

Report of the Chief Executive

APPLICATION NUMBER:	26/00090/REG3
LOCATION:	Land Off Giltway Giltbrook
PROPOSAL:	Construct 3 buildings (9 units) Use Class E(g)(iii) employment starter units

The application is brought to the Committee as the applicant is Broxtowe Borough Council.

1. Purpose of the Report

- 1.1 The application seeks planning permission for the construction of three buildings (9 units) Use Class E(g)(iii) employment starter units.

2. Recommendation

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

3. Detail

- 3.1 The application seeks permission for the development as described in paragraph 1.1 above.
- 3.2 Broxtowe Borough Council applied for and was successful in being awarded £16.5 million in January 2023 for government funding for a project called 'Kimberley Means Business' (formerly known as 'Levelling Up Fund'). Part of the bid is based on the need to deliver new business premises to increase opportunities in response to local levels of socio-economic deprivation. The Levelling Up Funding (LUF) must be spent by March 2028.
- 3.3 The site is situated on a strip of land between Essentra Giltbrook Industrial Park to the north and A610 to the south. To the north-west includes existing residential properties off Davenport Drive and to the east a private commercial access which serves Ikea. The site is in the built-up area of Giltbrook. The site currently is vacant land, previously the site was used as storage associated with the housing development accessed off Smithurst Road which was completed approximately in 2019-2020. Part of this funding has been spent on the first industrial site project which was granted permission and has been constructed at Viaduct Industrial Park off Shile Way, Awsworth. Funding for this second industrial project has been supplemented by a Greening Growth grant from the East Midlands Combined County Authority. In broad terms, approximately £3 million has been allocated for the proposed units at Giltway.
- 3.4 The main issues relate to whether the principle of the development is acceptable; the impact on the character and appearance of the area; the impact on living conditions of neighbouring properties; the impact on highway safety and biodiversity.

- 3.5 The development would result in wholesale changes to vacant land; therefore, the proposal would have an impact on the character and appearance of the area. The development would also have some impact on amenity, highway safety and short-term disruption relating to the formal re-routing of a public footpath (Greasley FP81). Notwithstanding this, it is considered any negative impacts have been mitigated by design and by way of planning condition. The development would make effective use of vacant land delivering three light industrial buildings for the borough to support local starter businesses. These matters carry significant weight in line with the aims of the NPPF (2026), and subject to compliance with conditions listed below, it is considered that overall, the benefits of the development would outweigh any negative impacts.

4. Financial Implications

- 4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

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

7. Background Papers:

- 7.1 Nil

Appendix

1. Details of the application

- 1.1 The application seeks full planning permission for the construction of three light industrial buildings including 9 units Use Class E(g)(iii).
- 1.2 The revised drawings submitted include minor changes to the positioning of the proposed units to improve the layout allowing for adequate roadway and pavement widths. The amended and enlarged application site boundary includes the formal re-routing of a public footpath north of the units on a higher land level. The proposed layout includes three linear blocks occupying the southern side of the site. This leaves a continuous servicing corridor north of the units. The existing access off Giltway is retained.
- 1.3 Further amended drawings were submitted 9th October demonstrating a revised design for the construction of the new footpath including a retaining wall, rather than gabion wall construction.

2. Site and surroundings

- 2.1 The site is situated on a strip of land between Essentra Giltbrook Industrial Park to the north and A610 to the south. To the north-west includes existing residential properties off Davenport Drive and to the east a private commercial access which serves Ikea. The site is land which is in the built-up area of Giltbrook. The site currently is vacant, previously it was used as storage in association with the adjacent housing development which was completed approximately 2019-2020.
- 2.2 The land levels of the site fall north to south. An existing vehicle access serves the site from Giltway to the north-east. The existing legal route of a public footpath runs through the site, however the site currently has been enclosed by temporary mesh fencing and the public footpath has been informally re-routed around the southern boundary of the site.
- 2.3 The site is situated close to residential properties and heavy industrial / commercial units.

3. Relevant Planning History

- 3.1 The site has no recent planning history.

4. Relevant Policies and Guidance4.1 **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 4: Employment Provision and Economic Development
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

4.2 **Part 2 Local Plan 2019:**

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

- Policy 1: Flood Risk
- Policy 17: Place-Making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground conditions
- Policy 20: Air Quality
- Policy 21: Unstable Land
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 **National Planning Policy Framework (NPPF) 2026:**

- Section 4 - Achieving sustainable development (S3, S4)
- Section 7 - Building a strong, effective economy (E2)
- Section 12 - Making effective Use of Land (L2)
- Section 14 - Achieving well-designed places (DP3, DP4)
- Section 15 - Promoting sustainable transport (TR3, TR4, TR6, TR8)
- Section 17 - Pollution, public protection and security (P2, P3)
- Section 18 – Managing flood risk and coastal change (F4, F8)
- Section 19 - Conserving and enhancing the natural environment (N2, N3)

5. Consultations

- 5.1 **Broxtowe Borough Council - Refuse and Waste** – Recommended bin provision.
- 5.2 **Broxtowe Borough Council Environmental Health** – No objections subject to conditioning foundation design, construction noise, construction method statement, operational noise and external lighting; in the interests of protecting the amenity of neighbouring properties.
- 5.3 **Broxtowe Borough Council Ecology Officer** – The application fails to demonstrate 10% biodiversity net gain. The revised submitted BNG metric shows a net biodiversity loss of minus -49.87%. It is recommended that precautionary working measures are conditioned.
- 5.4 **Broxtowe Borough Council Tree Officer** – No objections.
- 5.5 **NCC Lead Local Flood Authority** – No objections subject to conditioning a detailed surface water drainage scheme based on the principles contained in the submitted drainage strategy in support of the application.

5.6 **NCC Planning Policy** – No comments.

5.7 **NCC Highways** – No objections subject to conditioning parking / turning areas to be provided and laid in a hard bound material prior to the use commencing and wheel washing facilities are used during the construction phase.

5.8 **NCC Public Rights of Way** – No objections.

5.9 **Coal Authority** – No objections.

5.10 **Resident comments:**

First consultation: 1 objection received raising the following objections:

- Encroachment of neighbours land caused by proposed security fencing.
- Noise impact during construction and operation.
- Loss of light caused by the proposed buildings.
- Loss of privacy.
- Proximity of units causes security risk to existing adjacent housing.

Second consultation: 0 comments received.

6. Assessment

6.1 Principle

6.2 The site is located in the built-up area of Giltbrook, as such the general principle of commercial development is considered to be acceptable in this location.

6.3 Section 4 of the NPPF highlights the importance of sustainable patterns of development by maximising the potential for growth on suitable land within settlements. Policy S4 states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

6.4 In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

- a. Have a substantial adverse impact in relation to:
 - i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or

- ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).
 - b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or
 - c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.
- 6.5 In light of the above, the location of the site in the built-up area should be afforded weight. The proposal will be assessed against the following material considerations.
- 6.6 Design
- 6.7 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials, architectural style and detailing. Policy 17 of the Part 2 Local Plan 2019 states permission will be granted for development which integrates into its surroundings and creates a place with a locally-inspired or otherwise distinctive character.
- 6.8 The site is a long, narrow strip between Giltway and Davenport Drive. The A610 lies immediately to the south, with industrial premises and a landscaped margin to the north. Residential properties lie to the west and north-west, with the nearest neighbouring property being 1 Davenport Drive.
- 6.9 The revised drawings submitted include minor changes to the positioning of the proposed units to allow for adequate roadway and pavement widths. The amended and enlarged application site boundary includes the formal re-routing of a public footpath north of the units on a higher land level. The proposed layout includes three linear blocks occupying the southern side of the site. This leaves a continuous servicing corridor to the north of the units. The existing access off Giltway is retained.
- 6.10 Block 3 is at the west, Block 2 in the centre and Block 1 at the east. The proposal comprises three single-storey commercial blocks containing nine separately accessed premises. Block 1 (east) would provide approximately 285m², Block 2 (centre) 429m² and Block 3 (west) 340m²; totalling 1,054m². The overall roof heights are 7.844m for Block 1, 8.045 m for Block 2 and 8.225 m for Block 3. Three separate blocks break the long frontage and retain turning space between buildings. The mono-pitch profile and consistent

material palette relate to the adjoining industrial setting. The proposed materials would be red brick lower walls and metal cladding above.

- 6.11 The landscape strategy combines the raised northern path and a retaining wall. Security fencing would be installed between the operational yard and revised public footpath.
- 6.12 It is considered that the proposal is acceptable with regards to design related policy 10 of the Aligned Core Strategy and policy 17 of the Part 2 Local Plan. Furthermore, it is considered the proposed design would comply with national policy DP3 and DP4 of the NPPF.
- 6.13 Amenity
- 6.14 Policy 10 of the Aligned Core Strategy states that the impact of a development on neighbour amenity 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. Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Part 2 Local Plan states that permission will not be granted for development that would result in an unacceptable level of pollution or contamination of groundwater resources.
- 6.15 The nature of the proposal is such that it is likely to generate noise associated with the operation of the employment units and comings and goings linked with the site. The proposed use is for light industrial (Use Class E (g)(iii), which includes industrial processes which can be carried out in any residential area without causing detriment to the amenity of the area. The closest sensitive receptor to the site is 1 Davenport Drive approximately 15m from the nearest end unit. It is understood that the development would be served by vehicles smaller than a HGV which would have a lower level of noise emission.
- 6.16 Environmental Health have provided no objections subject to conditions including foundation design, construction and operational noise. Environmental Health have recommended conditions to help reduce noise and disturbance associated with the construction and operation of the development.
- 6.17 Amended drawings were submitted demonstrating an enlarged application site to the north of the proposed units. The purpose of the larger site area was to create additional space for vehicular access to the units and to re-route the existing public footpath that currently runs through the site east to west. Due to the varying land levels of the site, it is proposed that the revised route of the public footpath be positioned at a higher land level by approximately 2m in relation to the finished floor level of the industrial unit premises. The new

proposed re-route of the public footpath has been assessed in terms of any potential loss of privacy impact on the nearest residential property caused by the difference in land levels. Due to the separation distance of the public footpath and the rear garden of 1 Davenport, subject to the installation of a timber fence to screen any potential loss of privacy concerns; it is considered that the amenity of neighbouring occupiers would not be adversely impacted.

- 6.18 Having regard to the above and subject to the aforementioned conditions, it is considered that the impact on residential amenity would be acceptable in accordance with policy 10 of the Aligned Core Strategy, policy 17 of the Part 2 Local Plan and policy L2 and P3 of the NPPF.

6.19 Access

- 6.20 NPPF policy TR6 (4) states that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

- 6.21 The existing eastern access from Giltway would be retained leading to the north-facing unit entrances. Gaps between the blocks provide the turning/loading areas required. This also includes for deliveries and servicing. Those spaces will be retained for that purpose and kept clear of informal parking and storage. Parking is arranged mainly at the eastern end, with a smaller western group. Fourteen parking spaces and two accessible spaces are identified, one at each end, and two EV charging locations are shown. This would meet the minimum parking requirements for the floorspace proposed. NCC Highways have provided no objections subject to conditioning parking areas to be provided prior to the use commencing in a hard bound material and wheel washing facilities used during the construction period. A revised site plan has been provided which demonstrates two bin store locations. Given the commercial nature of the proposal, it is intended private refuse collection would be used.

- 6.22 The submitted PRow plan distinguishes the route currently walked from the recorded legal lines of Greasley Footpath 81 and Greasley Bridleway 105. The application has been designed to incorporate a revised route for the public footpath. The siting of the new public footpath has been carefully considered to ensure adequate natural surveillance of the pedestrian route in the interests of public safety and anti-social behaviour deterrent. A 2m clear-width northern footpath is proposed, with an eastern connection to the existing pavement and western connections to the adjoining public rights of way network. Its alignment is outside the operational yard. The level change,

retaining wall construction, fencing and planting provide physical separation from loading and vehicle movements. A condition has been added requiring details of the design, floor levels and maintenance responsibilities of the new footpath and retaining wall.

- 6.23 The applicant will progress the necessary public path order with the Nottinghamshire County Council's Rights of Way service. However, the formal re-routing process would follow after planning permission is granted. NCC PRow have agreed in principle to the re-routing and have provided no objections to the application.
- 6.24 The site is in a sustainable location. Having regard to the location of the site, the retention of the existing access, the proposed parking and turning arrangements and the absence of an objection from the Highway Authority, the development is not considered to result in an unacceptable impact on highway safety or a severe cumulative impact on the highway network. As such it is considered the proposal would comply with policy 17 of the Part 2 Local Plan and policy TR3, TR4, TR6, TR8 of the NPPF.
- 6.25 Biodiversity Net Gain, Ecology and Trees
- 6.26 The application has been supported by Preliminary Ecological Appraisal Report and Biodiversity Net Gain report. Broxtowe ecology officer provided no objections subject to conditioning pre-cautionary working measures to restrict any clearance works between 1st March and 31st August inclusive in the interests of limiting disruption to nesting birds. There are no trees on site that would be affected. As such, the Council's tree officer has provided no objections.
- 6.27 The assessment of the development proposed for the site, would result in a net loss of biodiversity units across the site area from 0.84 units to 0.42 units resulting in -49.87 onsite BNG. The applicant has confirmed an intention to meet the biodiversity gain objective through registered off-site biodiversity gains. The precise off-site provision and allocation would be addressed through the Biodiversity Gain Plan, which must be approved before development commences. Subject to the biodiversity net gain planning condition, the development would achieve 10% in the form offsite enhancements. As such, it is considered that the application would comply with Schedule 7A of the Town and Country Planning Act 1990.
- 6.28 Other matters
- 6.29 The site partly lies in a high-risk coal mining risk area. The Coal Authority notes the submitted coal mining risk assessment and is satisfied that the issue of the potential for coal mining legacy to affect the proposed development has

been adequately investigated. As such, no further investigation secured by planning condition would be necessary.

- 6.30 The site lies within Flood Zone 1 and therefore is at a low risk of flooding. Nottinghamshire County Council Lead Local Flood Authority have confirmed no objections to the proposed development subject to conditioning a detailed surface water strategy be submitted for approval prior to the commencement of the development.
- 6.31 Developer contributions have not been sought for this development as it is a Council application.
- 6.32 The concern regarding possible encroachment onto neighbouring land is noted. Land ownership and boundary disputes are private civil matters and do not alter the planning assessment. The applicant is responsible for ensuring that development is undertaken only on land under its control or with the relevant landowner's agreement.
- 6.32 Planning Balance
- 6.33 The development would result in wholesale changes to vacant land; therefore, the proposal would have an impact on the character and appearance of the area. The development would also have some impact on amenity, highway safety and short-term disruption relating to the formal re-routing of a public footpath (Greasley FP81). Notwithstanding this, it is considered any negative impacts have been mitigated by design and by way of planning condition. The development would make effective use of vacant land delivering three light industrial buildings for the borough to support local starter businesses. These matters carry significant weight in line with the aims of the NPPF (2026), and subject to compliance with conditions listed below, it is considered that overall, the benefits of the development would outweigh any negative impacts.

7. 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 representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with drawings received by the Local Planning Authority on the following dates: • Location plan No. 13 • Proposed site section E-E No. 05 • Proposed plans and section unit 1 No. 07 • Proposed elevations unit 1 No. 08 • Proposed plans and section unit 2 No. 09 • Proposed elevations unit 2 No. 10 • Proposed plans and section unit 3 No. 11 • Proposed elevations unit 3 No. 12 (Received by the Local Planning Authority 24/09/26) • Proposed site plan No. 01 A • Proposed site plan (public right of way and levels) No. 03 B • Proposed site section D-D No. 04 C • Proposed site plan - northern path levels & gradients No. 14 (Received by the Local Planning Authority 09/10/26) • Proposed site-scale elevations No. 06 C (Received by the Local Planning Authority 13/10/26) <i>Reason: For the avoidance of doubt.</i>
3.	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:

- Demonstrate that the development will use Sustainable Drainage Systems (SuDS) as a primary means of surface water management. Design should be in accordance with CIRIA C753, Policy F8 of the National Planning Policy Framework (2026) and the National Standards for Sustainable Drainage Systems (SuDS) 2025, applying a 'SuDS approach', so that:
 - The surface water drainage system should incorporate attenuation at multiple points across the development, rather than a single attenuation feature located prior to the point of discharge, unless justification is provided.
 - At least the first 5mm of rainfall for the majority of rainfall events does not result in runoff from the site to surface waters or piped drainage systems.
 - Surface water and groundwater is protected by managing the quality of the surface water runoff to adequately address water quality risks from the development.
 - Benefits are maximised for amenity through the creation of multi-functional places and landscapes.
 - Benefits are maximised for biodiversity throughout the development lifecycle.

Evidence shall be provided that the approach to managing runoff from 'everyday' rainfall has been developed alongside and in support of the management of runoff quality and the delivery of amenity and biodiversity benefits.

Note: The LLFA does not consider oversized pipes or box culverts as sustainable drainage.

- 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 details of a proven outfall from site in accordance with the drainage hierarchy. The following options should be considered in order of preference, as stated in the National Standards for Sustainable Drainage Systems (SuDS) 2025:
 - Priority 1: collected for non-potable use
 - Priority 2: infiltrated to ground
 - Priority 3: discharged to an above ground surface water body
 - Priority 4: discharged to a surface water sewer, or another piped surface water drainage system
 - Priority 5: discharged to a combined sewer

	• 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. • 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. - 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. • 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. <i>Reason: To ensure the development has sufficient surface water management in accordance with the aims of policy 1 of the Part 2 Local Plan (2019), Policy 1 of the Aligned Core Strategy (2014) and the NPPF (2026).</i>
4.	Statutory Biodiversity - Deemed Condition Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021. 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:

- 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 BNG Metric received by the Local Planning Authority on 21 September 2026, prepared by Elton Ecology Ltd.

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 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>

Reason: To ensure the development delivers a biodiversity net gain on or off site in accordance with the relevant paragraphs of Schedule 7A of the Town and Country Planning Act 1990.

5.	No development shall commence until details of any necessary ground compaction, piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details. <i>Reason: To protect nearby occupants from excessive construction noise and vibration in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
6.	Details of floodlighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be constructed only in accordance with the approved details. <i>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 Aligned Core Strategy (2014).</i>
7.	No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the LPA. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road. <i>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</i>
8.	No development within the full planning permission phase hereby approved shall take place until a Construction Method Statement (CMS) / Construction Environmental Management plan (CEMP)

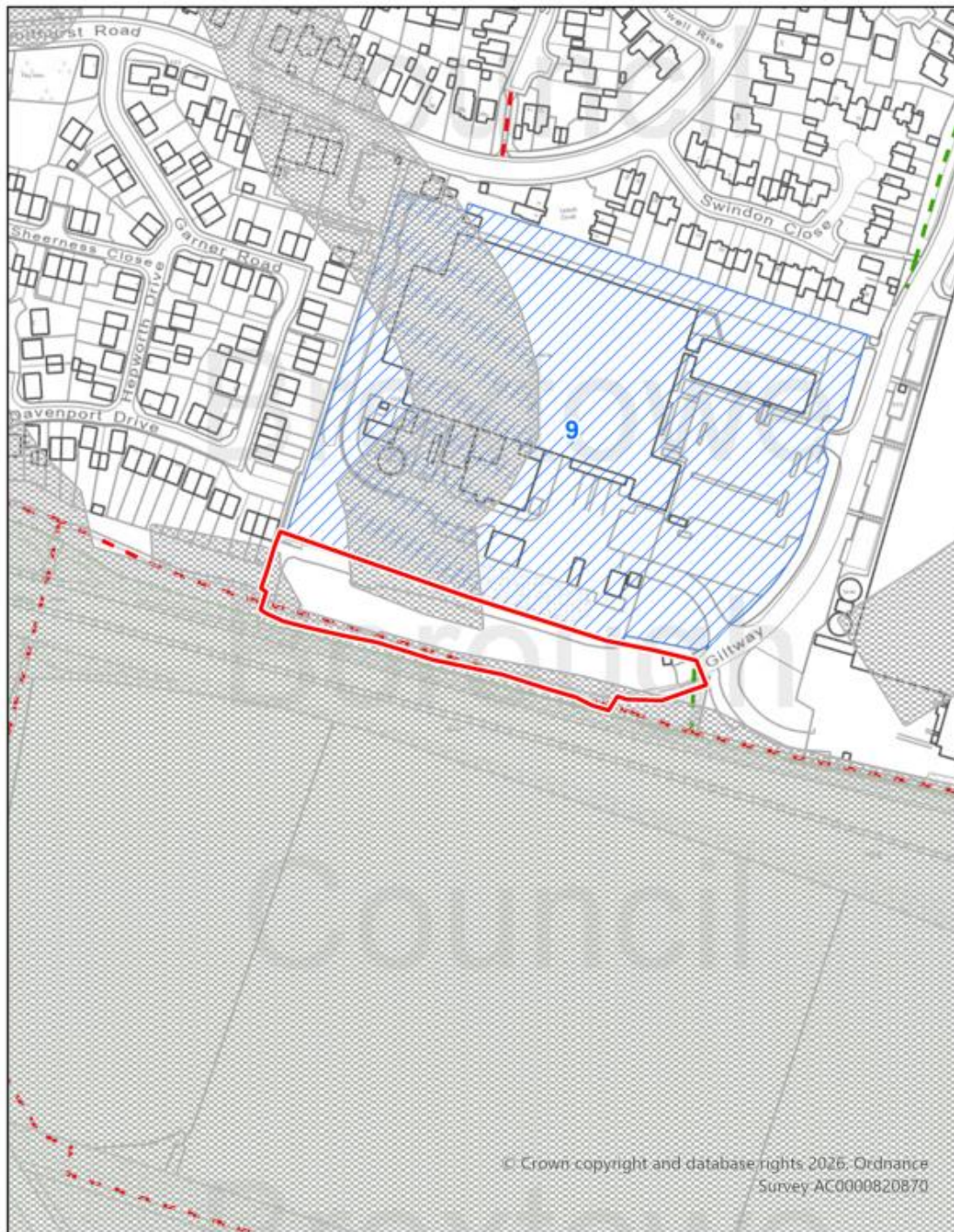
	has been submitted to and approved in writing by the Borough Council. The statement shall include: a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction / demolition of the development; e) a scheme for the recycling/disposal of waste resulting from construction works; and f) details of fugitive dust and construction noise control to be used during the construction phase. The approved statement shall be adhered to throughout the construction period. <i>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 Aligned Core Strategy (2014).</i>
9.	No development above slab level shall commence until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details: (a) numbers, types, sizes and positions of proposed trees and shrubs (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) proposed external lighting details (e) planting, seeding/turfing of other soft landscape areas The approved scheme shall be carried out strictly in accordance with the agreed details. <i>Reason: In the interests of visual amenity and in accordance with Policies 17 and 31 of the Part 2 Local Plan (2019) and Policies 10 and 17 of the Aligned Core Strategy (2014).</i>
10.	No development above slab level shall commence until written and illustrative details of the siting, design and finished levels of the new footpath and retaining wall have been submitted to and approved in writing by the Local Planning Authority. Details must include the proposed surfacing and long-term maintenance of the new footpath. No commercial unit shall be occupied until the new

	footpath has been provided in accordance with the approved details. <i>Reason: To ensure the construction of the new footpath is safe for future users in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and policy TR8 of the NPPF (2026).</i>
11.	Prior to any construction above foundations level, a scheme of biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, as a minimum, the incorporation of features within the development for roosting bats, bees and nesting swifts. The enhancement scheme shall be implemented in accordance with the agreed details as construction proceeds and completed prior to the first occupation of the development. <i>Reason: In the interests of securing biodiversity enhancements in accordance with Policy 31 of the Part 2 Local Plan (2019) and Policy 17 of the Aligned Core Strategy Part 1 Local Plan (2014).</i>
12.	No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2026-2198 02a. The parking, turning and servicing 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 and loading and unloading of vehicles. <i>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</i>
13.	No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays. <i>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 Aligned Core Strategy (2014).</i>
14.	No removal of shrubs and scrub shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period and a scheme to protect the nesting birds has first been submitted to and approved in writing by the Local Planning Authority. No shrubs or scrub shall be removed between 1st March and 31st August inclusive

	other than in accordance with the approved bird nesting protection scheme. <i>Reason: In the interests of securing the protection of protected species in accordance with Policy 31 of the Part 2 Local Plan (2019) and Policy 17 of the Aligned Core Strategy (2014).</i>
15.	All plant, machinery and equipment (including fans, ducting and external openings) to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to prevent the transmission of noise and vibration into any premises either attached to, or beyond the red line of the application site to which the application refers. <i>Reason: To protect the amenity of neighbouring residents in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
16.	The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing background sound level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive premises. <i>Reason: To protect existing residents from excessive plant noise in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
17.	The premises shall not be used except between 07.30-21.00 hours Monday to Saturday and at no time on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority. <i>Reason: To protect the amenity of neighbouring residents in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
18.	Deliveries by commercial vehicles shall not be permitted except between 07.30-21.00 hours Monday to Saturday and at no time on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority. <i>Reason: To protect the amenity of neighbouring residents in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
	NOTES TO APPLICANT

1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address or addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Map

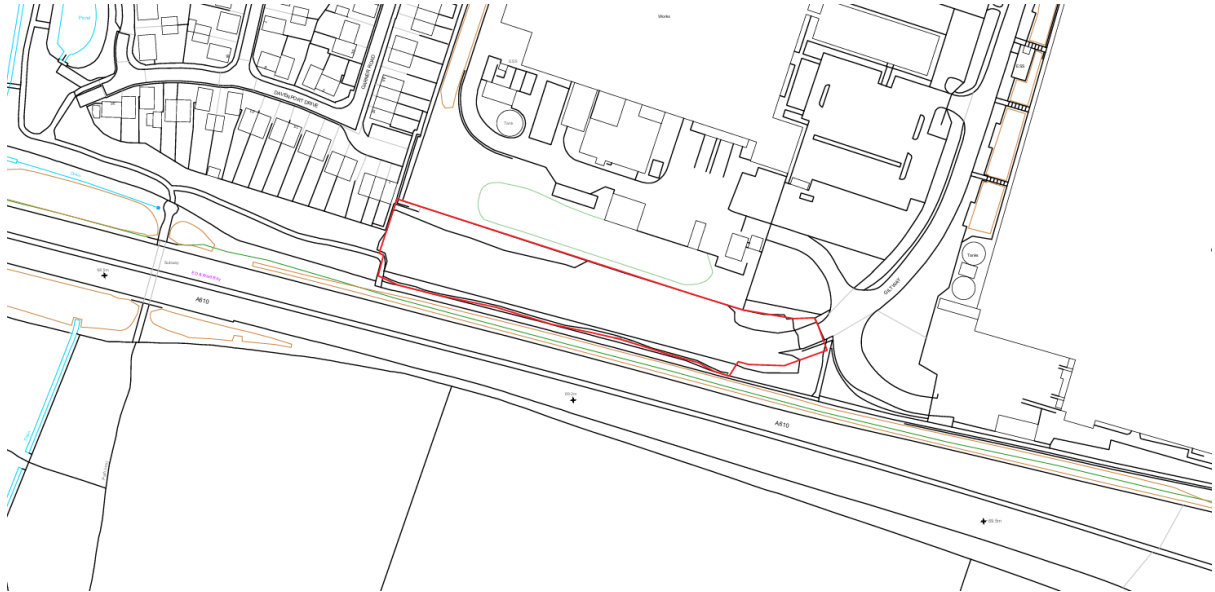


- Site
- Green Belt
- Byway open to all traffic
- Bridleway
- Footpath
- Coal Referral Area
- Existing Employment Sites

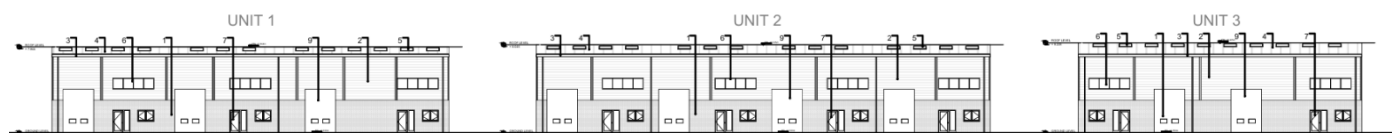
Policy 9

Plans (not to scale)

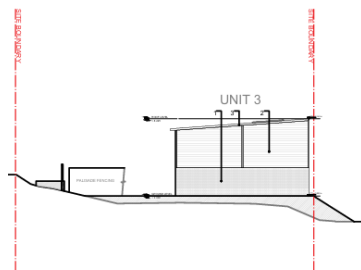
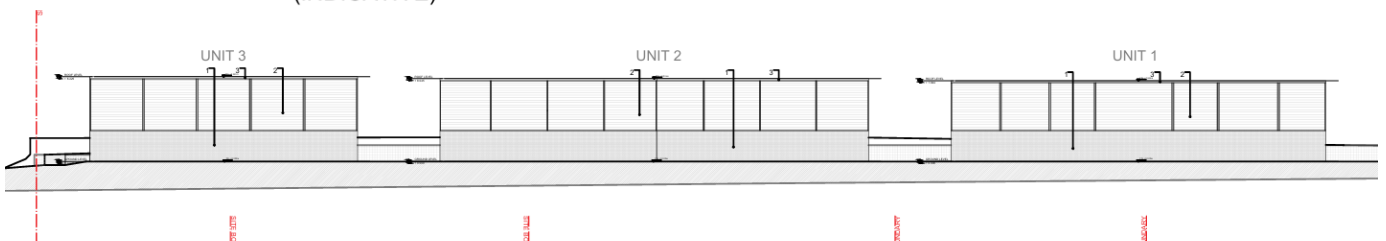
Site Location Plan



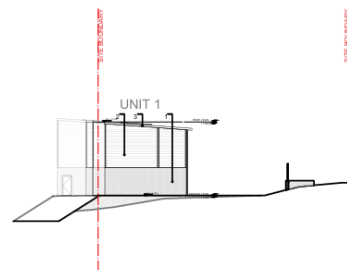
Proposed Elevations



PROPOSED NORTH ELEVATION
(INDICATIVE)

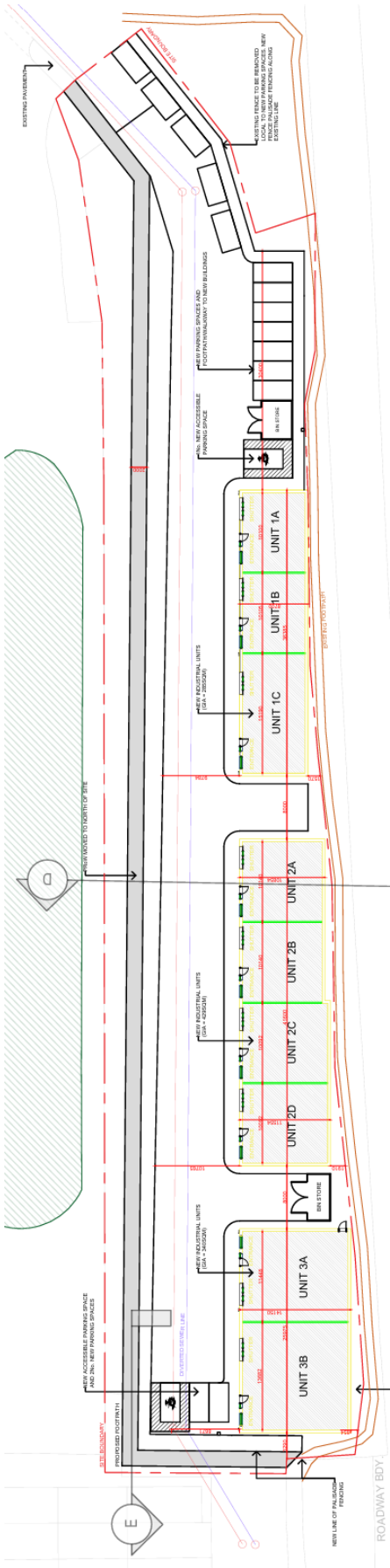


PROPOSED WEST ELEVATION
(INDICATIVE)

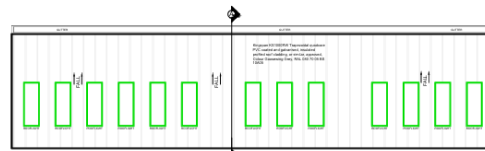


PROPOSED EAST ELEVATION
(INDICATIVE)

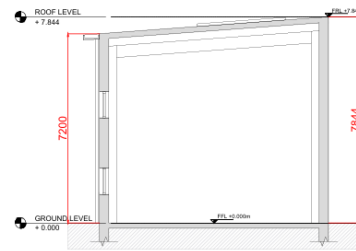
Proposed Site Plan



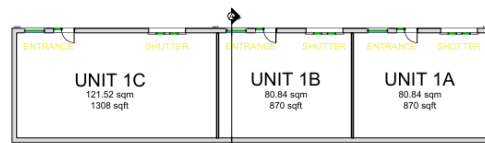
Proposed Floor Plans and Sections



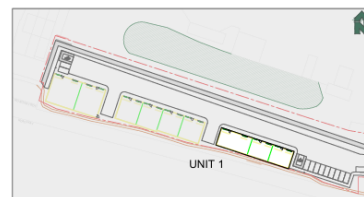
PROPOSED ROOF PLAN - UNIT 1
SCALE: 1:200



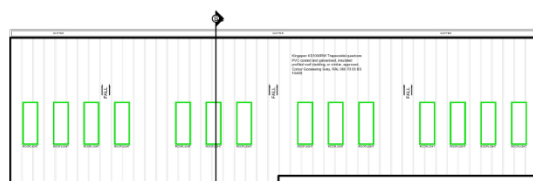
PROPOSED SECTION A-A - UNIT 1
SCALE: 1:100



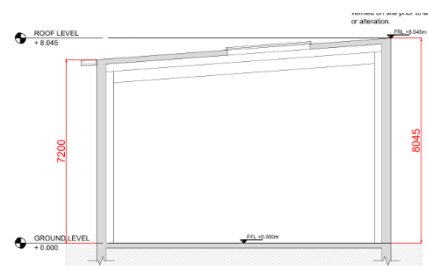
PROPOSED FLOOR PLAN - UNIT 1
SCALE: 1:200



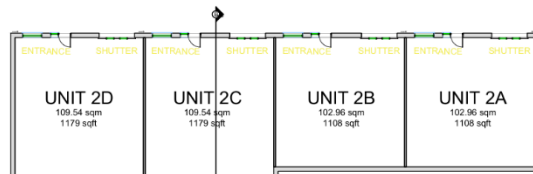
SITE PLAN KEY
SCALE: 1:1250



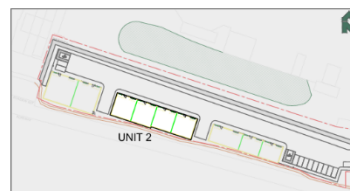
PROPOSED ROOF PLAN - UNIT 2
SCALE: 1:200



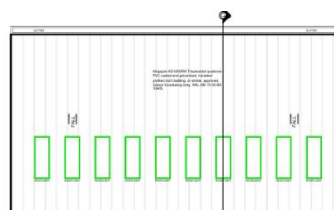
PROPOSED SECTION B-B - UNIT 2
SCALE: 1:100



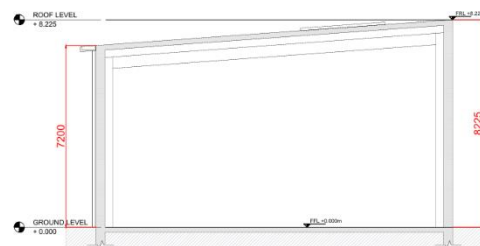
PROPOSED FLOOR PLAN - UNIT 2
SCALE: 1:200



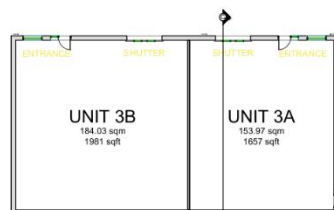
SITE PLAN KEY
SCALE: 1:1250



PROPOSED ROOF PLAN - UNIT 3
SCALE: 1:200



PROPOSED SECTION C-C - UNIT 3
SCALE: 1:100



PROPOSED FLOOR PLAN - UNIT 3
SCALE: 1:200



SITE PLAN KEY
SCALE: 1:1250

100 Metres
North Arrow
Scale of 1:1250
New Proposed Units

