

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>24/00865/FUL</b>
<b>LOCATION:</b>	<b>7 Nottingham Road, Trowell, NG9 3PA</b>
<b>PROPOSAL:</b>	<b>Construct three buildings to provide two flats and two bungalows along with parking and new access</b>

The application is brought to the Committee at the request of Cllr Pringle due to public interest in the application.

1. Purpose of the Report

- 1.1 The application seeks planning permission to demolish the existing cottage and construct three buildings to provide two flats within one two storey building, and two detached bungalows along with parking and new access.

2. Recommendation

The Committee is asked to **RESOLVE** that planning permission be **GRANTED** subject to the prior signing of a Section 106 Agreement to secure BNG monitoring contributions, and subject to conditions as set out in the appendix.

3. Detail

- 3.1 The application seeks planning permission to demolish the existing dwelling and construct three buildings to provide two flats and two detached bungalows along with parking and relocation of the existing access.
- 3.2 The site is located within Trowell and has an existing access leading to a large area of parking and a two storey cottage set toward the rear. Along the boundary with Nottingham Road and the joint boundary with 5 and 9 Nottingham Road, there is a mature hedge.
- 3.3 The application seeks to change the location of the vehicular access to the south of the site, adjacent to the boundary with 5 Nottingham Road and the existing access will be stopped up and replacement hedge planted.
- 3.4 Following the demolition of the dwelling two detached bungalows will be created with amenity space and parking, positioned to the rear of the site. To the southeast (front) of the site is proposed a two storey building creating two flats with amenity area and parking for each flat.
- 3.5 The application seeks to provide 10% BNG on site.
- 3.6 The main issues relate to whether or not the principle of development is acceptable, impact on neighbour amenity, highway and ecology.

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 permission to demolish the existing dwelling, relocate the vehicular access and construct two detached bungalows, two flats with parking and amenity area along with bin storage area next to Nottingham Road.
- 1.2 The detached bungalows will be located to the rear of the site with a garden area and two parking spaces each. One bungalow will be two bedroom and measures approximately 8.1m in length, 7.4m wide, 2.8m to the eaves and 4.4m to the ridge. The second bungalow will have three bedrooms and measures approximately 11.2m in length and 7.29m wide, 2.8m to the eaves and 4.4m to the ridge. Each dwelling has a patio area and their own private amenity area and parking.
- 1.3 The two flats would be contained in a two storey building measuring 7.2m in length, 7.1m in width, 5.2m to the eaves and 8.2m to the ridge. Both flats will have two bedrooms and their own private external amenity area and parking.
- 1.4 Each building will have solar panels on the roof and be constructed using red brick and buff detail cills and lintels with grey tiles which are in keeping with the area.

2. Site and surroundings

- 2.1 The application site is located within a residential area of Trowell, screened from the highway by the mature hedgerow. The dwelling is currently vacant and is set to the north of the site with an area of hardstanding/turning area located directly on the south of the dwelling. There is a garden located to the west of the dwelling that is enclosed and private. To the south of the site lies the existing vehicular access and an area of grass.
- 2.2 To the north of the site lies the carpark for the Festival Inn and dwellings on Festival Crescent with the garden area of 6 Festival Crescent running along the north eastern boundary of the site. To the east lies Budgens convenience store (previously Walker of Trowell fishing and shooting shop). To the south on the opposite side of the road there are two storey dwellings with parking and gardens to the principal elevation. To the west lies two detached dwellings with the garden area belonging to 5 Nottingham Road running along the south west of the site. The garden area for 3 Nottingham Road runs along the western boundary of the site.
- 2.3 To the south and south west of the site lies three listed buildings. The dwelling and stables at 4 Nottingham Road, Church of St Helen and Rectory Farmhouse and adjoining boundary wall.

3. Relevant Planning History

- 3.1 78/00660/FUL and 88/00695/FUL both are extensions and alterations to the dwelling to create conservatory and extensions. Both were approved and implemented.

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 8: Housing size, mix and choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 17: Biodiversity

4.2 **Part 2 Local Plan 2019**

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

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, Design and Amenity
- Policy 23: Proposals Affecting Designated and Non Designated Heritage Assets
- Policy 31: Biodiversity Assets

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

- Section 4 – Decision making
- Section 5 – Delivering a sufficient supply of homes
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 16: Conserving and enhancing the historic environment

5.0 **Consultees**

- 5.1 **Broxtowe Borough Council Environmental Health Department** has raised no objections but requested conditions for contaminated land due to the site being within 250m of a historic landfill site and a Construction Environmental Management Plan.

- 5.2 **Broxtowe Borough Council Landscaping, Parks & Environment** - no comments received

- 5.3 **Broxtowe Borough Council Housing** - no comments received

- 5.4 **Environment - Bins** were consulted and raised no objection but specified the bin provision requirements for the site.

- 5.5 **Nottinghamshire County Council Highways Authority (HA)** were consulted and requested changes to the access, visibility splay and bin provision. An amended plan 3659-01C has overcome the concerns raised. Conditions to

close up the existing access, the surface being laid to hard bound material and turning area being implemented before dwellings are taken into use.

- 5.6 **Nottinghamshire Wildlife Trust (NWT)** have provided several set of comments as follows:

5.6.1 First set of comments

NWT Raised concerns following reviewing the information and the preliminary ecological assessment report (PEAR) and in its current condition fails to meet the level of standard required to support the planning application. The report lacks details in terms of habitat description, protected species potential, no desk top study/local biological records have been scrutinised/commissioned to inform the assessments, there is no information relating to the competency of the ecologist, minimal information relating to the relevant wildlife legislation, the use of outdated guidance and erroneous assumptions made in relation to nesting potential.

- 5.6.2 NWT requested Bat activity survey following best practice, with all elevations covered by night vision aids/surveyors and supported by full-spectrum detectors. Bats are a protected species and thus a material consideration in planning. Consequently, the bat activity surveys must be undertaken prior to the determination of the application. A desktop study incorporating biological record data from the Nottinghamshire Geological and Biological Records Centre (NBGRC), as is standard.

- 5.6.3 NWT has stated that the proposals appear to impact the garden areas as well as the buildings. As such, all onsite habitats should be assessed for their potential to support protected/notable species. Currently, the habitat descriptions are minimal, providing little to no information relating to the size/structure of habitats. The ecologist has only included bats, birds and badgers. Given the urban context, it will be necessary to also assess the potential for hedgehogs and amphibians to be present and provide suitable/site-specific mitigation (where required). Urban birds commonly nest in manicured hedgerows and topiary. Thus, standard precautionary working measures should be followed in relation to sensitive timing of works. Given the age/structure of the building, swifts should also be considered.

- 5.6.4 NWT raised concerns with the BNG and any BNG proposals on site should be suitable to the location and achievable, i.e., the addition of 10 trees may be unachievable. Any habitats recently cleared (after 30th January 2020) should be included within the metric calculations as per the Environment Act 2021 (Schedule 7A, Part 1, Paras 6a-b). There are several biodiversity assets (see figure 1 overleaf) within 2km of the application site including Local Nature Reserves (LNR) and Local Wildlife Sites (LWS). These sites should be impact assessed and used to inform the protected species assessments, in relation to the various Impact Risk Zones (IRZ). The report does not summarise the various protected species legislation / local planning policies. It is essential that this information is included to inform the client of their planning / biodiversity duties especially those relating to potential wildlife offences.

Second set of comments

- 5.6.5 NWT reviewed the relevant application documents submitted to summarise NWT still questions the competence of the ecologist, bat survey should be undertaken before determination of the application, there is information lacking from the ecology report. The garden lawn can support a wide range of protected species and concern has been raised regarding the number of trees within the site for the BNG and how these might grow and take over the site.
- 5.6.6 NWT are satisfied that the garage and conservatory are to be included as part of the main structure during bat emergence surveys. Conditions can be put in place regarding precautionary working practices for protected species and working methods to protect birds and nests. NWT has not objected to the application but raised some concerns and recommended a bat survey before determination and conditions for works.

Third set of comments

- 5.6.7 NWT has assessed the additional information submitted and agrees to the submitted information but requires conditions for covering the foundations overnight, timing to the hedge out of bird breeding season in line with BS5837:2012, lighting plan, LEMP, bat and swift bricks and LEMP conditions.
- 5.7 **Cllr L A Ball - Awsworth, Cossall & Trowell Ward** -No comment.  
**Cllr D Pringle - Awsworth, Cossall & Trowell Ward** -Requested the application be determined by Planning Committee
- 5.8 11 neighbours were consulted on the application and a site notice displayed. There were a total of 8 objections on the original scheme and amendments, of which 5 are neighbours to the site:
- Trowell is a small rural village and the destruction of the perfectly habitable cottage is not in the best interest of the village;
  - Flats and parking are totally out of character of the village;
  - Entrance/exit to the property is on a very busy road just along from a bend and the entrance/exits will be adding to the already busy traffic in this location;
  - Too close to the boundary and would be over bearing and loss of light and the upper floors would give rise for overlooking;
  - The development will generate lots of noise during construction and after completed;
  - Trowell is a pretty village and a more traditional structure would be more acceptable;
  - Overlooking and so loss of privacy;
  - Traffic running along the boundary with neighbouring property;
  - New trees will overshadow bungalow and garden;
  - Impact on the environment;
  - Disturbance of the land and cottage would lead to rats;

- The creation of gardens would be used as play areas for children and would be noisy and gardens would be used to have BBQ and these could go into the evenings/nights/early mornings and would be very noisy;
- The creation of the flats would have an impact on mental health/sleep;
- Visitors would end up parking on the pavement;
- Decrease the value of bungalow and impact on retirement;
- The school is at full capacity and local GP can't take any more;
- Plans are too densely populated for the size of the site;
- Concealed entrance to the property and so dangerous and this will be compounded if the business next door opens

## 6. Assessment

6.1 The main issues for consideration are whether the proposed development is acceptable in design and layout, has sufficient parking, has an acceptable relationship with neighbouring properties, provides an adequate standard of amenity for future occupants and complies with the requirement to achieve a 10% BNG.

## 6.2 Principle of development

6.2.1 The site is within an existing residential area and provides the opportunity to provide additional housing outside of Green Belt land. There is also a need to boost housing supply which a site such as this can help deliver. The provision of two detached bungalows and two flats on a brown field site is considered to be a benefit in terms of contributing to the provision of homes within the borough.

6.2.2 Whilst it is acknowledged the development would result in the loss of one dwelling it is considered the loss is outweighed by the net gain of three residential units that make an efficient use of the land. Whether there is adequate space to accommodate the two bungalows and two flats with their own parking and amenity space and the impact a development of this size will have on neighbouring properties, the character of the area, the highway and biodiversity of the site, is considered below.

6.2.3 To conclude, the site is located within an urban location and considerable weight must be given to the need to boost housing supply. It will provide four dwellings, suitable for occupation by a range of tenures for example small families or occupiers with accessible needs, within an existing settlement in a sustainable location with public transport links providing access to the wider area. It is considered the proposed dwellings with their own parking and amenity area will not have any adverse effect on neighbour amenity, the design, massing, scale and appearance are considered to be acceptable. The change of location of the access is acceptable along with providing biodiversity net gain on site. The principle of development is therefore considered to be acceptable.

## 6.3. Design and visual amenity

- 6.3.1 Policy 10 of the Aligned Core Strategy (ACS) states that all new development should be assessed in terms of massing, massing, scale and proportion, materials and architectural style and detailing. Policy 17 of Part 2 Local Plan (P2LP) states that development should be of a size and design that makes a positive contribution of the appearance of the area.
- 6.3.2 There is currently a detached vacant dwelling to the north of the site, that has been extended and altered. Along the southern, west and eastern boundary is a mature hedge leading to a large area of hardstanding to the southern elevation of the dwelling and an attached garage. There is a garden area located behind a secure gate to the west of the site. The plot is generous compared to the neighbouring plots.
- 6.3.3 The demolition of the detached dwelling will enable the creation of two bungalows with off road parking and private gardens for each dwelling. The change in location of the vehicular access will enable a two storey building, accommodating two flats, to be located to the east of the site, away from no. 5 Nottingham Road, would now be adjacent to the commercial building (9 Nottingham Road). The design and position of the dwellings have been taken into consideration to ensure the larger structure is to be sited next to 9 Nottingham Road and the two bungalows being located to the rear of the site. The position of the dwellings allows the development to assimilate into the area whilst the improvement of the hedge following blocking up of the existing vehicular access will blend with the street scene. It should be noted the flat buildings follow the general building line of Nottingham Road.
- 6.3.4 Consideration has been given to the design and fenestration details of the buildings have been designed so as to have red facing brick, dark grey tiles and buff stone lintel and cills. The height of the development has taken into consideration the bungalows located to the south and west of the site whilst locating the larger structure adjacent to the two storey building to the west and the wider area of the site along Nottingham Road.
- 6.3.5 As the application seeks to include on site biodiversity net gain of 10% the site along with the retention of the hedgerow, the site will retain the green and rural appearance when viewed from Nottingham Road.
- 6.3.6 Concerns have been raised regarding the development in relation to not being in keeping with the rural village and that flats and this layout are not in keeping with the village. These points have been taken on board during determination of the application. The arrangement presented maintains the rural feel with the hedgerow and position of the largest structure being adjacent to 9 Nottingham Road and the bungalows being located to the rear of the site.
- 6.3.7 To conclude, it is considered the dwellings, parking and amenity areas reflect an acceptable level of design that will tie in with the appearance of the surrounding properties. Consideration has been given to the position of the development and enabling the development to make a positive contribution to



the area through the boundary hedge remaining, materials for the dwellings and the scale and massing.

### 6.3 Amenity

- 6.3.1 Policy 10 of the ACS states that developments will be assessed in terms of impact on the amenity and Policy 17 of P2LP states that all development should integrate into its surroundings, have good access to public transport, provide adequate amenity space, have satisfactory degree of amenity for occupiers of the new development and neighbouring properties.
- 6.3.2 The land around the site is fairly flat and has established boundary hedges which are to be retained and enhanced. The existing fencing is failing at points and the application seeks to replace this with a closed board 1.8m high fence. The site has development on all sides, bungalows to the west, car park and two storey dwelling to the north and two storey building to the east.
- 6.3.3 Concerns have been raised regarding loss of privacy, light and that the scheme would be overbearing.
- 6.3.4 The creation of two bungalows to the north of the site with private amenity space have been designed to have a low eaves and ridge height, boundary treatment and landscaping to provide privacy to both the neighbours and the occupiers of the bungalows. It is considered given the position of the bungalows and the boundary treatment that there would not be any significant opportunity for overlooking, no overbearing and limited light loss to the dwellings and their amenity area located to the west and north of the site.
- 6.3.5 The building that will accommodate the two flats is to be located to the east of the site adjacent to the boundary with 9 Nottingham Road, a two storey commercial building. Given the position of the flats it is considered there would not be any significant impact on the amenity of dwellings located to the north and west of the site.
- 6.3.6 Concerns have been raised regarding the relocation of the access to the west of the site in relation to noise and disturbance from vehicles accessing the site. Given the nature of the development and the provision of speed bumps within the access it is considered the location of the driveway would not have limited impact on the dwellings to the west of the site.
- 6.3.7 To conclude, the position of the bungalows and two flats, parking and amenity areas would have adequate separation distances, the boundary treatment and landscaping would not allow for any overlooking and would ensure a neighbourly relationship can be achieved, to secure an acceptable level of amenity can be retained around the site. It is also acknowledged the future occupants will have an acceptable level of amenity due to the level of light to the habitable rooms and that the amenity areas are of an adequate size to serve their respective dwelling.

### 6.4 Access

- 6.4.1 In relation to assessing the highway impact of the proposal paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.4.2 The proposal seeks to relocate the existing access from the south east to the south west of the site. The relocation of the access enables a two storey building (two flats) to be positioned against 9 Nottingham Road and improve the visibility splay. Within the site parking and turning for the dwellings would be provided enabling vehicles to enter and exit in a forward gear.
- 6.4.3 The application has been assessed by the Highway Authority and the Highway Authority is satisfied with regards to visibility splay, access width and bin storage area, subject to conditions.
- 6.4.4 The Highways Authority have requested conditions for the access to be created prior to occupation and the existing access to be stopped up, the driveway and parking to be implemented before the dwellings are occupied and surface water mitigation to restrict surface water discharging on to the highway.
- 6.4.5 To conclude, it is considered the proposed access to the site, the parking and internal layout is acceptable, subject to conditions.

## 6.5 Environmental Health

- 6.5.1 Policy 19 of P2LP states that permission will not be granted for development which potentially affected by contamination will not be permitted. Paragraph 197 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 6.5.2 The Council Environmental Health Officer has stated that the site is located within 250m of an historic landfill site. As the development may be subjected to migrating ground gases a condition should be included regarding appropriate gas prevention measures to be submitted to and agreed in writing before works commence on site.
- 6.5.3 The Environmental Health Officer has also requested a construction environmental management plan (CEMP) to be submitted and agreed before works commence. The CEMP should include details of demolition, times when works can take place, deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours, control measures for dust and other air-borne pollutants. The CEMP must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants and no burning of controlled waste during the construction phase. This condition is to ensure the existing residents are protected excessive construction noise and to

secure appropriate hours of work in order to protect residential amenity and safety of residents and the general public.

- 6.5.4 The Councils Park and Environmental Officer for bins has assessed the application and has not raised any objections subject to the developer purchasing the first time provision of bins. The bins are to be located in the allocated bin storage area so can be presented in an accessible location for collection.

6.6. Ecology and Biodiversity Net Gain

- 6.6.1 Policy 17 of the ACS states that biodiversity will be increased over the plan period by seeking to ensure a new development provides new biodiversity feature, and improves existing biodiversity features wherever possible. Policy 31 of P2LP states that all development proposals should seek to deliver a net gain in biodiversity and permission will not be granted for development which would cause significant harm to sites and habitats.

- 6.6.2 A small site 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 the site area 17.% for area habitats and 17.38% hedgerows all on site. The proposed biodiversity net gain scheme would delivery habitat enhancement on site. 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).

- 6.6.3 NWT has commented on the application several times and following the receipt of additional information requested in relation to bats, birds, hedgehogs and landscaping, NWT has not raised any objection subject to conditions.

6.8 Other Issues

- 6.8.1 The points raised regarding devaluing properties and the school and GP surgery being at capacity are noted but given the modest size of the development, to create four dwellings, that is, not being a major application, the proposal would not trigger a requirement for additional school or GP funding.

- 6.8.2 To the south and south west of the site lies three Listed Buildings. Due to the layout and design of the development it is considered the proposal would not harm the setting of the designated heritage assets.

7. Planning Balance

- 7.1 The proposed development is of an acceptable design and would provide four additional dwellings within an established village. The scheme is of a suitable design and in keeping with the area, would have limited impact on neighbour amenity and transport network whilst providing 10% BNG gain within the stie.

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 unacceptable and that there are no circumstances which otherwise would justify the granting of permission.

**Recommendation**

**The Committee is asked to RESOLVE that planning permission be GRANTED subject to the prior signing of a Section 106 Agreement to secure BNG monitoring contributions, and subject to the following conditions:**

1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p>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.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, block plan and proposed site plan 3659-01 Rev F and proposed elevations and floor plans 3659-02 Rev C received by the Local Planning Authority 9 May 2025, ecological assessment report HE2441224 dated 25 June 2025 and BNG small site metric dated July 2025 received by the Local Planning Authority 26 June 2025.</p> <p>Reason: For the avoidance of doubt.</p>
3.	<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</p>

subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a. a Biodiversity Gain Plan has been submitted to the planning authority, and
- b. the planning authority has approved the plan.

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.

**Key Requirements:**

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 Biodiversity Net Gain Supplementary Note received by the Local Planning Authority on 2 October 2024 and base ecology of the site received by the Local Planning Authority 30 September 2024.

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).

	<p>The Habitat Management and Monitoring Plan (the HMMP) must include:</p> <ul style="list-style-type: none"> <li>(a) a non-technical summary;</li> <li>(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;</li> <li>(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;</li> <li>(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</li> <li>(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,</li> </ul> <p>Template available here;  <a href="https://publications.naturalengland.org.uk/publication/5813530037846016">https://publications.naturalengland.org.uk/publication/5813530037846016</a></p> <p>Notice in writing shall be given to the Council when the:</p> <ul style="list-style-type: none"> <li>(a) HMMP has been implemented; and</li> <li>(b) habitat creation and enhancement works as set out in the HMMP have been completed.</li> </ul> <p>No part of the development hereby approved shall be in operation until:</p> <ul style="list-style-type: none"> <li>(a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and</li> <li>(b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority</li> </ul> <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, and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 31 of the Aligned Core Strategy (2014), and in accordance with the National Planning Policy Framework December 2024.</p>
4.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the</p>

	<p><b>Local Planning Authority. The development shall be constructed only in accordance with the approved details.</b></p> <p><b>Reason: in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</b></p>
5.	<p><b>No above ground works shall take place until a landscaping scheme showing biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</b></p> <ul style="list-style-type: none"> <li><b>a. numbers, types, sizes and positions of proposed trees and shrubs;</b></li> <li><b>b. details of boundary treatments;</b></li> <li><b>c. planting, seeding/turfing of other soft landscape areas and</b></li> <li><b>d. timetable for implementation.</b></li> </ul> <p><b>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development 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.</b></p> <p><b>Reason: To ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</b></p>
6.	<p><b>Before works commence on site details and specification of three integrated swift brick and two bat bricks shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</b></p> <p><b>Reason: In the interests of protecting existing habitats during the construction period, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</b></p>
7.	<p><b>Prior to the commencement of the development (including 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</b></p>

	<p>ensure the protection of wildlife on the site. The development shall be implemented in accordance with the approved CEMP.</p> <p>Reason: In the interests of protecting existing environmental features and habitats during the construction period, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</p>
8.	<p>Prior to the commencement of the development including any site investigation or land clearance works, a Landscape Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved LEMP.</p> <p>Reason: In the interests of ensuring that biodiversity enhancements can be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</p>
9.	<p>No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <ul style="list-style-type: none"> <li>• all appropriate measures have been completed in accordance with details approved in writing by the local planning authority; and</li> <li>• it has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full.</li> </ul> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
10.	<p>No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
11.	<p>No part of the development hereby permitted shall be brought into use until the existing site access that has been made redundant as a</p>

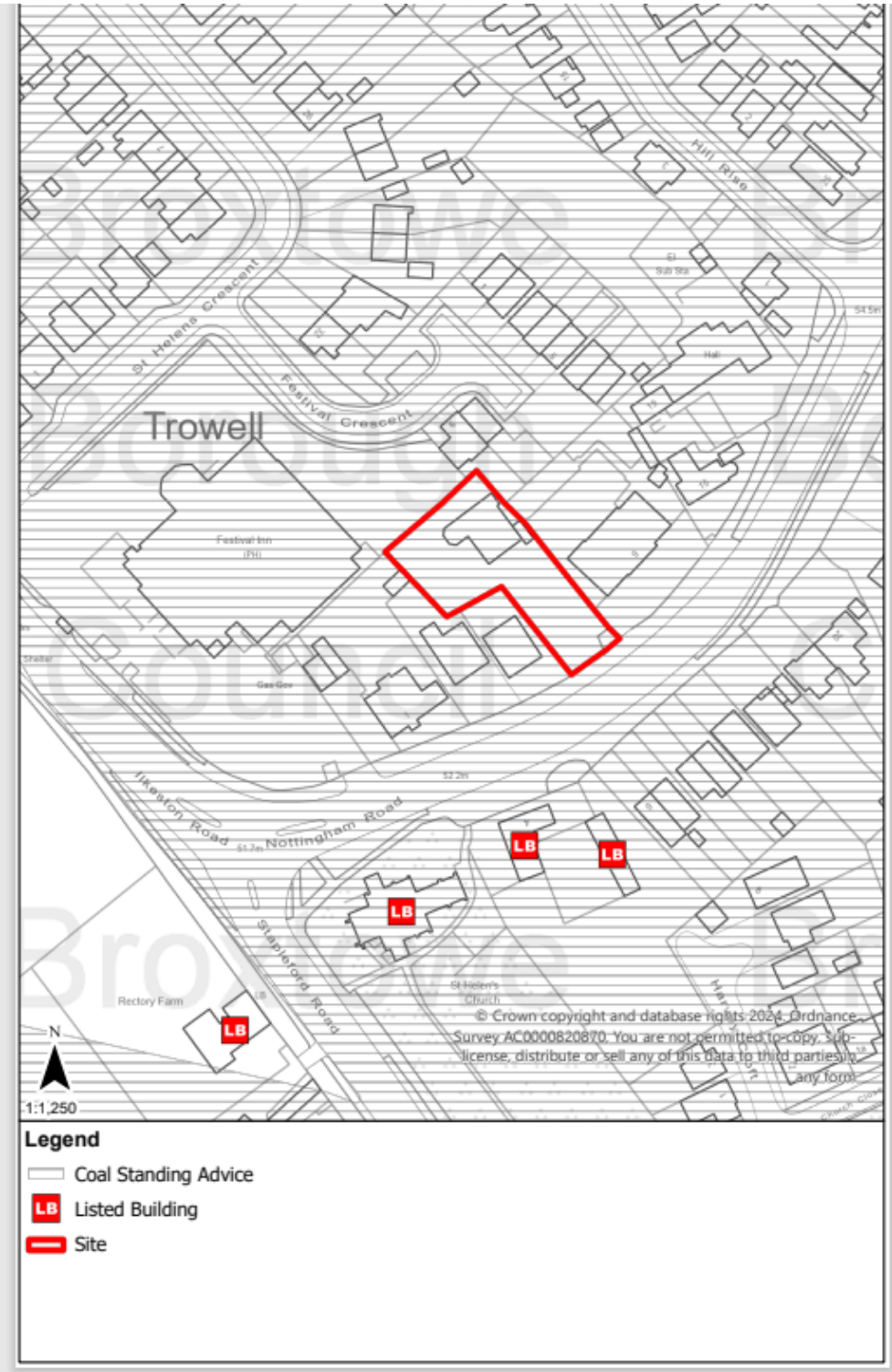


	<p>consequence of this consent is permanently closed, and the access crossing reinstated as footway and full height kerbs.</p> <p>Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
12.	<p>No part of the development hereby permitted shall be brought into use until the parking, turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 3659-01C. The parking, turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning of vehicles. The access rive and any other parking or turning areas shall be surfaced in a hard bound material (not loose gravel) for a minimum of 5.5m behind the highway boundary and maintained in such hard bound material for the rest of the of the development.</p> <p>Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
13.	<p>No part of the development hereby permitted shall be brought into use until the access driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway in accordance with details first submitted to and approved in writing by the LPA. 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 interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
14.	<p>No external lighting shall be erected or installed until a scheme has been submitted in writing and approved by the Local Planning Authority. The lighting plan shall show no light fall on hedgerows or proposed trees. The approved scheme shall be installed, maintained and operated in accordance with the approved details for the lifetime of the development.</p> <p>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</p>
15	<p>Removal of or other works to the hedge shall take place outside of the bird nesting season in line with BS5837:2012</p> <p>Reason: In the interests of protecting existing habitats during the construction period, in accordance with the aims of Policy 31 of the</p>

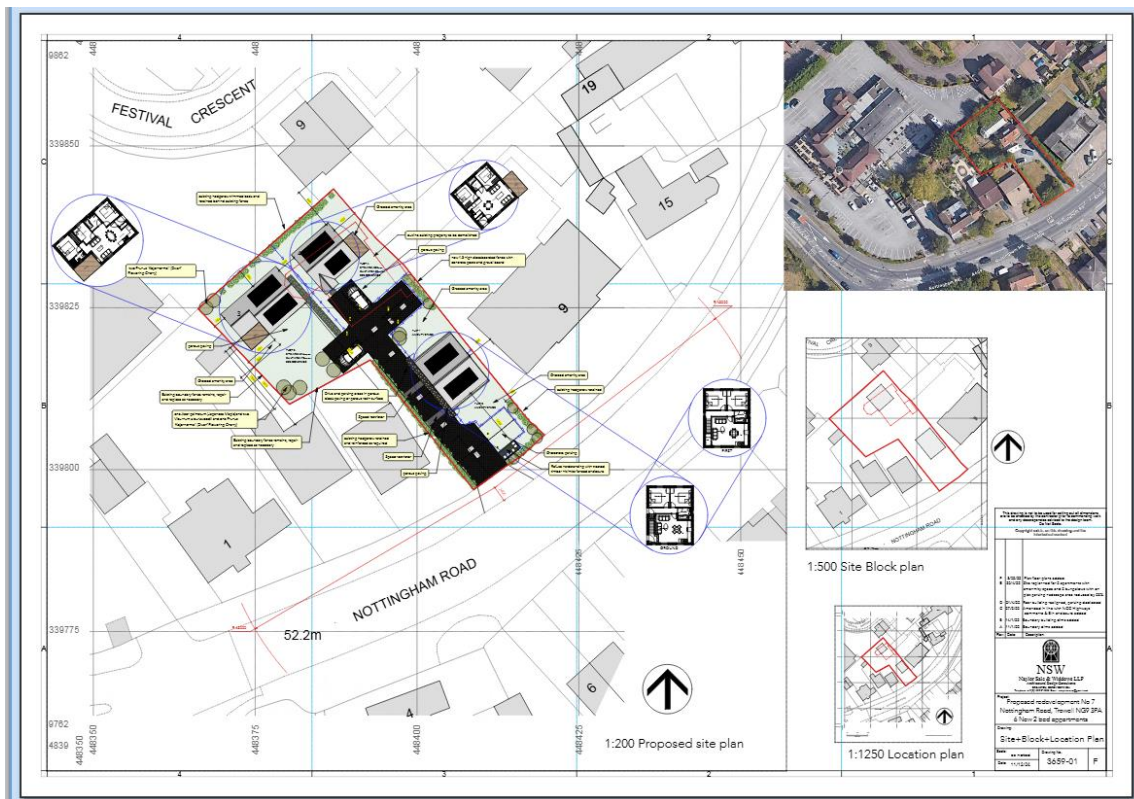
	<b>Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</b>
<b>16.</b>	<p><b>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement improvement or alterations to the dwelling, roof additions or other alterations (falling within Class A, AA, B, C, D and Class F) shall be undertaken.</b></p> <p><b>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</b></p>
	<b>NOTES TO APPLICANT</b>
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>
<b>2.</b>	<b>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority</b>
<b>3.</b>	<b>As this permission relates to the creation of a 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.</b>
<b>4.</b>	<b>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.</b>
<b>5.</b>	<b>The development makes it necessary to construct and reinstate vehicular crossings over a verge of the public highway. These works</b>

	<p>shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <a href="http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities">http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</a></p>
6.	<p>The developer is to purchase the first time provision of bins. The Developer should contact BBC Environmental Health for details of bin provision. As per the guidance in BS5906 the bins must be within 10m of the collection point, the collection point being the adopted highway. Bins need to be presented at the edge of adopted highway for emptying.</p>
7.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

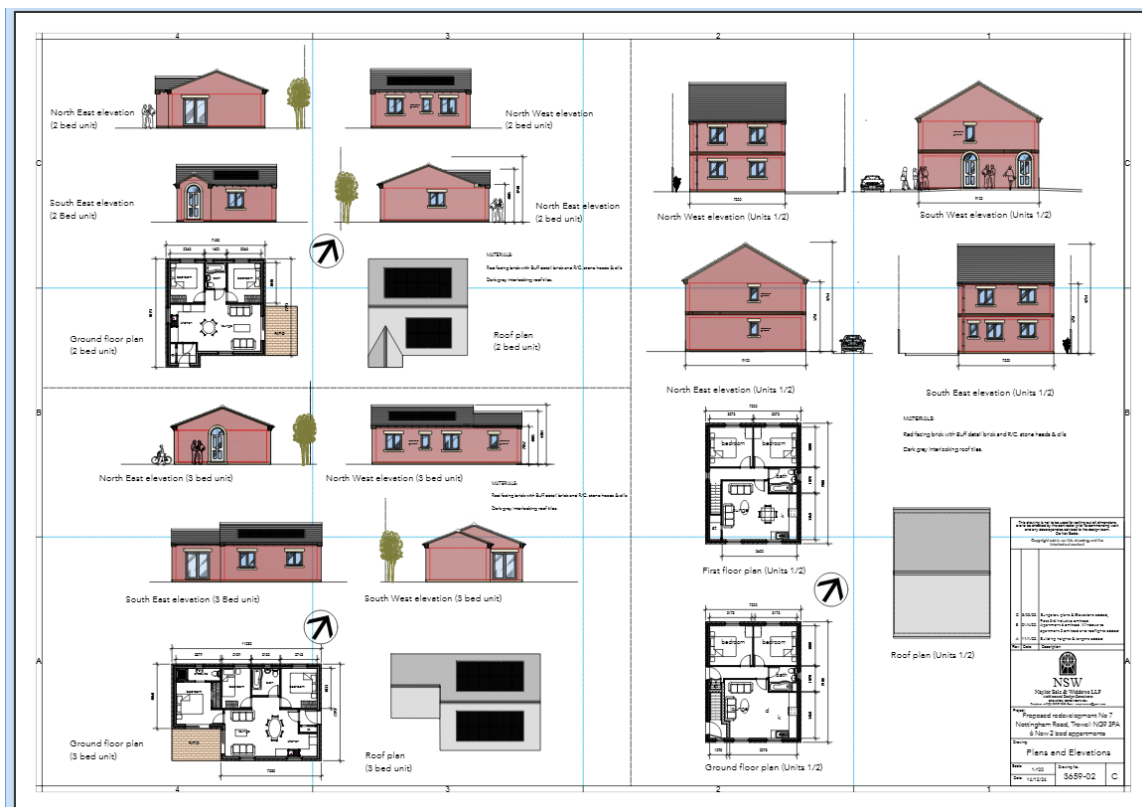
Map



**Plans (not to scale)**



Proposed site plan, block plan and visibility splay



Proposed elevations and floor plans