

Appendix 2

Report of the Interim Chief Executive

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| APPLICATION NUMBER: | 25/00612/REG3 |
| LOCATION: | Land East of Stapleford Road Trowell Nottinghamshire |
| PROPOSAL: | Change of use of land to cricket pitch, including siting of practice nets |

This is a Broxtowe Borough Council planning application, therefore, is required to be determined at Planning Committee. The application has also been called to Planning Committee by Councillor Don Pringle.

1. Purpose of the Report

The application seeks planning permission for the proposed change of use of land to cricket pitch, including siting of practice nets.

2. Recommendation

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

3. Detail

The application seeks full planning permission to change the use of the land to a cricket pitch, including the siting of practice nets.

This current application is related to the previous Broxtowe Borough Council planning applications at Hickings Lane Recreation Ground, Stapleford regarding the construction of the community leisure pavilion, the installation of the MUGA, replacement of skate park with community garden and the installation of the 3G Artificial Grass Pitch (AGP) (planning reference numbers: 23/00051/REG3, 24/00863/VOC, 24/00175/REG3, 24/00864/VOC). Planning permission for the application 24/00863/VOC was granted on 7 February 2025, with condition 8 stating that *“The development to which this relates shall be carried out in accordance with the cricket club relocation plan as approved by the Local Planning Authority 15/04/24”*.

In addition to this, planning permission for the application 24/00864/VOC was also granted on 7 February 2025, with condition 7 stating that *“The AGP shall not be brought into use until the replacement cricket ground identified in the Cricket Club Relocation Plan has been delivered and made available for use. The replacement provision should be provided to an equivalent or better quality and equivalent or greater quality than the playing field to be lost and should comply with Sport England and ECB design guidance”*. Therefore, this current planning application

(planning reference number: 25/00612/REG3) has been submitted by Broxtowe Borough Council for the relocation of the cricket pitch at Hickings Lane Recreation Ground, Stapleford to the Land East of Stapleford Road, Trowell.

The benefit of the proposal is that the site will form a new location for cricket sport activity, providing a new home for the local cricket club and building a platform for the cricket club to expand, such as increasing the size of the club to include female and younger teams. This will be the primary use of the site, however, since it will adjoin to a Broxtowe Park (Pit Lane Recreation Ground) which is located to side (east) of the site, it will be open to local residents for walking and leisure, when not in use by the cricket club. Thus, it will form an extension to the existing green space of the area for the local residents and will provide a permanent home for Stapleford Cricket Club.

In addition to the proposal resulting in a new home for Stapleford Cricket Club, the adjacent football club can look to utilise the future pavilion plans (phase 2 of the development), resolving outstanding issues with their temporary units on the adjacent site. Therefore, the progression of the cricket pitch development will aim to provide a future location for Trowell Football Club.

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

4. Financial Implications

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

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

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers:

Nil.

Appendix**1. Details of Application**

1.1 The application seeks full planning permission for a change of use of land to cricket pitch, including siting of practice nets. The existing site is undeveloped open land. The works needed to change the use of land into a cricket pitch include installation of drainage to suit that of a cricket pitch, levelling out of the site, specifically the area of the cricket pitch and the installation of specific turf required for cricket pitches.

1.2 The initial design of the cricket pitch took into consideration the constraints of the site, with initial surveys seeing the potential issues with drainage as the biggest concern, as well as resolving the levels on the site. Further design changes were made to include requirements by the England and Wales Cricket Board (ECB) for a carpark to be included into the designs (the car park is included in phase 2 of the development not this current application). In addition to this, changes to the location of future pavilion (also included in phase 2 of the development and not this current application) and moving the pitch closer to the pavilion was a concern from the Cricket club, therefore, changes were made to accommodate this. The final changes were a result of ball strike surveys that require new fencing to be placed on the east side of the site. Surveys conducted into ball strikes had concluded the requirements for ball stop nets on the east side of the site to protect local walkers on the adjacent park. Hence, it was considered 7m high fencing was deemed most acceptable to also preserve the appearance of the local area and to reduce costs. Overall, the final design of the cricket pitch was considered acceptable by ECB and the local cricket club.

1.3 Nottinghamshire County Council (NCC) have plans on implementing a natural flood management scheme on the existing flood attenuation pond. This will improve its effectiveness in collecting overflows from Boundary Brook, reducing the overall maintenance of the pond and developing a natural wetlands area. These plans will create excess soil from the digging of additional ponds, and NCC have requested a location to place the excess soil. The design of the cricket pitch has incorporated this excess soil to have greater impact on the detention basin and storage. Overall, the cricket pitch application and this NCC scheme will be working together to help improve the local area from the impact of flooding.

1.4 In addition to the specific design requirements for the cricket pitch, its key contribution is in regards to the drainage of the site, with the adjacent Boundary Brook resulting in previous flooding. This was raised within the design phase of the project and investigated through site surveys, which led to a drainage design that reduces the flow rate into Boundary Brook from 51.8 litres per second to 4.6 litres per second. This drainage design forms part of the new flood alleviation for the local area, as it captures the rainfall and excess is filtered into a new detention basin. Although this does not entirely solve the issues of the flooding

that has already taken place on Boundary Brook, this proposed drainage design is considered to alleviate the pressures and is a net positive.

- 1.5 Current access to the site is through the east side, this connects to the existing park path and public right of way to the south-east of the site. This current access would not be sufficient for the proposed carpark and for a larger volume of users of the site. Therefore, the proposal includes an access track from the north section of site, connecting to the existing road on Pit Lane. This is then proposed to connect into a new car parking area (as part of phase 2 of the development, not this current planning application) and would form the basis as the main entry into the site.
- 1.6 The area of the works does not cover the whole site, specifically the attenuation pond is left as is, along with much of the south side of the site. Given the nature of the site, it will remain as an open field, with open access to function as an extension to the existing park area, when not used as a cricket pitch. It is considered the proposal is unlikely to have a significant impact on the local surroundings, due to its flat open field nature. The requirements for a cricket pitch have set standards to meet (ECB and cricket regulations). Taking this into account, the most ideal location for the pitch was located to the east side of the site, as this would leave sufficient room for access, additional parking and a pavilion to be in the same regional location (car park and pavilion proposed in phase 2 of the development and not this current application). The location of all the proposed areas on the site avoid touching and adjusting the existing flood attenuation ponds.
- 1.7 To conclude, it is considered the proposed cricket pitch is an opportunity, to utilise the existing land to create a new open green space and a new home for Stapleford Cricket club. The proposal provides a greater expansion of sport and promotion of healthy living within the local area. The aspiration of the project is that the site will also accommodate a small pavilion within a future development proposal (phase 2 of the development), which will relieve the burden for the existing pavilion on the football ground to the north of the site. Furthermore, this current cricket pitch application is required to meet the planning conditions of the current works on Hickings Lane Community Pavilion and the new AGP being constructed, which was to find a suitable alternative location for the local cricket club. It is considered the proposal meets these conditions by replacing a well-used cricket ground with a more purpose-built site. It is considered the proposal will aid in filling a gap within the local need for cricket pitches and provide a basis for growth of the sport in an area of lower economic background, with North Stapleford having second highest levels of deprivation within the Broxtowe Borough.

2. Location and Site Characteristics

2.1 The application site is 3.2 hectares in size, therefore, this is classed as a major planning application as it results in over 1 hectare of non-residential development. The application site, as existing, is open unused land, which was previously used for agricultural purposes. The current site is not level, which will be addressed as part of the proposal, with a flat surface required for cricket pitches to meet the ECB requirements. Furthermore, it is proposed that the site be levelled out for future additions of a carpark and pavilion (phase 2 of the development not included in this planning application). The drainage of the site will also be improved as noted in the submitted Full Indicative Drainage Assessment and Plan.

2.2 To the east of the application site is a Broxtowe Park named Pit Lane Recreation Area, which is linked to the application site through the existing park path and public right of way. To the west of the application site is further undeveloped open land, which then leads to the adjacent road of Stapleford Road. To the north of the application site is a football pitch and allotment gardens, which then leads to the adjacent road of Pit Lane and the residential properties on Trowell Grove beyond. To the south of the application site is Boundary Brook and the residential properties located on the adjacent Field Farm residential development.

3. Relevant Planning History

3.1 This current application is related to the previous Broxtowe Borough Council planning applications at Hickings Lane Recreation Ground, Stapleford regarding the construction of the community leisure pavilion, the installation of the MUGA, replacement of skate park with community garden and the installation of the 3G Artificial Grass Pitch (AGP) (planning reference numbers: 23/00051/REG3, 24/00863/VOC, 24/00175/REG3, 24/00864/VOC).

3.2 Planning permission for the application 24/00863/VOC was granted on 7 February 2025, with condition 8 stating that *The development to which this relates shall be carried out in accordance with the cricket club relocation plan as approved by the Local Planning Authority 15/04/24*. In addition to this, planning permission for the application 24/00864/VOC was also granted on 7 February 2025, with condition 7 stating that *The AGP shall not be brought into use until the replacement cricket ground identified in the Cricket Club Relocation Plan has been delivered and made available for use. The replacement provision should be provided to an equivalent or better quality and equivalent or greater quality than the playing field to be lost and should comply with Sport England and ECB design guidance*. Therefore, this current planning application (planning reference number: 25/00612/REG3) has been submitted by Broxtowe Borough Council for the relocation of the cricket pitch

at Hickings Lane Recreation Ground, Stapleford to the Land East of Stapleford Road, Trowell.

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 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 12: Local Services and Health Lifestyles
- Policy 13: Culture, Tourism and Sport
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity

4.2 Part 2 Local Plan 2019:

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

- Policy 1: Flood Risk
- Policy 8: Development in the Green Belt
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 25: Culture, Tourism and Sport
- Policy 28: Green Infrastructure Assets
- Policy 30: Landscape
- Policy 31: Biodiversity Assets

4.3 National Planning Policy Framework (NPPF) 2024

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

5. **Consultations**

It must be noted there was an initial consultation period, where two site notices were posted on 20 August 2025, with the initial consultation period expiring on 11 September 2025. Re-consultations were undertaken with the new suffix REG3 (used for council planning applications) and as a major planning application, with two new site notices posted on 24 September 2025 and a press advert posted in the Nottingham Post on 26 September 2025. The re-consultation period expired on 17 October 2025. To clarify, the new suffix and the reference to a major planning application were the only reason re-consultations were required and there were no new submitted information/plans received for the application.

5.1 **Councillors**

Councillor Don Pringle – Requested that the application be discussed/decided at committee.

Councillor Lydia A Ball – No comments received.

Trowell Parish Council – Aside from a query as to why Trowell Parish Council had been re-consulted on the application, no response received from Trowell Parish Council. Officer note - explained, as noted above, why re-consultations were required for the application.

5.2 **Neighbours**

44 Neighbouring properties were consulted on the initial application and re-consulted once the application was correctly registered as a major planning application and was changed to the correct suffix for a council planning application (REG3). Two site notices were posted for the original consultations, with two amended site notices also posted in the re-consultation phase, as well as an advert in the Nottingham Post.

22 contributions were received, one in support of the development proposal, two made representations in respect of the application and 19 objected to the development proposal. The reasons for the objections and the concerns raised are noted below:

- Flooding in respect of the existing site and how the proposed development will affect this, the adjacent Boundary Brook and the adjacent neighbouring properties to the site
- Traffic generation
- Impact on wildlife
- Green Belt impact

- Out of character within the surrounding open land currently used for walking and is occupied by wildlife.
- Anti-social behaviour concerns due to area being left unmonitored
- Is there a need for a cricket club in this location?
- Query regarding whether the existing public right of way can be upgraded from a soil field trail to a paved or gravel path? The concern is the proposed cricket pitch development will exacerbate the existing mud problems on the public right of way.
- Lack of parking available for the proposed users of the cricket pitch and the impact this will have on the existing residents.
- Query as to why they were re-consulted with no new information/plans added since the initial consultation period
- Loss of privacy
- Increase in noise from the site
- Stapleford and Trowell Boundary Brook Action Group (SATBBAG) object to the application on the grounds of flooding concerns.

5.3 NCC - Highways

The proposal is to construct a cricket pitch, practice nets and, at a future date and subject to an additional planning application, a pavilion and an additional car park. The existing car park at the top of Pit Lane is intended on being utilised to serve the existing football pitches as well as the proposed cricket pitch. It would be desirable for the phase 2 car park to be constructed at the same time as the cricket pitch as any over-spill parking will be on verges on Pit Lane. Any additional parking may narrow the existing access road and may cause inconvenience to other road users and residents who may need access to the rear of the houses which are also served from Pit Lane. However, from a Highways Viewpoint the pitches and car park are more than 300 metres from the adopted highway network and as a result not considered to result in a detrimental impact on highway safety, given Pit Lane is a private access track and not in the control of the Highways Authority.

5.4 NCC - Rights of Way

In the Design and Access Statement it states that current access to the site edged in red is from the east side of the site and Trowell Footpath 18. Please can it be noted that footpaths are for users on foot only. Alternative routes

would need to be used for any vehicular access to the site, and the proposed new road access route would allow for this.

The applicant proposes to install 7m high fencing to protect walkers along Trowell FP18 to the east of the site. The Rights of Way section is supportive of this addition to protect members of the public from potential ball strikes. Please can the applicant note that any new planting should take the footpath into consideration to allow space for growth so that the right of way is not encroached upon.

The Rights of Way section has no objection to the proposal, the Design and Access Statement and Site Plan acknowledges the existence of the Right of Way adjacent to the site and proposes an alternative route to be created to allow for vehicular access to the site. However, the Rights of Way team would like the applicant to take note of the informatics to be included in the decision notice.

5.5 NCC – Planning Policy

No comments to offer.

5.6 NCC – LLFA (Local Lead Flood Authority)

Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the application which was received on the 8/20/2025. Based on the submitted information we have no objection to the proposals and can recommend approval of planning subject to conditions in respect of agreeing a surface water drainage scheme and an informative regarding deviation from the FRA.

5.7 Environment Agency

Environment Agency position

We have no objection to raise in relation to the proposals. While the wider redline boundary does interact with flood zones 2 and 3 at the south western portion of the site the cricket pitch and associated infrastructure is located fully within flood zone 1. There does not appear to be any alteration of land levels which could impact the function of the floodplain in the south western portion of the site. However we would like to highlight the below advisory.

Flood risk advisory note for LPA and applicant

We wish to highlight that the community downstream have been

affected by multiple flood events in recent years. This application has the potential to support the betterment of flood risk for this community through the holding back or slowing of flow down the Boundary Brook towards the community. We are aware that Nottinghamshire County Council are working on measures within close proximity to this scheme and recommend that liaison is undertaken to discuss possible collaboration.

5.8 Coal Authority

The Coal Authority Response: Material Consideration

Have reviewed the site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records indicate that there is a coal seam of workable thickness inferred to outcrop at or close to the surface of the site that may have been historically worked from the surface; and the site lies within the boundary of a site from which coal has been removed by surface mining (opencast) methods.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, when considering the nature of this particular development proposal, it does not appear that any substantial foundations or earthworks will be required to facilitate the change of use of land to a cricket pitch / siting of practice nets.

On this basis we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of the development proposed in this particular case and do not object to this planning application.

We do however recommend that, should planning permission be granted for this proposal, an Informative Note as recommended in the draft decision notice should be included.

It is noted that the planning application is accompanied by a Phase I Geo-Environmental Desk Study Report, December 2024 prepared for the application site by HSP Consulting Engineer Ltd in order to provide a preliminary assessment of potential ground related development

constraints and to support a feasibility study. We note that Section 6.4 informs that it is recommended once development details are understood, that a full Coal Mining Risk Assessment is carried out in order to determine the likely impact to the site development from historic ground working. It would appear that as part of the Phase 2 development a Pavillion and car parking facilities are proposed and therefore the submission of a Coal Mining Risk Assessment will be required to support an application that requires built development.

5.9 Environmental Health

No objections to planning approval being granted subject to conditions in respect of contaminated land, noise and construction noise being applied. Noted that the application and noise report refers only to the activities of sport. The provision and operation of the pavilion will be considered under a separate application and may as a result be subject to different conditions although in principle this department has no concerns in the provision of such at a later date.

Contaminated land

Having reviewed HSP Phase I Geo-Environmental Desk Study Report, ref C4862 - Land off Pit Lane, Trowell, dated December 2024, I can confirm that the above proposed development is located on land that may be contaminated due to its historic use and land composition of made ground.

Noise

Having review the Noise Air Acoustics and Air quality Report Ref: P8104-R1-V1, dated 1st April 2025, Document Status: Version 1, this department can concur with the methodology and conclusions drawn therein.

Construction Noise

The proposed development site is close to existing residential properties and therefore occupiers may be adversely impacted by excessive construction noise.

5.10 Nottinghamshire Wildlife Trust

Notts Wildlife Trust are concerned that the ecology report does not assess the full impacts of the proposals, particularly the inclusion of netting. According to the proposals, netting will be installed parallel to an established hedgerow and watercourse (i.e. green corridor). The ecologist has noted within the ecology report that these habitats have the potential to support a range of protected species including foraging and commuting bats, breeding birds, small

mammals, and amphibians.

During the ecology survey, skylark, a red listed bird of conservation concern was confirmed on site. The bird was observed singing above the grassland by the ecologist in April and was therefore likely to be holding a breeding territory at the time. The landscape is also conducive to the presence of owls (tawny and barn owl). We are therefore concerned that the nets, sited so close to linear habitat features, could be a danger to bats and birds.

Ideally, the nets should be sited a safe distance from any boundary features. We therefore recommend that further assessment is provided by the ecologist.

The proposed car park and pavilion is proposed to be sited very close to an area of dense scrub and mature trees (outside of red line boundary). These habitats could be impacted by artificial light / disturbance from noise etc and therefore recommend that the car park and pavilion are sited further south, to avoid impacts.

The pavilion is also proposed to be sited in proximity to the existing hedgerow. Again, there is potential for impacts from artificial lighting and noise, should the pavilion be used during hours of darkness, i.e. for events. If this is the case, we recommend that a bats and lighting assessment is undertaken.

The ecologist has noted that there are no records of GCN in the study area. However, GCN are known to be present in the wider landscape, with GCN being recorded during the surveys for the Hulks Farm development and other developments in the area. GCN are also known to be present within the Nottingham Canal (disused). Breeding pond @SK 50301 39104, breeding pond @SK 50366 39283 and small cluster of breeding ponds @SK 50379 39494. We would welcome additional assessment from the ecologist in relation to the GCN population in the wider landscape.

The ecologist has failed to consider white-clawed crayfish, brown hare, and harvest mice. All are known to be present in the wider landscape. We would therefore recommend additional assessment in relation to these species. There has been a lot of recent development in the area, with similar habitat being lost. We are therefore conscious of the cumulative impacts to species such as skylark. The ecologist has noted that there are similar habitats within the wider landscape and therefore they do not consider a loss of a small number of skylark territories to be significant. However, we would recommend that compensatory skylark habitat is created (ie on Broxtowe owned Bramcote Quarry).

In summary, we are concerned that the ecology report has not fully assessed the impacts of the proposals and therefore request that the ecology report is updated to take into account all potential impacts. Once the update had been

provided, we will submit a more comprehensive response.

6. Assessment

The main issue relates to whether the principle of the proposed change of use of the land to a cricket pitch is acceptable. Considerations regarding Green Belt impact, design, neighbour amenity, the impact upon access (highway safety), ground conditions, flooding, drainage, landscape, ecology and Biodiversity Net Gain (BNG) will also be assessed as part of the report.

6.1 Principle

The proposal is for a change of use from existing unused open land, previously used for agricultural purposes, to a cricket pitch which includes the siting of practice nets.

Policy 12 - Local Services and Healthy Lifestyles of the Aligned Core Strategy (2014) states that new, extended or improved community facilities will be supported where they meet a local need.

Policy 13 - Culture, Tourism and Sport of the Aligned Core Strategy (2014) states existing where appropriate, sporting facilities will be protected and their further development will be supported.

Policy 25 - Culture, Tourism and Sport of the of the Part 2 Local Plan (2019) states that development proposals will be encouraged that make specific provision for sports pitches that are suitable for a wide age range of users, in particular children's sport.

Policy 16 - Green Infrastructure, Parks and Open Space of the Aligned Core Strategy (2014) states that new or enhanced Green Infrastructure corridors and assets should be as inclusive as possible, multifunctional and look to make provision for more than one of the following:

- a) access to employment and leisure facilities and to Green Infrastructure corridors or assets and the countryside;
- b) physical activity and wellbeing opportunities for local residents such as formal sports provision;
- c) educational resource for local residents;
- d) biodiversity opportunities;
- e) tackling and adapting to climate change;
- f) enhancement of landscape character;
- g) protection or enhancement of heritage assets; and h) opportunities for sustainable leisure and tourism.

Policy 28 – Green Infrastructure Assets of the Broxtowe Local Plan Part 2 (2019) states that development proposals which are likely to lead to increased use of any of the Green Infrastructure Assets listed below, as shown on the Policies Map, will be required to take reasonable opportunities to enhance the Green Infrastructure Asset(s). These Green Infrastructure Assets are:

- a) Green Infrastructure Corridors (not shown on the Policies Map);
- b) Playing Pitches;
- c) Informal Open Spaces i.e. 'natural and semi-natural green space' and 'amenity green space';
- d) Allotments;
- e) Recreational Routes;
- f) Nature Reserves;
- g) Golf Courses (Beeston Fields and Chilwell Manor);
- h) A mix of Informal Open Spaces and flood mitigation measures (land off Thorn Drive, Newthorpe); and
- i) Prominent Areas for Special Protection (Bramcote Hills and Bramcote Ridge; Burnt Hill, Bramcote; Catstone Hill Ridge, Strelley; Stapleford Hill; and Windmill Hill, Stapleford).

It is considered the proposed use of the land as a cricket pitch will satisfy the requirements of Policy 12 (Local Services and Healthy Lifestyles) and Policy 13 (Culture, Tourism and Sport) of the Aligned Core Strategy (2014), as well as Policy 25 (Culture, Tourism and Sport) of the Part 2 Local Plan (2019). This is because the proposed use of the land will be a cricket pitch, which will provide a new community facility which will meet a local need. This is because the proposed cricket pitch will provide a new home for Stapleford Cricket Club, who were displaced from their previous home due to the developments at Hickings Lane Recreation Ground (planning reference numbers: 23/00051/REG3, 24/00175/REG3, 24/00863/VOC, 24/00864/VOC). Furthermore, it will provide a new community and sporting facility for the residents of Trowell, which will be suitable for a wide age range of users.

It is considered the proposal will meet the requirements of Policy 16 (Green Infrastructure, Parks and Open Space) of the Aligned Core Strategy (2014). This is because it is considered the proposal will result in physical activity and wellbeing opportunities for local residents by providing formal sports provision; biodiversity opportunities; tackling and adapting to climate change and enhancement of the landscape character. This will be addressed further in the following sections of the committee report.

It is considered the proposal will meet the requirements of Policy 28 (Green Infrastructure Assets) of the Broxtowe Local Plan Part 2 (2019). The existing land is classed as informal open space i.e. 'natural and semi-natural green space' and 'amenity green space'. It is considered the proposal will enhance

the Green Infrastructure Asset by, as stated above, by providing formal sports provision; biodiversity opportunities; tackling and adapting to climate change and enhancement of the landscape character.

To conclude, for the reasons stated above, it is considered the principle of the change of use of the land into a cricket pitch is acceptable.

6.2 Green Belt Impact

Paragraph 153 of the NPPF (2024) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.

Paragraph 154 of the NPPF (2024) states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

It is considered the proposed change of use of the existing land to a cricket pitch would meet exception (b) stated above, as it would include the provision of appropriate facilities (in connection with a change of use), including buildings for outdoor sport and recreation. It is also considered the proposed use of the land for a cricket pitch would help preserve the openness of the Green Belt. This is because the site will be levelled in order to provide a flat open surface for the cricket pitch, which is considered to help preserve the openness of the Green Belt.

Furthermore, the area of the works does not cover the whole site, specifically the attenuation ponds are left as is, along with much of the south side of the site. Given the nature of the site, it will retain its appearance and function as an open field, with open access to function as an extension to the existing park area, when not used as a cricket pitch. Therefore, again it is considered the proposed works are unlikely to result in a significant harm to the openness of the Green Belt.

It is noted there are ball stopping nets proposed on the side (east) section of the application site and practice nets on the side (west) section of the site. However, it is considered both are unlikely to result in considerable harm to the openness of the Green Belt, as both are considered to be marginal additions to the application site. It is considered the new road access from Pit Lane to the north section of application site is unlikely to result in a significant harm upon

the openness of the Green Belt, as this will be a flat access track. It must be noted the proposed car park and pavilion are planned for phase 2 of the development and are not included in the assessment of this current planning application.

To conclude, the proposed development is considered to meet exception (b) of paragraph 154 of the NPPF meaning the development is not considered to be inappropriate. It is also considered the proposed development would not result in a significant harm upon the openness of the Green Belt for the reasons outlined above.

6.3. Design

Policy 10 of the Aligned Core Strategy (2014) states that all new development should be designed to:

- a) make a positive contribution to the public realm and sense of place;
- b) create an attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change;

Policy 17 of the Part 2 Local Plan (2019) states that for all new development, permission will be granted for development which, where relevant:

- a) Integrates into its surroundings; and
- b) Provides, or is close to, community facilities; and
- c) Has good access to public transport; and
- d) Creates a place with a locally-inspired or otherwise distinctive character; and
- e) Takes advantage of existing topography, buildings and landscape features; and
- g) Makes it easy to find your way around; and
- i) Provides sufficient, well-integrated, parking and safe and convenient access;
- l) Ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties; and
- m) Enables convenient use by people with limited mobility; and
- n) Encourages walking and cycling; and
- o) Incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity; and
- r) Ensures that the development would not prejudice the satisfactory development of a larger area.

It is considered the proposed change of use of the land to a cricket pitch would

make a positive contribution to the public realm and sense of place. This is because the proposed cricket pitch would provide a new community facility which local residents will be able to use, hence, creating an attractive, safe, inclusive and healthy environment. In addition to this, when the cricket pitch is not in use, the site can be used by local residents for walking and leisure. The application site will be adjoined to a Broxtowe Park (Pit Lane Recreation Ground), via a public right of way located to the south-east of the application site. Therefore, it is considered the proposed cricket pitch will integrate into its surroundings, encourages walking and cycling and takes advantage of existing topography and landscape features.

Furthermore, the proposed new road access on the north section of the site, which will link to the application site to the adjacent road Pit Lane, is also considered to help encourage walking and cycling, enables the convenient use by people with limited mobility and makes it easier to find your way around the application site. The new road access to Pit Lane will also help ensure easier access from Stapleford Road, which is part of a local bus route (my15), hence, the proposal would have good access to public transport.

It is considered the proposal incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity. This is because the proposal will result in over the required onsite 10% Biodiversity Net Gain (BNG). This will therefore, result in a high standard of planting and features for the biodiversity of the site.

It is also considered the proposed use of the land for a cricket pitch would not result in a significant impact upon the character of the surrounding area. This is because the site will be levelled in order to provide a flat open surface for the cricket pitch, which is considered to help preserve the character of the surrounding area.

Furthermore, the area of the works does not cover the whole site, specifically the attenuation ponds are left as is, along with much of the south side of the site. Given the nature of the site, it will remain as an open field, with open access to function as an extension to the existing park area, when not used as a cricket pitch. Therefore, again it is considered the proposed works are unlikely to result in a significant harm to the character of the surrounding area.

It is noted there are ball stopping nets proposed on the side (east) section of the application site and practice nets on the side (west) section of the site. However, it is considered both are unlikely to result in considerable harm to the character of the area, as they are considered to be marginal additions to the application site. It must be noted the proposed car park and pavilion are planned for phase 2 of the development and are not included in the assessment of this current planning application.

To conclude, it is considered the design of the proposed cricket pitch and associated features are acceptable for the reasons outlined above.

6.4 Amenity

Policy 10 of the Aligned Core Strategy (2014) states that impact on the amenity of nearby residents or occupiers will be a consideration. Policy 17 of the Part 2 Local Plan (2019) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

44 Neighbouring properties were consulted on the initial application and re-consulted once the application was correctly registered as a major planning application and was changed to the correct suffix for a council planning application (REG3). Two site notices were posted for the original consultations, with two amended site notices also posted in the re-consultation phase, as well as an advert in the Nottingham Post. 22 contributions were received, one in support of the development proposal, two made representations in respect of the application and 19 objected to the development proposal. The objections and concerns raised are noted above in the consultations section of the report and will be addressed below in this section of the report and the other relevant sections of the report.

Firstly, it is considered loss of privacy, loss of light and a sense of enclosure are unlikely to occur to any of the adjacent neighbouring properties. This is because it is considered there is a significant separation distance between the proposed cricket pitch and the adjacent neighbouring properties on Pit Lane, located north of the application site and the residential properties located south of the application site on the Field Farm Development. In addition to this, it is considered the proposed cricket pitch, practice nets on the side (west) section of the site, ball striking nets on the side (east) section of the site and the new proposed access on the north section of the site would be marginal additions which are unlikely to result in a significant loss of privacy, loss of light and sense of enclosure to the adjacent neighbouring properties.

It is considered the change of use of the land into a cricket pitch is unlikely to result in a significant impact in terms of smell upon the adjacent neighbouring properties. In terms of assessing the proposed noise and disturbance impact of the proposal, a Noise Impact Assessment Report was undertaken. Given the results of assessment, it is the opinion of NoiseAir that potential noise breakout from the site is acceptable in this instance; however, best practice action should be employed to actively reduce noise levels to were reasonably practicable.

The report stated that it is recommended that a comprehensive noise management plan is composed by the applicant to accompany this noise impact assessment provided. This should be submitted to the local authority for

written approval. Any suitable noise management plan should (as a minimum) provide residents with a 24- hour complaints procedure whereby complaints can be handled in a positive and time effective manner (should they arise). Consideration should be given to time restrictions that avoid use of the cricket ground into (what's generally considered as) more sensitive hours, such as post 21:00 Monday-Sunday. It is recommended that signage is clearly displayed, advising patrons of the importance of keeping noise to a minimum with regard to protecting residential amenity. By implementing the above recommendation, it is reasoned that breakout noise levels can be suitably managed, minimised and controlled.

Following the above recommendations detailed in the Noise Impact Assessment Report, Environmental Health were consulted on the application. Environmental Health stated in their response that having reviewed the Noise Air Acoustics and Air quality Report Ref: P8104-R1-V1, dated 1st April 2025, Document Status: Version 1, this department can concur with the methodology and conclusions drawn therein. Environmental Health subsequently recommended the conditions in relation to hours of use, construction/site preparation hours and a noise management plan.

Therefore, it is considered the findings of the Noise Impact Assessment Report and the conditions recommended above by Environmental Health, will mean that it is considered unlikely the proposed development will result in a significant noise impact upon the adjacent neighbouring properties.

A concern was raised in regards to anti-social behaviour, with the site being left unmonitored. It is considered if such behaviour occurs the Environmental Health Department and/or Nottinghamshire Police should be contacted. To conclude, the proposed development is considered unlikely to result in a significant impact upon the amenity of the adjacent neighbouring properties for the reasons outlined above.

6.5. Access

Policy 17 of the Broxtowe Local Plan Part 2 (2019) states that for all new development, permission will be granted for development which, where relevant:

- i) Provides sufficient, well-integrated, parking and safe and convenient access;

The proposal includes a new road access on the north section of the application site, linking the new cricket pitch to the adjacent road of Pit Lane. It must be noted there is space allocated for a car park adjacent to the new road access, however, the car park is part of phase 2 of the development and will not be

assessed in this current planning application.

NCC – Highways were consulted on the planning application and raised no concerns in respect of highway safety.

Therefore, in accordance with above response from NCC – Highways, it is considered the proposal is unlikely to result in a significant impact in terms of highway safety. There is also a public right of way, located south-east of the application site, which links the site to the adjacent Broxtowe Park of Pit Lane Recreation Ground, therefore, NCC – Right of Way were consulted on the application and raised no objection subject to an informative.

It must be noted a query was raised from a member of the public regarding whether the existing public right of way can be upgraded from a soil field trail to a paved or gravel path. The concern is the proposed cricket pitch development will exacerbate the existing mud problems on the public right of way. It is considered in accordance with the above response from NCC – Rights of Way, it is considered the proposal is unlikely to result in a significant impact upon the existing public right of way.

To conclude, it is considered the proposal is unlikely to result in a significant impact in terms of highway safety and upon the existing public right of way for the reasons outlined above.

6.6 Ground Conditions

Policy 19 of the Broxtowe Local Plan Part 2 (2019) states: development of land potentially affected by contamination will not be permitted unless and until:

- a) A site investigation has been carried out to assess the nature and degree of contamination, using a method of investigation agreed in writing with the Council; and
- b) Details of effective and sustainable remedial measures required to deal with any contamination have been agreed in writing with the Council, taking into account actual or intended uses; and
- c) There will be no significant risk to the health and safety of the occupants of the development; and
- d) There will be no contamination of any surface water, water body, groundwater or adjacent land; and
- e) There will be no threat to the structural integrity of any building on or adjacent to the site.

The works needed to change the use of land into a cricket pitch include

installation of drainage to suit that of a cricket pitch turf, levelling out of the site, specifically the area of the cricket pitch and installation of specific turf required of cricket pitches. Therefore, a topographical survey was undertaken, a site plan showing the existing and proposed levels of the site was produced, a Geo Risk Assessment and a Phase 1 Geo-Environmental Desk Study Report were also undertaken to assess the ground conditions of the site.

The Geo Risk Assessment found there is an identified mining risk and further action is recommended. In addition to this, the recommendations in the Phase 1 Geo-Environmental Desk Study Report, include that an intrusive geo-environmental investigation be undertaken across the site. It is also recommended that prior to investigation, once development details are understood, that a full Coal Mining Risk Assessment is carried out in order to determine the likely impact to the site development from historic ground working. The report outlined the objectives of the investigation.

Following the findings of the Geo Risk Assessment and the Phase 1 Geo-Environmental Desk Study Report, The Coal Authority were consulted on the application and raised no objections.

The Coal Authority added that as part of the Phase 2 development a Pavillion and car parking facilities are proposed and therefore the submission of a Coal Mining Risk Assessment will be required to support an application that requires built development.

In addition to this, Environmental Health were consulted on the application and raised no objections subject to conditions as outlined in the consultation part of the report

Therefore, it is considered in accordance with the Coal Authority response above the current proposal is unlikely to result in a significant coal mining risk for the reasons outlined above. It is considered the recommended condition from Environmental Health will ensure that any necessary remedial measures are to be taken to address any contamination or other identified problems.

6.7 Flood Risk & Drainage

Policy 1 of the Aligned Core Strategy (2014) states that all new development should incorporate measures to reduce surface water runoff whilst managing surface water drainage in a sustainable manner, and Sustainable Drainage Systems should be incorporated into all new development unless it can be demonstrated that such measures are not viable or technically feasible.

Policy 1 of the Broxtowe Local Plan Part 2 (2019) states development will not be permitted in areas at risk from any form of flooding unless:

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.

The majority of the application site is located within EA Flood Zone 1, with only the existing flood attenuation pond on the south-west section of the site located within EA Flood Zones 2 & 3, due to the close proximity of Boundary Brook. A large proportion of the objections and concerns raised by neighbouring residents in respect of the proposal was in regard to flood risk and how the proposed development will affect this. It must also be noted Stapleford and Trowell Boundary Brook Action Group (SATBBAG) objected to the application on the grounds of flooding concerns.

It must be noted any reference to the Field Farm development and associated flooding run off rates is not considered relevant to the determination of this current planning application. Nevertheless, for clarity BSP consulting carried out a Flood Risk Assessment of the Field Farm site and demonstrated that in very high rainfall events, such as 1 in 100 year flood events, the discharge rate into Boundary Brook would be a significant reduction on the pre-development runoff rate. The EA and the LLFA therefore did not raise any issues to the development on flooding grounds.

With regard to the alleged flooding issues with this current cricket pitch application, drainage design details have been submitted showing controlled discharge rates of 4.6l/s and an attenuation volume of 195m². These details indicate a much lower discharge rate than would be otherwise naturally running off into the brook, and as such, there are no flooding issues as a result of this proposal. The LLFA have raised no objections based on these calculations.

Furthermore, Nottinghamshire County Council (NCC) have plans on implementing a natural flood management scheme on the existing flood attenuation pond. The aim of this is to improve its effectiveness in collecting overflows from Boundary Brook, reducing the overall maintenance of the pond and developing a natural wetlands area. These plans will create excess spoil from the digging of additional ponds and NCC have requested a location to place the excess soil. These works are separate to, but positively affect, the proposed development. The design of the cricket pitch has incorporated this excess soil to have greater impact on the retention basin and storage. Overall,

the cricket pitch application and the NCC scheme will be working together to help improve the local area in terms of working toward minimising the risk of flooding.

A Flood Risk Assessment was undertaken to assess the proposed impact of the proposal. Following the findings in the Flood Risk Assessment and Full Indicative Drainage Assessment and Plan, the Environment Agency and NCC – LLFA were consulted on the planning application.

The Environment Agency raised no objections.

The NCC – LLFA also raised no objections, subject to the recommended pre-commencement condition.

To conclude, in accordance with the findings of the Flood Risk Assessment, Full Indicative Drainage Assessment and Plan, the comments received from the Environment Agency and the response from NCC – LLFA, including the recommended pre-commencement condition, this will help ensure the site has sufficient surface water management, would not be at increased risk of flooding and would not increase flood risk off-site.

6.8 Ecology, Landscaping & Biodiversity Net Gain

Policy 16 of the Aligned Core Strategy (2014) states that Landscape Character is protected, conserved or enhanced where appropriate in line with the recommendations of the Greater Nottingham Landscape Character Assessment. Criteria for the assessment of proposals and any areas of locally valued landscape requiring additional protection will be included in part 2 Local Plans.

Policy 30 of the Broxtowe Local Plan Part 2 (2019) states that all developments within, or affecting the setting of, the local landscape character areas listed below should make a positive contribution to the quality and local distinctiveness of the landscape. They should therefore be consistent with the 'landscape actions' for the area concerned, as set out in the Greater Nottingham Landscape Character Assessment and in Appendix 7 of this Plan.

Policy 17 of the Aligned Core Strategy (2014) states that development on or affecting other non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that the need for the development outweighs any harm caused by the development and that adequate mitigation measures are put in place.

Policy 31 of the Broxtowe Local Plan Part 2 (2019) states that in all cases permission will not be granted for development that results in any significant harm or loss to the Biodiversity Asset, unless the benefits of development are

clearly shown to outweigh the harm.

A Preliminary Ecological Appraisal Report (PEAR) was undertaken for the proposed application, and Nottinghamshire Wildlife Trust were consulted on the application, raising concerns in respect of the completeness of the PEAR report.

The Ecologist which provided the initial Preliminary Ecological Appraisal Report (PEAR), provided a response on 30 October 2025 which addressed the concerns raised by the Nottinghamshire Wildlife Trust. The response addressed the concerns in regards to the Netting, Artificial Lighting, Great Crested Newt (GCN), White-Clawed Crayfish, Brown Hare and Harvest Mouse, Skylark. It was concluded the Preliminary Ecological Appraisal Report (PEAR) will be amended to reflect the information stated in the response from the Ecologist to provide a more robust ecological assessment of the Site. Further assessment will be undertaken of the Nottingham canal (disused) with regards to its suitability to support GCN and a Skylark mitigation strategy will be produced in relation to the Scheme to mitigate for the loss of suitable habitat.

It must also be noted the application will result in over the required 10% Biodiversity Net Gain (BNG) for this site. The proposal will result in a 12.05% increase in habitat units and a 12.29% in hedgerow units, with water course units not applicable for this application. It must be noted the trading rules will also be satisfied for this application.

As part of the 12.05% increase in habitat units for the site, the proposal will result in an on-site habitat creation of 2.2343 hectares of modified grassland, 0.2681 hectares of other neutral grassland, 0.102 hectares of mixed scrub, 0.2212 hectares of developed land; sealed surface, 0.0326 hectares of urban trees. As part of the 12.29% increase in hedgerow units for the site, the proposal will result in an on-site hedgerow creation of 0.189km of native hedgerow.

Therefore, it is considered the 12.05% increase in on-site habitat units and the 12.29% increase in hedgerow units will also help mitigate against the impact upon the existing habitats located on the application site. Therefore, it is considered the proposal will be acceptable in terms of Biodiversity Net Gain, subject to the pre-commencement condition regarding the Biodiversity Gain Plan, as noted in the conditions section of the committee report.

7. Planning Balance

The benefit of the proposal is that it will provide a new cricket pitch facility to the local area. The principle of the development and the change of use of the land to a cricket pitch is considered acceptable for the reasons outlined above.

The design of the proposal is considered acceptable for the reasons outlined above. The proposal is considered unlikely to result in a significant impact in terms of amenity and access (highway safety) for the reasons outlined above. The proposal is considered unlikely to result in a significant impact in terms of ground contamination and flood risk for the reasons outlined above.

The negative impact of the proposal is that there will be an impact upon the existing habitats of the application site, with Nottinghamshire Wildlife Trust raising concerns in respect of the completeness of the Preliminary Ecological Appraisal Report (PEAR) report. The Ecologist then addressed the concerns from the Nottinghamshire Wildlife Trust and it was concluded the Preliminary Ecological Appraisal Report (PEAR) will be amended to reflect the information stated in the response from the Ecologist to provide a more robust ecological assessment of the Site. Further assessment will be undertaken of the Nottingham canal (disused) with regards to its suitability to support GCN and a Skylark mitigation strategy will be produced in relation to the Scheme to mitigate for the loss of suitable habitat.

Furthermore, it is considered the proposed additions of habitat and hedgerow units in terms of Biodiversity Net Gain (BNG) will also help mitigate against the impact upon the existing habitats of the application site. Taking all of the above into account, it is considered on balance the proposal is acceptable and conditional planning permission should be granted.

8. Conclusion

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

Recommendation

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

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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.

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| 2. | <p>The development hereby permitted shall be carried out in accordance with the following plans:</p> <p>Received by the Local Planning Authority on 15 August 2025:</p> <ul style="list-style-type: none">• Site Location Plan (1:2500)• Proposed Site Plan (1:1250)• Proposed Levels (1:1250) (Drawing Number: GMA0930.47-1 Rev3)• Proposed Drainage Plan (Drawing Number: GMA0930.47-2 Rev3) <p>Reason: <i>For the avoidance of doubt.</i></p> |
| 3. | <p>No part of the development hereby approved shall commence until an amended Preliminary Ecological Appraisal Report (PEAR) is submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.</p> <p>Reason: <i>In the interests of safeguarding and enhancing biodiversity in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| 4. | <p>Prior to first use, details of the practice nets, ball stopping nets and fencing are to be submitted to and approved in writing by the Local Planning Authority and thereafter shall be installed and retained for the lifetime of the development.</p> <p>Reason: <i>To ensure a satisfactory standard of external appearance and public safety 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).</i></p> |
| 5. | <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> |

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| | <ul style="list-style-type: none">• 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 water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. <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: A detailed surface water management plan is required to ensure that the development is in accordance with the NPPF, Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Aligned Core Strategy (2014). It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.</i></p> |
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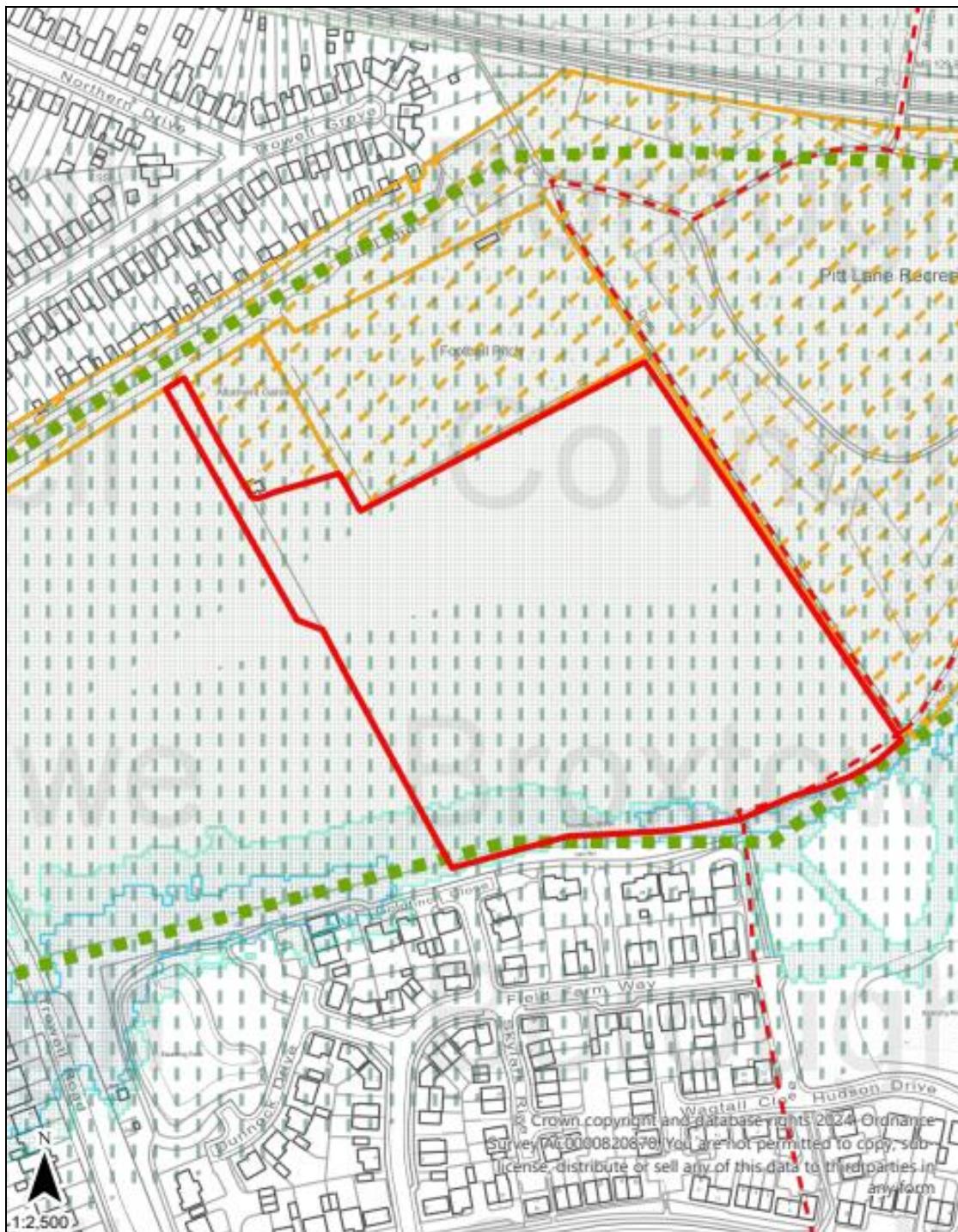
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| 6. | <p>a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <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 interest of public health and safety in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p> |
| 7. | <p>No development hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. 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 / site clearance ; andf) 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> |

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| | <p><i>Reason: To protect the amenity of neighbouring residents in accordance with the aims of with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p> |
| 8. | <p>Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.</p> <p>The effect of the relevant paragraphs of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:</p> <ol style="list-style-type: none">1) A Biodiversity Gain Plan has been submitted to the planning authority, and2) The planning authority has approved the plan. <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Broxtowe Borough Council.</p> <p><i>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.</i></p> |
| 9. | <p>The site shall not be used for cricket matches or practice or other associated activities except between 08.00-21.00 hours Monday to Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p> |
| 10. | <p>The use shall not be commenced until a noise management plan which covers operational noise has been submitted to and approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with the approved details.</p> <p><i>Reason: To protect nearby residents from excessive operational noise in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p> |

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| 11. | <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: To protect nearby occupants from excessive construction noise and vibration in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p> |
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| | NOTES TO APPLICANT |
| 1. | <p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p> <p>2.</p> <ul style="list-style-type: none">• There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.• No development/breaking of the ground shall commence that obstructs the public right of way until such time as an application has been made to the LPA to divert/extinguish the path• The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.• No materials or contractor's vehicles should be stored/parked on the path that prevent access to or along the path at any time (unless a temporary closure of the path has been applied for and granted).• Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.• Where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary. This open aspect should be retained as far as is practicable as part of any development, with good practice design principles applied to either ensure that the route does not become enclosed and/or is |

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| | <p>incorporated it as part of a greenspace corridor. See NCC development guide.</p> <ul style="list-style-type: none">• The existing boundary hedge/tree line directly bordering the development is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way. |
| 3. | <p>Nottinghamshire County Council as Lead Local Flood Authority ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.</p> |
| 4. | <p>The Environment Agency wish to highlight that the community downstream have been affected by multiple flood events in recent years. This application has the potential to support the betterment of flood risk for this community through the holding back or slowing of flow down the Boundary Brook towards the community. We are aware that Nottinghamshire County Council are working on measures within close proximity to this scheme and recommend that liaison is undertaken to discuss possible collaboration.</p> |
| 5. | <p>The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine</p> |

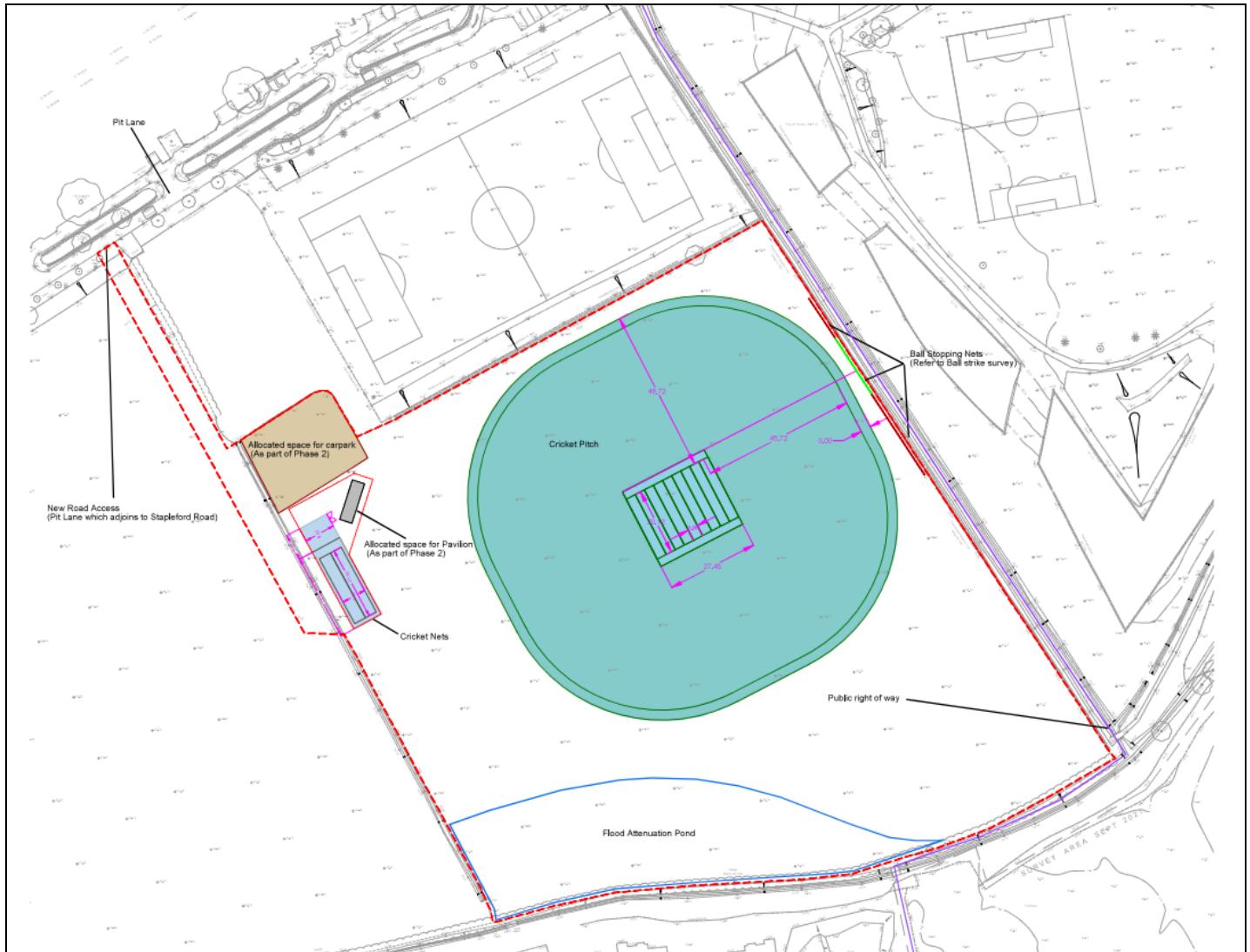
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| | <p>entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? - GOV.UK (www.gov.uk)</p> <p>In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.</p> <p>If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements</p> <p>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK</p> |
| 6. | No materials produced as a result of the sites operational activities, development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust emissions whilst the activities are in operation. This is necessary to protect nearby residents from excessive air pollution. |

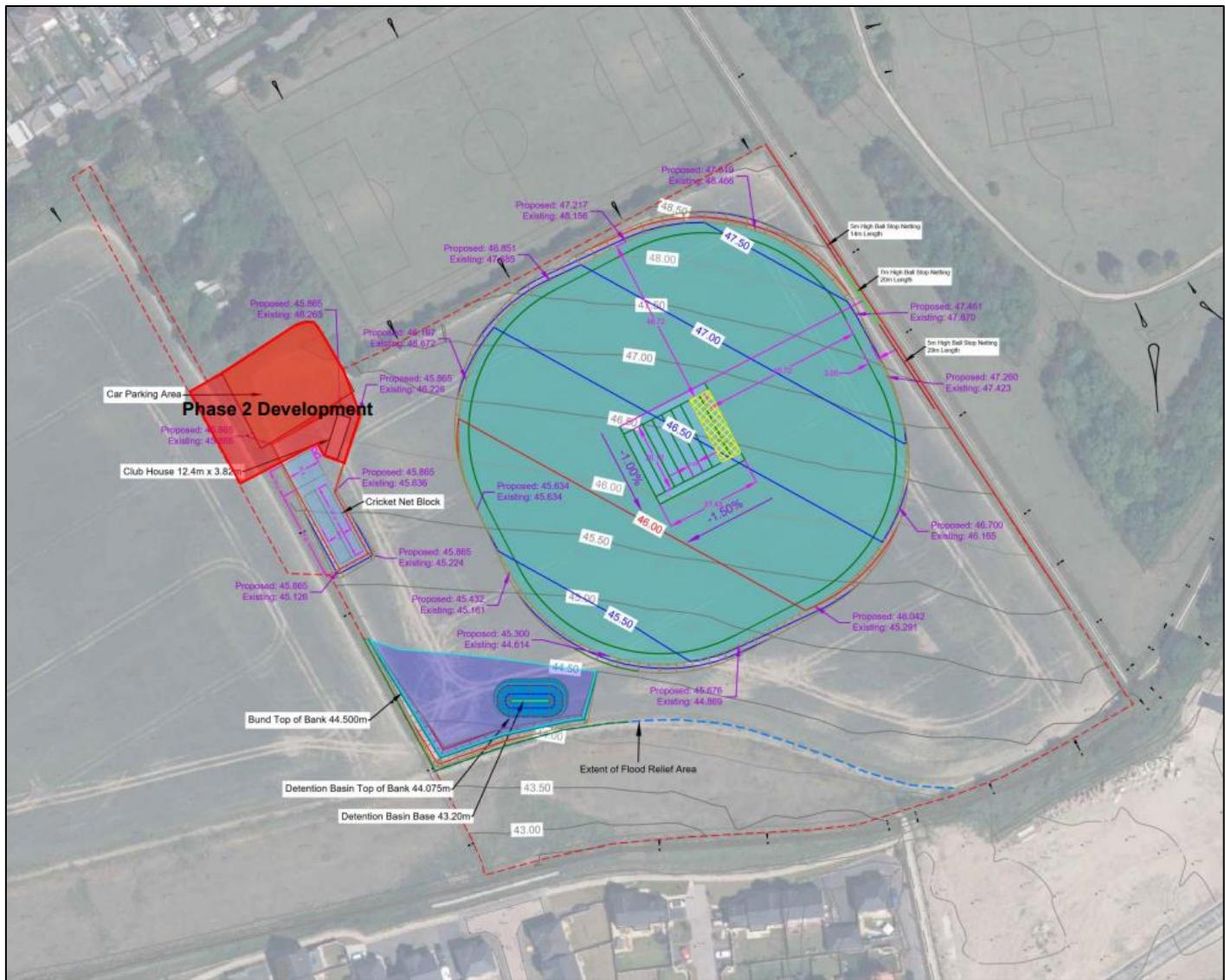
Site Map (Not to Scale) – 25/00612/REG3 – Land East of Stapleford Road, Trowell**Legend**

- Open Spaces
- Flood Zone 2
- Flood Zone 3
- Green Belt
- GI Corridor Buffer
- Green Infrastructure Corridor

Public Rights of Way

- Byway open to all traffic
- Bridleway
- Footpath
- Site

Proposed Site Plan (Not to Scale)

Proposed Levels (Not to Scale)

Proposed Drainage Plan (Not to Scale)

