

Report of the Chief Executive

APPLICATION NUMBER:	24/00639/FUL
LOCATION:	99 Church Street, Stapleford, NG9 8GF
PROPOSAL:	Demolition of existing dwelling (99 Church Street) and garages and workshops to rear. Construct 15 residential units comprising 5 dwellings and 10 apartments, and single storey communal block including site office

This application has been brought before Committee at the request of Councillor R Macrae.

1. Purpose of the Report

- 1.1 The application seeks planning permission for the demolition of 99 Church Street and garages / workshops to the rear and construct 15 supported living dwellings and a communal block including site office. The dwellings consist of 5 single storey units (one detached and a row of 4) and one block of flats containing 10 units.

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 application seeks full planning permission for the development as outlined in paragraph 1.1 above.
- 3.2 The application site contains 99 Church Street, a detached two storey dwelling and a number of garages to the rear. The site is located within the built-up area of Stapleford. The garage site, to the rear of 99 Church Street, is bound by existing two storey residential properties to the east off Church Street, to the north off Northwood Street and to the south / south-west Manor Avenue. The site includes an existing single vehicle access off Manor Avenue that is currently closed.
- 3.3 Part of the south-west of the site is in Flood Zone 2. Most of the site is within a surface water risk area. In addition, the north-east corner of the site is in a high-risk coal mining area.
- 3.4 The main issues relate to whether the principle of the development is acceptable; the impact on the character and appearance of the area; the impact on living conditions of neighbouring and future occupiers; the impact on highway safety; the impact on flooding; the impact on Biodiversity Net Gain (BNG); ecology and trees; and the impact on land stability and contamination.

- 3.5 The development would result in the demolition of 99 Church Street and several garages to the rear; therefore, the proposal would have an impact on the character and appearance of the street scene and the area. The development would contribute to the redevelopment and enhancement of the existing vacant garage site. The development would also have an impact on amenity, traffic, surface water drainage and biodiversity. Notwithstanding this, it is considered any negative impacts have been mitigated by design and by way of planning condition. The development would deliver housing for the borough in the form of 15 1-bedroom dwellings providing supported living. 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.

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 planning permission for the demolition of 99 Church Street and garages to the rear and construct 15 supported living dwellings and a communal office block. The dwellings consist of 5 single storey units and one block of flats containing 10 units.
- 1.1 Vehicle access would be from Church Street and 8 off-street car parking spaces would be provided. The site layout includes landscaping and areas of shared amenity space.
- 1.2 The proposed development would provide supported living accommodation within the Stapleford area for vulnerable adults. The proposal offers independent living with an acute level of care provided on site. It is proposed that the accommodation would be operated by a housing association.
- 1.3 Amended plans have been received to address some issues raised during the application including highway safety, amenity of future occupiers and flood risk. The orientation of block A was changed to move areas of the building outside of Flood Zone 2 (south-west part of the site). Block C was amended to improve living space for the second-floor flats and improve the overall functioning of the building and shared amenity space. Block B was slightly enlarged to ensure the units were satisfactory for future occupiers.

2. Site and surroundings

- 2.1 The application site contains 99 Church Street, a detached two storey dwelling and a number of garages to the rear. The site is located within the built-up area of Stapleford. The garage site, to the rear of 99 Church Street, is bound by existing two storey residential properties to the east off Church Street, to the north off Northwood Street and to the south / south-west Manor Avenue. The site includes an existing single vehicle access off Manor Avenue that is currently closed. The character of the area is predominantly residential except for a few community facilities in close proximity such as a car wash and garage, hot food takeaway and local convenience store.
- 2.2 Part of the south-west of the site is in Flood Zone 2. Most of the site is within a surface water risk area. In addition, the north-east corner of the site is in a high-risk coal mining area.

3. Relevant Planning History

- 3.1 There is no relevant planning history for this site.

4. Relevant Policies and Guidance

- 4.1 **Broxtowe Aligned Core Strategy 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 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 21: Unstable Land
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 **National Planning Policy Framework (NPPF) 2024**

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

5. Consultations

First consultation

- 5.1 **County Highways** – No objections subject to conditioning that the parking area shall be provided prior to occupation; removal of highway trees / footway vehicular crossing is provided; and the access driveway is to be surfaced in a hard bound material. Off-site works to form the vehicular access will require the removal of two Highway Trees. A CAVAT assessment has been undertaken to

determine the financial value of the Trees which will be secured by S.106 contributions.

- S.106 obligations requested:

- Provision of Management Company to maintain private areas of land;
- The sum of £17,342 (£15,519 + £1,823) to compensate for the loss of 2 x Highway Trees.

5.2 County Lead Local Flood Authority – objection.

- Drainage strategy unacceptable.
- Due to the flood risk, more appropriate sites with lower risk should be considered to ensure the development will be safe for its lifetime.

5.3 County Public Rights of Way – no objections.

5.4 County Planning Policy – No objections subject to the following conditions and S106 contributions:

- Conditioning archaeological evaluation trenching and a mitigation strategy following the demolition of the garage buildings, prior to the construction phase.
- S106 contribution of £15,000 to support The Helpful Bureau Community Transport Scheme which may be used to support community transport projects which helps users who do not have access to, or use of, private vehicle and access to key services including shopping and health.
- S106 contribution of £22,100 to provide bus stop improvements to two nearby bus stops BRO0137 and BRO0149 Pasture Road.
- S106 obligation for all future occupiers to be provided free introductory bus travel made available to them to encourage use of sustainable modes of travel.

5.5 Broxtowe Environmental Health – No objections subject to details of any piling have been submitted and restricted construction hours.

5.6 Broxtowe Housing – Given the units are proposed for supported living accommodation, no affordable housing contributions would be requested.

5.7 Nottinghamshire Wildlife Trust - No objections subject to precautionary working measures and biodiversity enhancement measures.

5.8 Broxtowe Contamination – No objections subject to an investigative survey of the site has been carried out and details submitted to the LPA for approval.

5.9 Coal Authority – No objections subject to conditioning intrusive site investigation works to be carried out on site and submitted for approval by the LPA.

5.10 Environment Agency – The application is referred to flood risk standing advice as only the south-west corner of the site is in Flood Zone 2. A sequential test is required for major and non-major development if any proposed building, access and escape route, land-raising or other vulnerable element will be:

- in flood zone 2 or 3;
- with flood zone 1 and the flood map for planning shows it is at risk of flooding from surface water.

Garden/amenity open space would be classed as water compatible land.

5.11 Broxtowe Open Space – Section 106 contributions requested £26,892.30 for capital investment and maintenance of nearby parks.

5.12 Broxtowe Tree Officer – No objections.

5.13 Broxtowe Waste – Recommended bin dimensions and quantities provided. Bins must be within 10m of the adopted highway.

5.14 Nottinghamshire Police – Secure by Design security measures recommended.

5.15 NHS Integrated Care Board – below threshold of 25 units to request S106 contributions.

5.16 Stapleford Town Council - Neighbours have raised the following issues:

- neighbours were not consulted
- flooding
- Access and highway safety
- lack of parking
- overlooking
- more transparency from applicant was needed

5.17 Resident comments – 1 letter of support and 15 objections raising the following issues:

- Unacceptable construction noise.
- Overlooking impact on properties of Manor Avenue.
- Loss of light in neighbouring gardens of Manor Avenue.
- Sense of enclosure on Manor Avenue.
- Risk of anti-social behaviour as properties are located at the end of a private drive.
- Design of properties not in keeping with the area.
- Lack of local services to accommodate more housing in the area such as GP surgeries or schools.
- Pedestrian access off Manor Avenue is under the ownership of No. 12 and 14. Use of this access for the proposal would result in unacceptable amenity issues on neighbouring properties.
- Lack of parking provided.
- Highway safety concerns with the access off Church Street.
- Walkway from Manor Avenue would increase highway safety concerns.
- Noise and odour pollution from proposed development.
- Increase traffic in local area.

- Is the proposal compliant with local and national planning policy?
- Will the design change as the dwellings are built?
- Potential damage to neighbouring properties.
- Will the mains sewage system have capacity?
- Asbestos risk from demolition of garages
- Loss of property value caused from proposed development

Second consultation

5.18 **Lead Local Flood Authority** – no objections subject to conditioning a surface water drainage strategy.

5.19 **Resident comments:** 1 neutral comments and 5 objections, raising the following concerns:

- Loss of privacy.
- Sense of enclosure.
- Loss of light.
- Traffic generation, access and parking.
- Drainage / flooding.
- Asbestos.
- Previous objections submitted have not be responded to.
- Unclear what changes have been made in the amended plans.

5.20 **Stapleford Town Council:** to be reported at committee as late paper.

5.21 **Coal Authority:** No objections, previously recommended conditions withdrawn. The content and conclusions of the submitted Geo-environmental Ground Investigation Report meet the requirements of the planning system in demonstrating that the application site is safe and stable for the proposed development.

6. Assessment

6.1 The main issues to take into account when assessing this application are:

- Principle of development
- Layout, design and scale
- Living conditions
- Access and safety
- Flooding and drainage
- Ecology, biodiversity and trees
- Contamination and Land Stability

6.2 Principle

- 6.3 The site is located within the built-up area of Stapleford, as such the general principle of residential development is acceptable subject to the following material considerations.
- 6.4 Policy 8 of the Aligned Core Strategy (2014) states in paragraph 4 that the appropriate mix of house size, type, tenure and density within housing development will be informed by:
- c) local demographic context and trends;
 - d) local evidence of housing need and demand;
 - e) the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation;
 - f) area character, site specific issues
- 6.5 Policy 15 of the Part 2 Local Plan (2019) states in Section 6 that developments should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough. The Council is currently undertaking a review of housing land availability to identify the five-year housing land supply position. However, based on the existing analysis, the Council will not have a five-year housing land supply. As such, it is considered that weight should be afforded to the benefits of 15 dwellings to assist the Council housing land supply.
- 6.6 A letter of support from Nottingham City Council has been received for this development. This site supports the City Councils strategic aim of reducing the reliance on residential care by developing alternative options such as supported living. The City Council would secure a support provider for the development.
- 6.7 Layout, design and scale
- 6.8 Policy 10 of the Aligned Core Strategy states that all new development should be designed to make a positive contribution to the public realm and sense of place. Policy 17 of the Part 2 Local Plan 2019 states that permission will be granted for development which integrates into its surroundings and creates a place with a locally-inspired or otherwise distinctive character.
- 6.9 The proposed layout comprises a vehicle access running east to west through the site leading to three accommodation buildings and a single storey communal / office block. Block A is a single storey dual pitched dwelling with private garden space to the rear. Block B is a row of four single storey dwellings with dual pitched roofs and private gardens to the rear. Block C is a two-storey block of flats with side and front gable roofs. Block C includes accommodation in the roof space featuring two front dormer windows. This block includes a single storey block to its rear and a shared outside amenity space to the rear.
- 6.10 The overall appearance of the proposal is a contemporary design with a modern roof style used for blocks A and B. Materials would consist of a sympathetic brick, render and tile which have been conditioned. Landscaping including grassed areas and trees would be proposed along the frontages of block B and

C to enhance the appearance of the scheme when viewed from the private driveway and parking area. The applicant has agreed to providing a landscape management company to ensure the shared landscaping areas are kept tidy. It is considered that the shared and private garden spaces help to maintain a sense of spaciousness to avoid the proposal appearing cramped. The site is surrounded to the north, east, south and west by relatively long rear gardens, as such the layout has been designed to maintain the spacious character in this location.

- 6.11 Due to the location of the proposed development, set behind properties of Church Street, this would limit public views of the proposal. It should be noted that to create the access, two highway trees would have to be removed. The applicant has agreed to compensating the County Council for replacement highway trees by way of a S106 contribution.
- 6.12 Concerns have been raised with regards to design being not in keeping with the character of the locality. Properties in the vicinity of the site are predominantly two storeys with a mixture of red brick and render materials featuring hipped roofs and gables. Views of the single storey block would be limited as these buildings would mostly be screened by existing properties surrounding the site. Glimpses of the two-storey block would be visible at different points between existing properties from Church Street, Manor Avenue and Northwood Street. It is considered that the proposal helps to redevelop an existing vacant garage site and therefore would enhance the appearance of the site.
- 6.13 In summary, it is considered that the proposal has been designed to respect the character in this location including a sympathetic design and use of materials. As such, it is considered that the proposal would not result in an adverse impact on the character and appearance of the area.
- 6.14 Amenity
- 6.15 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that permission will be granted for development which ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.
- 6.16 To the north of the site is rear gardens of Northwood Street, to the east the rear gardens of Church Street, to the south and west rear gardens of Manor Avenue. Due to the sensitive location of the site, the layout and design has been carefully considered to reduce any potential overbearing, overshadowing or overlooking impacts. Concerns have been raised regarding the impact of the proposal on the privacy and amenity of neighbouring properties.
- 6.17 The plans have been amended resulting in a reduced single storey block that extends from the rear elevation of the two-storey building forming block C. Additional minor amendments to the layout and increased height of block C

have been proposed to ensure an acceptable internal floor space for future occupiers. Given the relatively long rear gardens of Northwood Street to the north and the proposed garden space along the northern parts of the site layout, this helps to limit any potential overbearing or overshadowing impact. Block C has been carefully designed to avoid overlooking impacts on surrounding properties. The rear elevation first floor windows only light lobby / corridor space while the roof lights are at high level; therefore, limiting any potential overlooking impact. One first floor window in the east side elevation would be separated from the rear boundary of 101 Church Street by 9m including the proposed single storey office block. While two front dormer windows have been added to Block C, they would be separated from the rear elevations of Manor Avenue properties by approximately 27m and separated by the driveway serving the site.

- 6.18 The amended plans show a minor increase in the length of the units forming block B. Block A and B are single storey; therefore, this limits any potential overlooking impact on neighbouring properties. The orientation of block A has been amended resulting in a gable facing the rear boundaries of 26 and 24 Manor Avenue. Notwithstanding this, block A is single storey to reduce any sense of enclosure caused by the building. Concerns have been raised regarding the impact of the comings and goings associated with the existing Manor Avenue access, this will not be open for public use and will be closed. The amenity block is a single storey flat roof building set back from garden boundaries of 101 and 103 Church Street, as such there are limited loss of amenity concerns with regards to this building.
- 6.19 The layout of the scheme has been designed to ensure the proposal provides adequate garden space that would receive sunlight for future occupiers. Blocks A and B would benefit from private garden areas with varying garden sizes. For all users of the site, shared garden space is located to the rear of Block C with parts of the site also landscaped. All flats proposed meet the minimum internal floor space standards in accordance with Technical housing standards – Nationally Described Space Standard (2015).
- 6.20 Environmental Health have provided no objections to the proposal subject to conditioning that details of any piling are provided and restricted construction hours. Given the proximity of the proposal to neighbouring properties a construction / demolition method statement has been conditioned to reduce any noise impact caused by the development. Environmental Health have also reviewed the submitted noise report and have provide no objections, which advises the living conditions for future occupiers would be acceptable in this location subject to an appropriate glazing specification which has been conditioned. Whilst the access is approximately 7m wide, to reduce the noise impact of the comings and goings on properties 97 and 101 Church; acoustic fencing will be installed. Details of acoustic fencing have been conditioned.
- 6.21 Overall, it is considered the proposed development would not result in an unacceptable impact on the living conditions of neighbouring properties.

6.22 Access and Parking

- 6.23 Paragraph 109 of 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 of 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.
- 6.24 Concerns have been raised in respect of traffic generation and parking. It should be noted that the existing single lane access off Manor Avenue will not be used and would be fenced off to avoid vehicles using this access which is considered unsuitable for the scale of the proposed development. A condition has been proposed to restrict any form of access from Manor Avenue. The proposed access off Church Street would be a minimum of 7m in width allowing a two-way flow for traffic entering and existing the site. The private driveway would also provide a pedestrian footpath along its boundary to allow safe pedestrian access to the site. The access would lead to a turning head within the site to allow vehicles to exit in a forward gear safely. In support of the application a transport assessment and vehicle tracking have been submitted. Visibility splay plans have been submitted demonstrating 2.4m x 43m visibility in accordance with the County Council Highway Design Guide. County Highways have provided no objections subject to conditions and S106 obligations.
- 6.25 Off-site works tree works for the vehicular access will require the removal of two highway trees. A CAVAT (Capital Asset Value for Amenity Trees) assessment has been undertaken to determine the financial value of the Trees. The applicant has agreed to paying financial S106 contributions to offset the loss of these trees. While it has not been possible to design the proposal to adoptable standards, a Management Company for long term maintenance of the private driveway has been agreed to protect the interests of the future occupiers, this would be secured by S106 obligation.
- 6.26 The site layout provides 8 parking spaces and cycle storage. As the proposal is intended to provide accommodation for adults of vulnerable backgrounds (for example acute learning difficulties), the applicant has suggested that there is a low expectation that future occupiers would have a private vehicle. Further to this, there is space to park in non-designated areas in a worst-case scenario which would not obstruct vehicles entering and exiting the site.
- 6.27 The site is in a sustainable location being approximately 430m from Stapleford town centre which is a 6-minute walk. In close proximity of the site includes a car wash and garage, two hot food takeaways and a convenience store. The

closest bus stops to the site are located less than 100m north and south of the site. These bus stops provide access to bus services 18, 111 and my15, which provide regular services to Nottingham, Ilkeston, Long Eaton and East Midlands airport. The nearest tram service is Toton Lane Tram Stop which is located 1.9km southeast of the site (30min walk or 7 min cycle). The nearest railway station is Long Eaton which is located 5.5km south of the site. This is a 22min cycle ride or can be accessed via the my15 and 18 bus services.

6.28 Waste storage has been provided adjacent to the amenity office block. The waste store is approximately 42m distance from Church Street. A waste management plan has been conditioned to sure an appropriate strategy is adopted for the lifetime of the scheme.

6.29 While the proposed parking provision is below the maximum limit, the site is in a built-up residential area which is supported by a number of sustainable travel options. It is also noted that those living in supported living are less likely to own or have access to vehicles which means parking demand is lower. As such, it is considered that the proposed development with regards to the access and parking would not result in an unacceptable impact on highway safety.

6.30 Flooding

6.31 Policy 1 - Climate Change of the Part 1 Local Plan states that development will be supported which individually or cumulatively does not increase the risk of flooding elsewhere and where possible, reduces flood risk. It also states that all new development should incorporate measures to reduce surface water runoff whilst managing surface water drainage in a sustainable manner and that Sustainable Drainage Systems should be incorporated into all new development unless it can be demonstrated that such measures are not viable or technically feasible.

6.32 Policy 1 – Flood Risk of the Part 2 Local Plan states that development will not be permitted in areas at risk from any form of flooding unless:

- 1) There are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and
- 2) In the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent standard of protection; and
- 3) Provision is made for access to watercourses (8 metres for ‘main river’) and flood risk management assets; and
- 4) Measures are included to:
 - a. mitigate any residual fluvial flood risk;
 - b. provide flood compensation where it is appropriate; and
 - c. ensure, including by the use of Sustainable Drainage Systems (SuDS), that:
 - (i) developments on greenfield sites maintain greenfield (pre-development) surface water run off rates;

- (ii) developments on brownfield sites reduce surface run off by a minimum of `30% compared with pre-development rates.

- 6.33 Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 173 states that a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, by following the steps set out below. Paragraph 174 of the NPPF states that within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test.
- 6.34 The south-west corner of the site lies within Flood Zone 2. Furthermore, most of the site is affected by surface water flood risk. In accordance with the above NPPF paragraphs, the application has been supported by a sequential test and flood risk assessment. The sequential test has been provided in line with the Strategic Land Availability Assessment (2022/23), Broxtowe Brownfield Land Register and a commercial property search has been conducted.
- 6.35 PPG part 7 paragraph 24 states the sequential test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the sequential test should go on to compare reasonably available sites:
- Within medium risk areas; and
 - Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.
- 6.36 PPG part 7 paragraph 28 advises that 'reasonably available sites' are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'. It is accepted that in this case, the search area is restricted to Stapleford based on the proposal being supported living accommodation to meet local needs. The site area is approximately 0.25 hectares. After reviewing the findings of the sequential test, it is accepted that there are no sites that are reasonably available within the search area which meet the above criteria.
- 6.37 The Environment Agency have reviewed the proposal and have referred the application to standing advice. Only a small part of the south-west corner is in Flood Zone 2. In response, the applicant has amended the layout and only part

of the rear garden area of block A is in Flood Zone 2. As such, from a fluvial flood risk perspective there are limited concerns. However, the majority of the site is affected by surface water flood risk. In response the applicant has submitted a drainage strategy for the site which has been reviewed by the Lead Local Flood Authority who have provided no objections. The surface water runoff from the proposed development will be discharged to the culverted surface water drain that runs along the northern border of the site and connects to the nearest natural watercourse, the River Erewash. SuDS will be incorporated in the site through use of permeable paving with sub-base crates beneath the road and parking area. Foul water will be discharged to an existing foul water manhole associated with the existing 99 Church Street. Soft landscaping and trees are proposed within the site which will provide permeable areas to help mitigate surface water flooding.

- 6.38 In light of the above, it is considered that subject to conditioning the surface water drainage strategy there are no significant concerns with regards to proposed development in terms of pluvial or fluvial flooding.

6.39 Biodiversity, ecology and trees

- 6.40 The application has been supported by a bat survey, tree report and statutory BNG metric. The site consists of a garage site with hard standing and grassed areas. The site does not contain any designated or non-designated habitat sites. While the proposal requires the demolition of the existing buildings on site, the bat survey has indicated that there was no evidence of bats in any of the structures. Nottinghamshire Wildlife Trust have reviewed the proposal and have provided no objections subject to precautionary working measures to be conditioned in a CEMP and enhancement measures such as bird and bat boxes be installed.
- 6.41 The application has been supported by a tree survey which confirms there are no trees within the site. However, following discussions with County Highways, it was deemed necessary to remove two existing highway trees to allow a safe vehicle access off Church Street. The applicant has agreed to pay S106 contributions for the loss of both trees on Church Street. The Councils tree officer has reviewed the proposal and has provided no objections.
- 6.42 The submitted biodiversity metric has been completed to provide an assessment of pre-development biodiversity value. The assessment of the development proposed for the site, would result in a net gain of biodiversity units across the site area from 0.20 units to 0.24 units resulting in 19.94% onsite BNG. During the application some changes have been made to the layout, these would only amount to minor changes to the final BNG %. It is considered that subject to the biodiversity net gain planning condition, the development would achieve 10% in the form of onsite enhancements. 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). A monitoring fee for the

30 year monitoring period of the on site BNG would be secured by S106 agreement.

- 6.43 Overall, the development will not result in harm to protected species, designated sites or habitat. Subject to appropriate conditions covering mitigation and protection measures being satisfactory, the scheme is considered acceptable with respect to nature conservation and protected species.

6.44 Developer contributions

- 6.45 Financial contributions are sought in respect of Public Open Space £26,892.30 for capital investment and maintenance of nearby parks and highway tree removal compensation £17,342. The applicant has agreed to providing an open space maintenance company and private drive management company by S106 obligation. As the scheme is designed for vulnerable adults which will be operated by a housing association, the proposed accommodation is treated as 100% affordable housing, and this will be secured within the S106 agreement.

- 6.46 NCC Planning Policy have requested £15,000 to support The Helpful Bureau Community Transport Scheme which may be used to support community transport projects which helps users who do not have access to, or use of, private vehicle and access to key services including shopping and health. Further to this, £22,100 is sought to provide bus stop improvements to two nearby bus stops BRO0137 and BRO0149 Pasture Road. NCC have also requested that for all future occupiers to be provided free introductory bus travel made available to them to encourage use of sustainable modes of travel. The applicant has agreed to all of the above S106 obligations.

- 6.47 As the proposal is for less than 25 units and is single occupancy, no health or education contributions have been requested by the NHS ICB or NCC Planning Policy.

6.48 Other Matters

- 6.49 Part of the north-east of the site is within a high-risk coal mining area. The Coal Authority have provided no objections to the proposed development subject to conditioning intrusive site investigation works. Details of the findings and any remedial works required would be approved by the Local Planning Authority.
- 6.50 With regards to potential land contamination on site, Broxtowe Environmental Health Contamination have advised no objections subject to conditioning an investigative survey of the site. Details of the findings and any remedial works required would be approved by the Local Planning Authority.

- 6.51 Concerns have been raised with regards to asbestos being on site and the demolition process increasing public health risk to neighbouring properties. Asbestos removal is governed by separate legislation and therefore any potential removal would be strictly regulated.
- 6.52 Nottinghamshire Police have been consulted, and security measures have been recommended to deter potential crime. As such, a Secure by Design condition has been proposed to ensure crime deterrent design measures can be adopted. It is considered that the layout and design of the development and surrounding properties ensures a reasonable level of natural surveillance across the site to reduce the potential for any anti-social behaviour.
- 6.44 In terms of sustainability, the applicant has agreed to the provision of electric vehicle charging facilities and this has been conditioned.

7 Planning Balance

- 7.1 The development would result in the demolition of 99 Church Street and several garages to the rear; therefore, the proposal would have an impact on the character and appearance of the street scene and the area. The development would contribute to the redevelopment and enhancement of the existing vacant garage site. The development would also have an impact on amenity, traffic, surface water drainage and biodiversity. Notwithstanding this, it is considered any negative impacts have been mitigated by design and by way of planning condition. The development would deliver housing for the borough in the form of 15 1-bedroom dwellings providing supported living. 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 and comments raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

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.

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| 1. | The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. |
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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.

2.	<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>Proposed Site Plan DP-A-1002 P15 (Received by the Local Planning Authority 05/08/25)</p> <p>Proposed Site Ground Floor Plan DP-A-1001 P10 Proposed West Elevation - Amenity DE-A-3712 P3 Proposed South Elevation – Amenity DE-A-3713 P3 Proposed East Elevation – Amenity DE-A-3714 P3 Proposed North Elevation – Amenity DE-A-3715 P3 (Received by the Local Planning Authority 04/08/25)</p> <p>Proposed Ground Floor Plan Block A DP-A-2200 P3 Proposed North and South Elevation Block A DE-A-3702 P3 Proposed East and West Elevation Block A DE-A-3701 P3 Proposed Ground Floor Plan Block B DP-A-2200 P3 Proposed South Elevation Block B DE-A-3702 P3 Proposed North Elevation Block B DE-A-3703 P3 Proposed East Elevation Block B DE-A-3704 P3 Proposed West Elevation Block B DE-A-3701 P3 Proposed Roof Plan Block B DP-A-2201 P3 Proposed Ground Floor Plan Block C DP-A-2200 P5 Proposed First Floor Plan Block C DP-A-2201 P6 Proposed Second Floor Plan Block C DP-A-2202 P5 Proposed North Elevation Block C DE-A-3711 P5 Proposed South Elevation Block C DE-A-3702 P5 Proposed East Elevation Block C DE-A-3704 P5 Proposed West Elevation Block C DE-A-3701 P5 Proposed Roof Plan Block C DP-A-2203 P5 Proposed Site Sections DS-A-3201 P4 East Axonometric View DV-A-6003 P6 South Axonometric View DV-A-6002 P8 (Received by the Local Planning Authority 25/07/25)</p> <p>Amenity – Floor Plan DP-A-2204 P3 (Received by the Local Planning Authority 30/10/24)</p> <p>Site Location Plan DP-A-1100 P1 (Received by the Local Planning Authority 24/09/24)</p> <p><i>Reason: For the avoidance of doubt.</i></p>
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3.	<p data-bbox="284 215 943 248">Statutory Biodiversity – Deemed Condition</p> <p data-bbox="284 286 1401 360">Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.</p> <p data-bbox="284 398 1401 584">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 data-bbox="284 622 1401 730" style="list-style-type: none"><li data-bbox="284 622 1401 685">a. a Biodiversity Gain Plan has been submitted to the planning authority, and<li data-bbox="284 689 1401 730">b. the planning authority has approved the plan. <p data-bbox="284 768 1401 875">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 data-bbox="284 913 584 947">Key Requirements:</p> <p data-bbox="284 985 1401 1171">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 BNG Metric received by the Local Planning Authority on 24 September 2024, prepared by JM BSc Hons MCIEEM.</p> <p data-bbox="284 1209 900 1243">The biodiversity gain plan must include:</p> <ul data-bbox="284 1281 1401 1648" style="list-style-type: none"><li data-bbox="284 1281 1401 1386">(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;<li data-bbox="284 1391 1259 1424">(b) the pre-development biodiversity value of the onsite habitat;<li data-bbox="284 1429 1275 1462">(c) the post-development biodiversity value of the onsite habitat;<li data-bbox="284 1467 1401 1541">(d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;<li data-bbox="284 1545 1259 1579">(e) any biodiversity credits purchased for the development; and<li data-bbox="284 1583 1401 1648">(f) any such other matters as the Secretary of State may by regulations specify. <p data-bbox="284 1686 1401 1856">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</p>
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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;

<https://publications.naturalengland.org.uk/publication/5813530037846016>

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) habitat creation and enhancement works as set out in the HMMP have been completed.

No part of the development hereby approved shall be occupied until:

- (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

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP. Reason: To ensure the development delivers a biodiversity net gain on or off site in accordance with the relevant paragraphs of Schedule 7A of the Town and Country Planning Act 1990.

	<i>Reason: To ensure the development delivers a biodiversity net gain on or off site in accordance with the relevant paragraphs of Schedule 7A of the Town and Country Planning Act 1990.</i>
4.	<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 Part 16 - Conserving and enhancing the historic environment of the National Planning Policy Framework (2024), Policy 11 of the Broxtowe Aligned Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<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 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>No development shall be commenced until details of all windows 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 protect the privacy of future occupiers in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<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.</p>

	<p>The survey must have regard for the recommendations set out in the report submitted with this application (Phase 1 Geo-environmental Report: E24/8237/R001). 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, subsidence, release of mine gas 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> <ul style="list-style-type: none">(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><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
8.	<p>No development shall commence until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented on accordance with the approved details.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>

9.	<p>No development 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; 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. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: In the interests of highway safety, and residential amenity, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10.	<p>The development hereby permitted shall not be commenced until a scheme of bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved biodiversity enhancement plan.</p> <p><i>Reason: In the interests of ensuring that biodiversity enhancements can be achieved, in accordance with the aims of Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
11.	<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 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>Prior to the commencement of the development, details of acoustic fencing to be erected adjacent to the access shall be submitted to and</p>

	<p>approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of residential amenity, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
13.	<p>No development above slab level shall commence until 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) trees, hedges and shrubs to be retained and measures for their protection during the course of development (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>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>
14.	<p>No development above slab level shall commence until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The approved waste management plan shall be implemented in accordance with the approved details and retained for the lifetime of the development.</p> <p><i>Reason: To ensure sufficient provision is made for bin storage on the site in the interests of highway safety and residential amenity and 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 development above slab level shall commence until written and illustrative details of the number, siting, design and future use of the electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. No commercial or residential unit shall be occupied until the electric vehicle charging points have been provided in accordance with the approved details.</p> <p><i>Reason: To future proof the development and in the interests of air quality in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>

16.	<p>No part of the development shall be brought into use until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.</p> <p><i>Reason: To reduce the potential for crime in accordance with Part 8 – Promoting healthy and safe communities of the National Planning Policy Framework (2024).</i></p>
17.	<p>The proposed development shall not be brought into use until the parking/turning layout as shown on drawing STP-ARC-S1_XX-DP-A-1002 Rev P15 has been provided. The parking and turning areas shall then be maintained in accordance with the approved details, and shall not be used for any purpose other than the parking and turning of vehicles.</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>
18.	<p>The proposed development shall not be brought into use until the highway trees fronting the site access have been fully removed, and a footway / vehicular crossing constructed to serve the proposed development.</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>
19.	<p>The proposed development shall not be brought into use until the access driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 8m behind the highway boundary and has been constructed with provision to prevent the discharge of third party surface water to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</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>
20.	<p>No part of the development shall be brought into use until illustrative details of the siting and design of the bin and cycle storage facilities shall</p>

	<p>be submitted to and approved by the Local Planning Authority and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Plan (2019).</i></p>
21.	<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 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Plan (2019).</i></p>
22.	<p>The archaeological site work must be undertaken only in full accordance with the approved Archaeological Mitigation Strategy referred to condition 4. 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 that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with Part 16 - Conserving and enhancing the historic environment of the National Planning Policy Framework (2024), Policy 11 of the Broxtowe Aligned Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i></p>
23.	<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 Part 16 - Conserving and enhancing the historic environment of the National Planning Policy Framework (2024), Policy 11 of the Broxtowe Aligned</i></p>

	<i>Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i>
24.	<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><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
25.	<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, 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><i>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 of the Broxtowe Part 2 Local Plan (2019).</i></p>
26.	<p>No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> • In order to demonstrate that flood risk to the existing site and the residential properties proposed on the site, the applicant would need to wholly address and manage the surface water risks shown to the existing site, prior to then demonstrating that the flood risk caused by the site itself would not pose a risk to itself. • Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175. • Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area. • Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface

	<p>water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.</p> <p>Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.</p> <ul style="list-style-type: none"> - No surcharge shown in a 1 in 1 year. - No flooding shown in a 1 in 30 year. - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. <ul style="list-style-type: none"> • Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site. • Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. • Evidence of approval for drainage infrastructure crossing third party land where applicable. • Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. • Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness. <p><i>Reason: To ensure an acceptable surface water drainage strategy is implemented in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).</i></p>
27.	<p>The development hereby permitted shall be carried out in accordance with the recommendations contained within Section 5 of the submitted Noise Impact Assessment (dated 26 October 2024).</p> <p><i>Reason: To protect the living conditions of future occupiers from external noise sources in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>

28.	<p>The existing access into the site from Manor Avenue must be kept closed and not be used to access or exit the application site for the lifetime of the development.</p> <p><i>Reason: In the interests of residential amenity, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 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.	The development makes it necessary to undertake works within the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake these works you are required to obtain a licence. Please contact licences@viaem.co.uk for details.
3.	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.
4.	Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
5.	In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.
6.	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.
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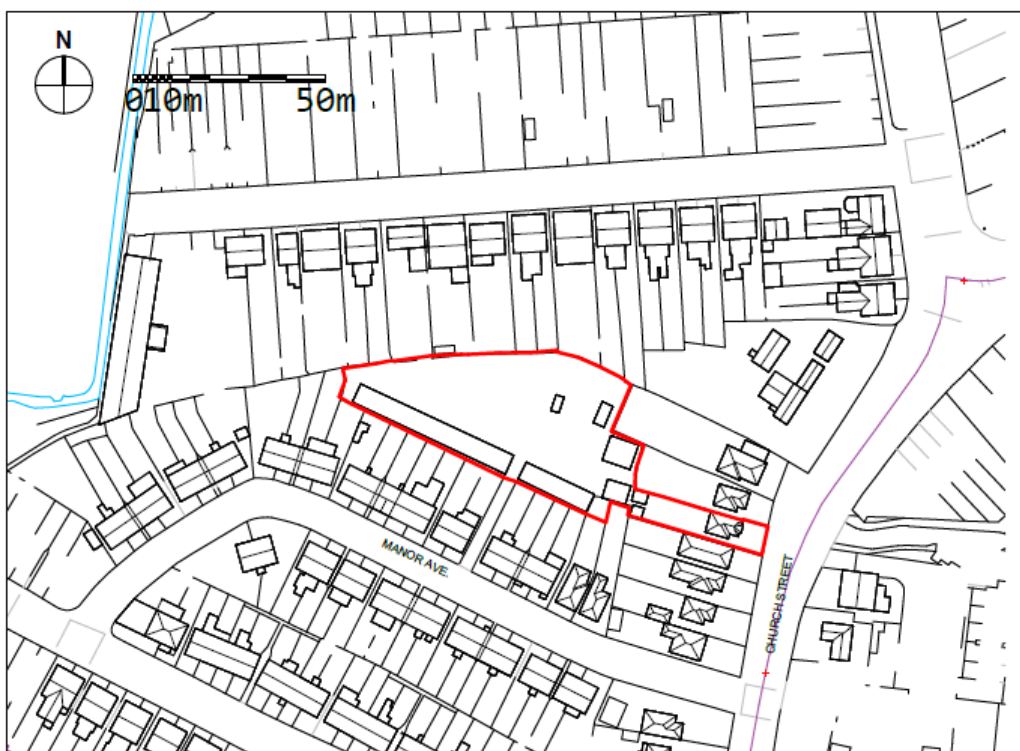
Map



- Site
- Flood Zone 3
- Flood Zone 2
- Coal Standing Advice
- Coal Referral Area

Plans

Site Location



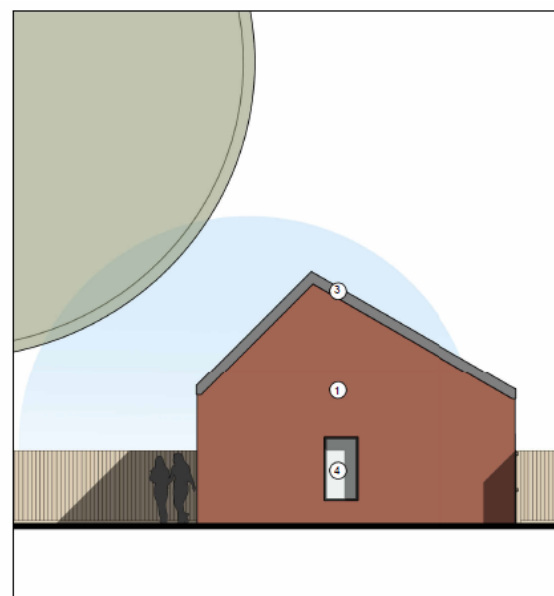
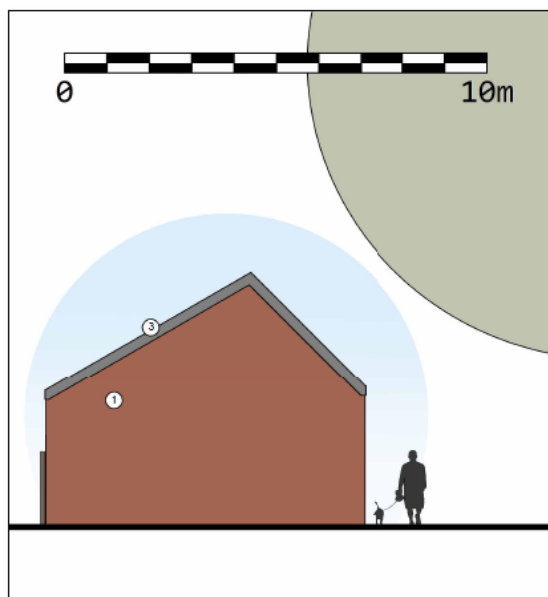
Proposed Site Plan



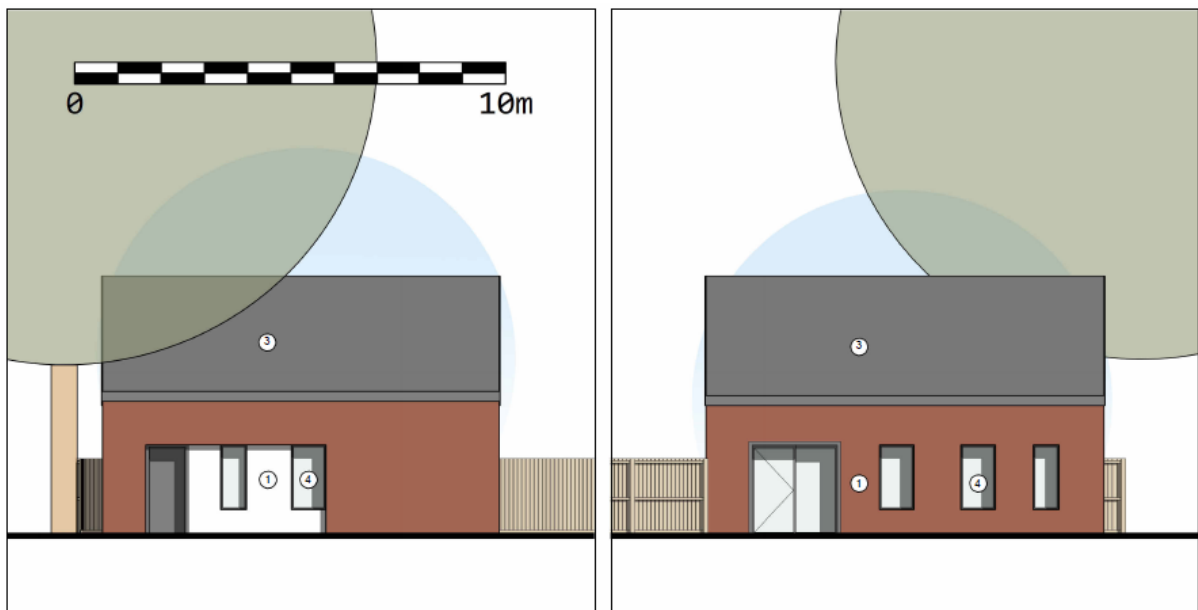
Proposed Site Ground Floor Plan



Block A: Side Elevations



Block A: Front and Rear Elevations



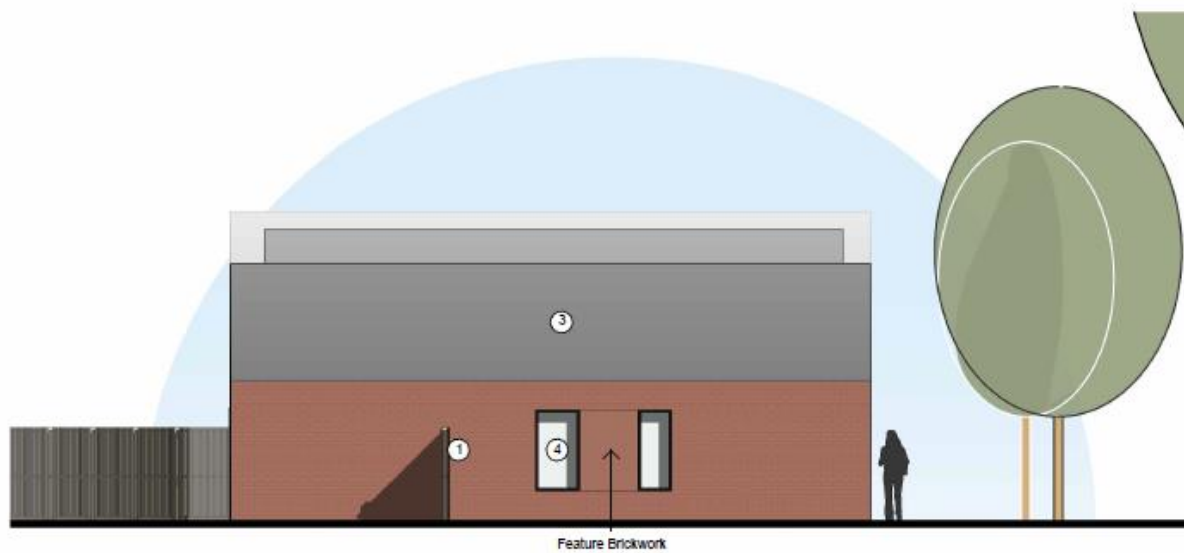
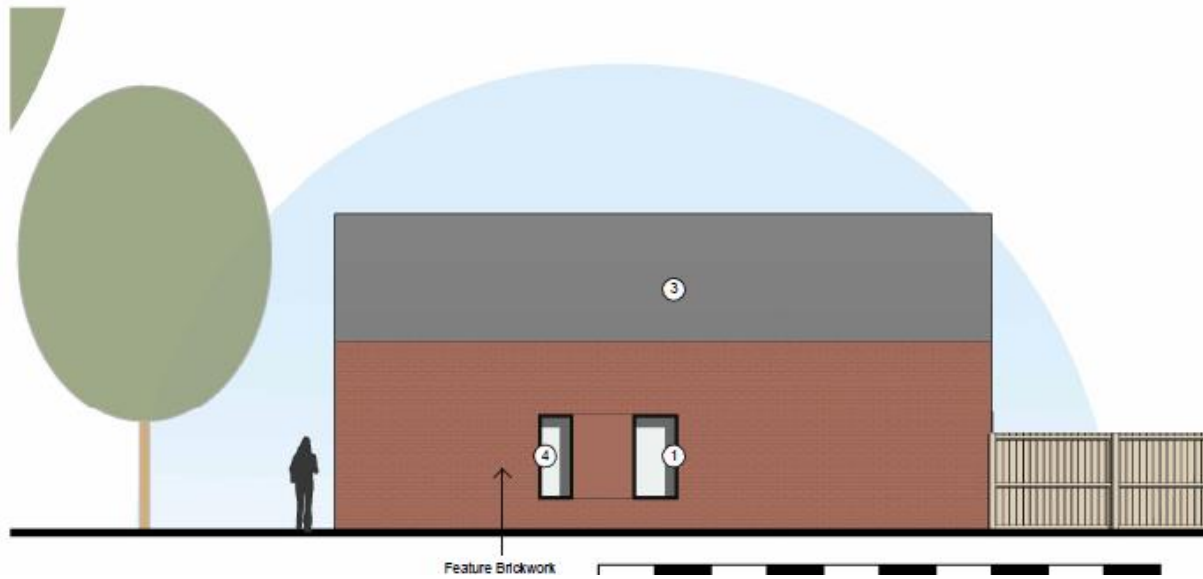
Block B: Front Elevation



Block B: Rear Elevation



Block B: Side Elevations



Block C: Front Elevation



Block C: Rear Elevation



Proposed Side Elevations



Amenity Building Elevations:

