Local Plan.

- 6.4 Policy 28 states that proposals which are likely to lead to increased use of any of the Green Infrastructure Assets, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Assets. Permission will not be granted for development that results in any harm or loss to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm.
- 6.5 This small area of land has historically been used as garden land and is fenced off outside of the adjacent Queen Elizabeth Park. As this area of land does not function as public open space, it is considered that the proposal would not result in any harm or loss of Queen Elizabeth Park. As such, it is considered the application would have limited impact with regard to Policy 28.
- 6.6 Design
- 6.7 The site comprises of 121 Brookhill Street which includes a bungalow and further garden land to the rear of 123 Brookhill Street with an existing driveway that runs between No. 123 and 125 Brookhill Street. Land levels reduce south to north towards the rear of gardens in this location. Properties along Brookhill Street include predominantly two storey dwellings featuring dual pitched or hipped roof designs with a mixture of red brick and render materials. The existing street scene along this section of Brookhill Street is spacious in terms of its layout, with the provision of dwellings situated with large plots with long rear private gardens.
- 6.8 Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 states all new development should be designed to a) make a positive contribution to the public realm and sense of place. Development will be assessed in terms of its treatment of a) structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces, d) massing, scale and proportion, e) materials, architectural style and detailing.
- 6.9 Policy 17 – Place-making, Design and Amenity of the Part 2 Local Plan 2019 states that for all new development, permission will be granted for development which a) integrates into its surroundings; and c) creates a place with a locally-inspired or otherwise distinctive character.
- 6.10 Units 1 and 2 are a pair of semi-detached hipped roof two storey dwellings with flat roof single storey extensions to the rear. The design includes front box bay windows at ground floor level. The design of units 1 and 2 has been amended including the removal of the chimney stacks and first floor level box bay windows. The amended design has reduced the overall bulk and prominence of units 1 and 2. Proposed materials follow a contemporary approach using a mix of render and brickwork finishes.
- 6.11 The proposed layout includes two single storey dwellings to the rear which would be less visible from Brookhill Street. The proposed rear units would be set up to the rear boundary of the site, backing on to Queen Elizabeth Park. Existing planting located inside park land along the boundary of the site will remain, as a result this will help to lessen the prominence of the proposed development.

- 6.12 In summary, it is considered that the proposal has been designed to respect the spacious character in this location and includes a contemporary appearance. As such, it is considered that the proposal would not result in an adverse impact on the character and appearance of the area.
7. Amenity
- 7.2 The site is located within a predominantly residential area with residential properties to the east, south and west. To the north of the site includes Queen Elizabeth Park. It is noted that a public footpath runs along western boundary of the site leading to the park.
- 7.3 Due to the design and separation distances between the proposed two storey dwellings (units 1 and 2) and single storey dwellings (units 3 and 4) there are limited concerns with regards to potential overlooking. Rear garden areas serving units 3 and 4 have been positioned away from the two storey dwellings to reduce potential loss of privacy issues. Units 1 and 2 include 3 bedrooms and units 3 and 4 include 4 bedrooms. All proposed units would be in compliance with the Technical housing standards – nationally described space standard (2015) with regards to internal floor space and all plots include adequate private garden space. It is considered that all units would provide an acceptable level of outlook and daylight.
- 7.4 Furthermore, the proposed layout has been designed to limit any potential overlooking, overbearing or overshadowing impact on neighbouring properties. All proposed units are sufficiently separated from neighbouring properties and garden areas. It is considered that landscaping and boundary treatments can be conditioned to ensure proposed units have a sufficient level of privacy. Broxtowe Open Spaces and Parks team have advised no gates should open on to Queen Elizabeth Park to the rear of the site. In response, the submitted plans have been further amended to remove any reference to gates accessing Queen Elizabeth park from the rear units.
- 7.5 An existing driveway between properties 123 and 125 Brookhill Street is proposed to be used by units 3 and 4 to the rear of the site. The proposed access serving units 3 and 4 is located in close proximity to windows and doors that serve the front, side and rear elevations of 123 and 125 Brookhill Street. The proposed access is set up to the side boundaries of both neighbouring properties and leads around the rear of No. 123.
- 7.6 Historically, permission has been granted for one dwelling using this access (15/00867/OUT). Previously planning permission for 3 dwellings to the rear of the site was refused on the grounds of an unacceptable noise impact from comings and goings related to the use of the access (22/00563/FUL). In comparison, this application comprises of 2 dwellings, therefore a reduction in the overall number of comings and goings using this driveway. Acoustic fencing is proposed along the boundaries of the rear gardens of 123 and 125 Brookhill Street. A noise assessment has also been submitted that shows with acoustic fencing the impact of noise from comings and goings of vehicles would not result in a significant

impact to the living conditions of neighbouring properties. Concerns from neighbouring properties have been raised with regards to the height and long term boundary maintenance issues. The acoustic fencing has been reduced to 2m in height to reduce any potential overbearing impact. Furthermore, the applicant has provided confirmation from the noise consultant that the minor reduction in height of the acoustic fence would be negligible in significant noise impact on any neighbouring properties.

7.7 In light of the above, whilst there would be additional noise created by the proposal, it is considered that it has been mitigated in the interests of the amenity of neighbouring properties. As such, it is considered the proposed development would not result in an unacceptable impact on the living conditions of neighbouring properties.

7.8 Highway Safety and Parking

7.9 The application has been supported by a Transport Technical Note including vehicle tracking and visibility splay drawings. The proposal includes minor widening to the shared access between 123 and 125 Brookhill Street. Existing gate posts would be removed and the access would be widened to 5.1m in width. The existing access entrance that would serve units 3 and 4 is situated between the side boundaries of Nos 123 and 125. The Nottinghamshire County Council Highway Design Guide advises that the minimum access width for a single driveway should be 3.6m if bound by walls if serving a maximum 2 dwellings.

7.10 The front boundary treatment along Nos 123 and 125 would partly reduce pedestrian visibility in this location. However, it should be noted that this is an existing vehicle access. This proposal has been reduced in comparison to the previously refused scheme (22/00563/FUL) and only 2 dwellings would be served from this access. Considering planning permission was granted for 1 dwelling using this access previously, this proposal would amount a net increase of 1 dwelling using this access. Vehicle tracking drawings submitted show two vehicles passing each other using the shared access between 123 and 125 Brookhill Street. Furthermore, tracking of a fire tender entering and exiting the rear of the site have been provided.

7.11 The proposed access serving units 1 and 2 would be 5.8m in width including pedestrian visibility splays. NCC Highway Authority have reviewed the submitted transport details including vehicle tracking and have provided no objections subject to conditioning the implementation of the proposed access widening, dropped kerbs hard surfacing and surface water drainage provision. The layout provides 2 car parking spaces per dwelling and an additional two visitor spaces for accessing the rear units. Vehicle tracking has been provided showing acceptable turning space for each unit. Concerns have been raised regarding bin storage provision and its location. Storage facilities have been shown for units 3 and 4 over 10m away from the highway. As such, it is a reasonable expectation that on bin collection days, bins would be taken to the public highway temporarily during collection periods. The access serving units 3 and 4 is not wide enough to include a permanent bin store that would be adjacent the public highway. Given the low number of dwellings required to bring bins down the driveway to reach the

highway on collection days, there are no significant concerns with this approach.

- 7.12 In light of the above, it is considered that subject to the additional information provided in accordance with NCC advice, the proposal would not result in an unacceptable impact on highway safety. As such, the application would not warrant refusal on highway safety or parking grounds.
- 7.13 Biodiversity and Ecology
- 7.14 The application has been supported by an Ecological Appraisal, Biodiversity metric and tree survey. Nottinghamshire Wildlife Trust have provided no objections subject to precautionary working measures to be conditioned in the interests of protecting potential existing habitats on site. Further to this, a supervised roof strip should be conditioned and sensitive lighting strategy in the interests of protecting any potential bats during construction and for the lifetime of the development. The ecology report also includes enhancement measures including a bat roost tube and bird bricks / tubes.
- 7.15 The submitted tree survey identifies that no trees of significance would be affected on site. Nearby higher quality trees located on neighbouring land in Queen Elizabeth Park and within rear gardens of 119 and 125 Brookhill Street would be protected by use of ground protection measures. The Councils tree officer has advised that no trees to be removed on site would warrant protection of TPO. As such, it is considered that tree protection measures could be conditioned.
- 7.16 A small-sites metric Biodiversity Net Gain assessment has been completed to provide an assessment of post-development biodiversity value. The assessment of the development proposed for this site, would result in a net gain in calculated biodiversity units across this site area from 0.3936 units to 0.4656 units which is a gain of 0.0720 units (18%). The proposed biodiversity net gain scheme would deliver habitat enhancement on site. The applicant has included the use of green roofs to achieve 10% Biodiversity Net Gain. As such, it is considered that the application would comply with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 7.17 Other Matters
- 7.18 The site lies within Flood Zone 1, as such the site is at low risk to flooding. Land levels rise towards the north-eastern park of the site (the rear). There are no known historic surface water drainage issues affecting the site.
- 7.19 Concerns have been raised regarding the installation of acoustic fencing adjacent existing neighbouring property boundaries. It is considered that the long term maintenance of boundaries is a civil matter. The submitted proposed plans have been amended to remove any reference to 'carports'. Each plot includes off street parking.
- 7.20 Planning Balance

7.21 The proposal offers some benefits in the creation of general housing and small scale economic benefits associated with the construction period. The design includes a contemporary style which has been carefully considered to respect the character of the area. The proposal would provide satisfactory accommodation for future occupiers and satisfactory parking provision. The layout, scale and appearance have been designed so as to protect the amenity of neighbouring properties and the future occupiers of the proposal. The proposal complies with the biodiversity statutory requirement and demonstrates 18.28% biodiversity net gain on site.

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.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) the following conditions:</p>	
1.	<p>The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</p>
2.	<p>This permission shall be read in accordance with the following plans:</p> <ul style="list-style-type: none"> • Proposed Site Plan 175/04/E • Proposed Ground Floor Plan 175/05/D • Proposed First Floor Plan 175/06/E • Proposed Second Floor Plan 175/07/D • Proposed Elevations – Merged 175/12/D (Received by the Local Planning Authority 10/12/24) • Proposed Elevations – Units 1 and 2 175/10/E • Street Scene Rev B (Received by the Local Planning Authority 28/10/24) • Site Location Plan 175/00 • Existing Site Plan 175/01/B

	<ul style="list-style-type: none"> • Existing North and South Elevations 175/02 • Existing East and West Elevations 175/03 (Received by the Local Planning Authority 14/06/24) <p>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</p>
<p>3.</p>	<p>No development above slab level shall commence until samples/details of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>4.</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 (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>Reason: In the interest of public health and safety in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>5.</p>	<p>No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction / demolition the development;

	<p>e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and f) details of dust and noise suppression to be used during the construction phase. g) a scheme for the identification and safe removal of asbestos containing material.</p> <p>The approved statement shall be adhered to throughout the construction period.</p> <p>Reason: To protect the amenity of neighbouring residents in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>6.</p>	<p>Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall be in accordance with the enhancement measures and precautionary working measures contained within the submitted Ecological Appraisal (Dated 04/06/24 Version 2) and shall be implemented in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.</p> <p>In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</p>
<p>7.</p>	<p><u>Statutory Biodiversity – Deemed Condition</u></p> <p>Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.</p> <p>The effect of the relevant paragraphs of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:</p> <ul style="list-style-type: none"> a. a Biodiversity Gain Plan has been submitted to the planning authority, and b. the planning authority has approved the plan. <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Broxtowe Borough Council.</p> <p>Key Requirements:</p>

A Biodiversity Gain Plan (BGP) must be submitted to the Local Planning Authority, in writing no earlier than the day after planning permission has been granted and should be in accordance with the Small Sites Metric and Addendum to Appendix 3 BNG Calculation received by the Local Planning Authority on 17 September 2024, both documents prepared by Christopher Barker dipHort CEnv ACIEEM Ecologist.

The biodiversity gain plan must include:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;**
- (b) the pre-development biodiversity value of the onsite habitat;**
- (c) the post-development biodiversity value of the onsite habitat;**
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;**
- (e) any biodiversity credits purchased for the development; and**
- (f) any such other matters as the Secretary of State may by regulations specify.**

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

Template available here;

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

The development shall not commence until a Habitat and Monitoring Management Plan (HMMP) has been submitted to ensure that the development meets all the requirements of the Biodiversity Gain Plan (BGP).

The Habitat Management and Monitoring Plan (the HMMP) must include:

- (a) a non-technical summary;**
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;**
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;**
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and**
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,**

Template available here;

	<p>https://publications.naturalengland.org.uk/publication/5813530037846016</p> <p>Notice in writing shall be given to the Council when the:</p> <ul style="list-style-type: none"> (a) HMMP has been implemented; and (b) habitat creation and enhancement works as set out in the HMMP have been completed. <p>No part of the development hereby approved shall be occupied until:</p> <ul style="list-style-type: none"> (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority <p>The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.</p> <p>Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.</p> <p>Reason: To ensure the development delivers a biodiversity net gain on site in accordance with the relevant paragraphs of Schedule 7A of the Town and Country Planning Act 1990, Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019 and in accordance with the National Planning Policy Framework December 2023.</p>
<p>8.</p>	<p>Prior to the commencement of the development, a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed trees and shrubs (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) proposed lighting details (e) planting, seeding/turfing of other soft landscape areas (f) proposed retaining walls or similar structures <p>The approved landscaping shall be carried out in accordance with the approved details not later than the first planting season following the substantial completion of the development or occupation of the building, 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.</p>

	<p>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>
9.	<p>The dwellings shall not be brought into use until both access points are laid out with the widths as shown on the revised plan entitled ‘Proposed Site Plan’, drawing no. 175/04/E.</p> <p>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making and Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>
10.	<p>The dwellings shall not be brought into use until both access points dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making and Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>
11.	<p>The dwellings shall not be brought into use until both access drives are surfaced in a hard-bound material (not loose gravel). The surfaced drives shall then be maintained in such hard-bound material for the life of the development.</p> <p>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making and Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>
12.	<p>No part of the development hereby permitted shall be brought into use until the access driveways are constructed with provision to prevent the unregulated discharge of surface water from the driveway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.</p> <p>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making and Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>
13.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: To protect nearby occupiers from excessive noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>

<p>14.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking or re-enacting this Order, no extensions, enlargements, or roof alterations shall be carried out to the dwellings hereby approved which come within Class A, AA, B, C and E of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.</p> <p>Reason: In the interests of preserving the spacious character of the site and protecting the privacy of neighbouring properties in accordance with the aims of Policy 17 - Place-making, Design and Amenity of the Part 2 Local Plan (2019).</p>
<p>15.</p>	<p>The development hereby approved shall be carried out in accordance with the recommendations contained within the submitted BS5837:2012 Tree Survey (Dated 16/05/24 Version 1).</p> <p>Reason: To ensure protection during construction works of trees and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area is not impaired, in order to comply with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</p>
<p>16.</p>	<p>Prior to the occupation of the hereby approved development the Jakoustic® 12K ENVIROFENCE timber acoustic barrier detailed in plan ref 175/04/E dated 22/03/24 must be installed. The barrier must thereafter be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.</p> <p>To protect nearby occupiers from excessive noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>NOTES TO APPLICANT</p>	
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>

3.	<p>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>
4.	<p>There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.</p> <p>If the route 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. It is noted that the existing concrete fence is to remain.</p> <p>If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.</p> <p>Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.</p> <p>No materials or contractors vehicles should be stored/parked on the path prevent access to or along the path at any time (unless a temporary closure of the path has been applied for and granted).</p> <p>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 line ensuing that it is cut back so as not to interfere with right of way.</p> <p>Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. licences@viaem.co.uk</p> <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-andpermits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic</p>

Site Location Plan



- Site
- Byway open to all traffic
- Bridleway
- Footpath
- Open Spaces
- Playing Pitches
- Informal Open Space

Policy 28.1b
Policy 28.1c

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Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Elevations Units 1 and 2



01 - SOUTH ELEVATION



02 - NORTH ELEVATION

- 01. See Supplementary Planning Note
- 02. Mirocote/Purestone Plasterwork Finish
- 03. Mirocote/Purestone Plaster, Colour White
- 04. Kwikonk 100 Glass Colour White
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03 - WEST ELEVATION



04 - EAST ELEVATION

Proposed Elevations Units 3 and 4

