

**PLANNING COMMITTEE**  
**WEDNESDAY, 1 JULY 2026**

Present: Councillor S P Jeremiah, Chair

Councillors: P A Smith (Vice-Chair)  
P J Bales  
L A Ball BEM  
G Bunn  
S Camplin  
J Couch  
T J Marsh  
G Marshall  
P J Owen (ex-officio)  
D D Pringle  
D K Watts  
E Williamson (substitute)

Apologies for absence were received from Councillors D Bagshaw and S J Carr

90 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

91 **MINUTES**

The minutes of the meeting held on 10 June 2026 were confirmed and signed as a correct record.

92 **NOTIFICATION OF LOBBYING**

The Committee received notification of lobbying in respect of the planning applications subject to consideration at the meeting.

93 **DEVELOPMENT CONTROL**

93.1 **25/00371/OUT - LAND WEST OF STAPLEFORD LANE, STAPLEFORD, NOTTINGHAM**

Outline Planning Application for the construction of a residential development of up to 420 residential dwellings and associated open space and infrastructure (With some matters reserved). The proposed development is classified as EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Land West of Stapleford Lane Stapleford Nottingham

The application was brought to the Committee as it represents a Major Planning Application.

There were late items comprising further comments from the Highways Authority. The Highways Authority commented that the modelling indicates that the proposed Toton Link Road performs an important strategic function, providing an additional connection between Stapleford Lane and the A52 corridor and influencing traffic distribution across the wider network.

The Highway Authority did not consider that the additional modelling fully resolves its concerns. Whilst it provides useful strategic evidence, several important technical matters remain outstanding and require further clarification before a final view can be reached regarding the acceptability of the development.

There were four public speakers for this item James Hicks, agent of the applicant, David Lovett, objecting, Joan Roche, objecting, and Councillor T Cullen, ward member made representation to the Committee prior to the general debate.

The Committee considered all representations, debating the conflict between the Highways Authority and the applicant regarding the proposed traffic alleviation.

It was noted that approval at this meeting would mean approval of the housing scheme and not the design or character of the schemes. It was reported that these would be considered at a future meeting and members would have the opportunity to comment on this aspect at that time.

Members raised particular concerns regarding the need to review all elements of the scheme together, paying special attention to the highways issues. Members stated that they wanted to review all aspects holistically and not by individual schemes as has been submitted by the applicant.

**RESOLVED that, subject to the removal of objections from National Highways and Nottinghamshire County Council as the Highways Authority, planning permission would have been granted subject to:**

- (i) Prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of landscape contributions and affordable units**
- (ii) the following conditions:**
  - 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**

- 2. The development hereby permitted shall be commenced**

before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be carried out in accordance with drawings received by the Local Planning Authority on the following dates:

**Illustrative Landscape**

**Masterplan (P23\_2379\_EN\_0007\_B\_S1 ILMP\_R) Planning Statement (R001 v4 Planning Statement) Statement of Community Involvement (R001v5 Statement of Community Involvement - 2025 04 07)**

**Covering Letter (L001v1 EM ASI - Application Covering Letter) Sustainability/Energy Statement (Energy Statement - Toton West v3)Environmental Statement (ref: P23-2379\_Toton\_West\_ES) Covering matters of:**

- Contents Page
- Chapter 1 Introduction
- Chapter 2 Assessment Scope and Methodology
- Chapter 3 The Site
- Chapter 4 Proposed Development and Alternatives
- Chapter 5 Socioeconomics and Health
- Health Impact Assessment
- Chapter 6 Landscape and Visual Amenity (including LVIA)
- Chapter 7 Biodiversity
- Ecological Appraisal
- Biodiversity Net Gain Statement
- Arboricultural Impact Assessment
- Chapter 8 Cultural Heritage
- Chapter 9 Transport and Access
- Transport Assessment (including access drawings)
- Framework Travel Plan
- Chapter 10 Air Quality
- Chapter 11 Noise and Vibration
- Chapter 12 Flood Risk and Drainage
- Flood Risk Assessment
- Drainage Strategy
- Chapter 13 Contaminated land/ Ground Conditions
- Phase 1 Ground Assessment
- Chapter 14 Soils and Agricultural Land
- Soils and Agricultural Land Report
- Chapter 15 Climate Change
- Chapter 16 Lighting
- Lighting Strategy

- Chapter 17 Summary
- Chapter 18 Glossary
- Chapter 19 References
- Environmental Statement Appendices and Figures:
- Appendix 1.1 EIA Statement of Expertise
- Appendix 2.1a Summary of Toton North Scoping
- Appendix 2.1b BBC EIA Scoping Opinion Toton North
- Appendix 5.1 Health Impact Assessment
- Appendix 6.1 Methodology
- Appendix 6.2 Sensitivity
- Appendix 7.1\_EcoApp
- Appendix 7.2 BNG Report\_Rev A May 25
- Appendix 7.3 Bird Report
- Appendix 7.4 Arb Assessment
- Appendix 8.1 Technical Heritage Baseline
- Appendix 9.1 Transport Assessment
- Appendix 9.2 Travel Plan
- Appendix 10.1 - 10.5 Air Quality Appendices
- Appendix 11.1 Summary of Background Survey
- Appendix 11.2 Planning Noise Assessment Report
- Appendix 11.3 Road Traffic Data
- Appendix 12.1 FRA and SWD Strategy p1
- Appendix 12.1 FRA and SWD Strategy p2
- Appendix 13.1 Appendix 13.1 D44116 Phase I Report
- Appendix 15.1 Steps Involved in a CCR Assessment in EIA
- Appendix 15.2 Climatic Variables Considered for Each Sensitive Receptor
- Appendix 15.3 Legislation Policies and Agendas Context
- Appendix 15.4 Local Regional and National GHG Emissions
- Appendix 15.5 Assessment of Resilience of the Proposed Development to Climate Change
- Appendix 16.1 Lighting Strategy
- Appendix 16.2 Lighting Baseline Assessment
- Appendix 16.3 Lighting Receptor Locations
- Figure 1.1 - Site Location Plan
- Figure 4.1 - Parameter Plan
- Figure 4.2 - Illustrative Masterplan
- Figure 6.1 P23\_2379\_EN\_0001\_S1\_REV - Site Location Plan
- Figure 6.2 P23\_2379\_EN\_0002\_S1\_REV - Planning Designations
- Figure 6.3 P23\_2379\_EN\_0003\_S1\_REV – Topography
- Figure 6.4 P23\_2379\_EN\_0004\_S1\_REV - Landscape Character
- Figure 6.5 P23\_2379\_EN\_0005\_S1\_REV - ZTV Viewpoint Locations and PRoW
- Figure 6.6 P23\_2379 EN\_0006\_v2 Figure 6 VPs\_compressed

- **Figure 6.7 P23\_2379\_EN\_0008\_S1\_REV - Combined ZTV**
- **Figure 7.1\_Consultation Plan Designated Sites**
- **Figure 7.2\_Consultation Plan Species Results**
- **Figure 7.3\_Baseline Habitats**
- **Figure 10.1 - Existing Sensitive Human Receptors**
- **Figure 14.1 Agricultural Land Classification**
- **Figure 15.1 - IEMA Best Practice**
- **Figure 15.2 - Local Temps**
- **Figure 15.3 Wind Rose**
- **BNG Metric (10889 - Statutory Metric - 08 05 2025)  
Completed Notice Form**

**Received by the Local Planning Authority on 19 May 2025.**

- **Site Location Plan (P23\_2379\_DE\_009\_C\_01 - Site Location Plan (Outline))**
- **Site Location Plan – Aerial (P23\_2379\_DE\_009\_C\_03 - Site Location Plan - Aerial (Outline)\_LR)**
- **Illustrative Masterplan (P23\_2379\_DE\_014\_D\_01 - Illustrative Masterplan (Outline)\_LR)**
- **Parameter Plan (P23\_2379\_DE\_015E\_02 - Parameter Plan (Outline))**
- **Preliminary General Arrangement Sheet 1 (B076224-TTE-HGN-XX-DR-CH-010001 Preliminary General Arrangement Sheet 1 [P03])**
- **Preliminary General Arrangement Sheet 2 (B076224-TTE-HGN-XX-DR-CH-010002 Preliminary General Arrangement Sheet 2 [P04])**
- **Planning Statement Addendum (P23-2379 - Planning Statement Addendum - FINAL)**
- **Design and Access Statement (P23\_2379\_DE\_G002B - DAS\_R)**
- **Environmental Statement Addendum (P23-2379\_ES Addendum Dec 25\_231225\_final (text & figs)**
- **Environmental Statement Addendum Figures**
- **Figure 1.1a Site Location Plan**
- **Figure 4.1a - Parameter Plan (Outline)**
- **Figure 4.2a Illustrative Masterplan – Outline**
- **Figure 6.1 P23\_2379\_EN\_1000\_S1\_REV - Site Location Plan**
- **Figure 6.2 P23\_2379\_EN\_1001\_S1\_REV - Planning Designations**
- **Figure 6.3 P23\_2379\_EN\_1002\_S1\_REV – Topography**
- **Figure 6.4 P23\_2379\_EN\_1003\_S1\_REV - Landscape Character**
- **Figure 6.5 P23\_2379\_EN\_1004\_S1\_REV - ZTV, Viewpoint Locations and PRoW**
- **Figure 6.6 P23\_2379 EN\_1005\_v2 Figure 6 VPs**
- **Figure 6.7 P23\_2379\_EN\_1006\_S1\_REV - Combined ZTV**

- **Figure 7.4 Baseline Habitats**
- **Environmental Statement Appendices**
- **App 7.4 10889 AA\_D - (Outline)**
- **App 7.5\_Spring Bat Data Report**
- **App 7.6\_Supplemental BBS Report**
- **App 7.7\_BNG Report**
- **App.9.1 251222\_328827\_TA (Outline Application) - 2 of 4 (Appendices A - D)**
- **App.9.1 251222-328827\_TA (Outline Application) - 3 of 4 (Appendices E - G)**
- **App.9.1 251222\_328827\_TA (Outline Application) - 4 of 4 (Appendices H I)**
- **App 9.2\_RTP\_(Outline Application)\_LR**
- **App 9.3 Study Area**
- **App 9.4 2025 Baseline Scenario Traffic Data**
- **App 9.5 Assessment of Construction Traffic**
- **App 9.6 Future Year Scenario Traffic Data and Assessment of Operational Traffic Impacts**
- **App 12.2 19678 - Toton West - FRA & DS Addendum**
- **Environmental Statement Non-Technical Summary (P23\_2379\_\_NTS\_ADDENDUM)**

**Received by the Local Planning Authority on 24 December 2025.**

- **App 9.1 TA R004 Rev A (Outline Application)**

**Received by the Local Planning Authority 16 February 2026.**

- **260417\_328827\_TN003\_Main Response.pdf**
- **260417\_328827\_TN003\_Appendices.pdf**
- **B076224 TTE HGN XX DR CH 010001 P03 Four Arm Signalised Junction GA S1.pdf**
- **B076224 TTE HGN XX DR CH 010002 P05 Four Arm Signalised Junction GA S2.pdf**
- **B076224 TTE HGN XX DR CH 010021 P03 Four Arm Signalised Tracking S1.pdf**
- **B076224 TTE HML XX DR CH 010012 P02 Four Arm Signalised Geometry S2.pdf**
- **B076224 TTE HGN XX DR CH 010023 P02 Four Arm Signalised Tracking S3.pdf**
- **B076224 TTE HML XX DR CH 010011 P02 Four Arm Signalised Geometry S1.pdf**
- **B076224 TTE HGN XX DR CH 010022 P03 Four Arm Signalised Tracking S2.pdf**

**Received by the Local Planning Authority 28 April 2026.**

**Reason: For the avoidance of doubt.**

- 4. Before any site clearance or development is commenced, detailed drawings and particulars showing the following**

**(the 'Reserved Matters') shall be submitted to and approved by the Local Planning Authority:**

- (a) the layout, scale, and external appearance of all buildings;**
- (b) parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, drainage and the location and detail of all Electric Vehicle Charging points. All details shall comply with the County Council's current Highway Design and Parking Guides**
- (c) full manufacturer details of the materials to be used in the external surfaces and roofs of all buildings and including the location and colour of the external meter boxes;**
- (d) cross sections through the site showing the finished floor levels of the new dwellings in relation to adjacent land and buildings. These details shall be related to a known datum point; and**
- (e) landscaping treatment of the site**

**The development shall be carried out strictly in accordance with the approved details.**

**Reason: The application was submitted in outline only and no such details were provided. The development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF, Policy 3.2, 15, 17 and 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 2, 8, 10, 16 and 17 of the Broxtowe Aligned Core Strategy (2014) and in the Interests of Highway safety.**

- 5. 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 ref ADC2897-RP-D, dated March 2025 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 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. No surcharge shown in a 1 in 1 year.

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.

*Reason: To ensure the development is in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of Broxtowe Part 2 Local Plan (2019).*

6. 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.
- b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-



- (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.**

**Reason: In the interest of public health and safety and in accordance with policy 17 of the Part 2 Local Plan 2019.**

- 7. No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:**
- 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;**
  - f) details of dust and noise suppression to be used during the site preparation, ground works and construction phases and;**
  - g) wheel washing facilities.**

**The approved statement shall be adhered to throughout the construction period.**

**Reason: In the interest of highway safety and residential amenity and in accordance with policy 17 of the Part 2 Local Plan 2019.**

- 8. No development shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority.**

**The mitigation strategy will include appropriate Written Schemes of Investigation for evaluation trenching and provision for further mitigation work. These schemes shall include the following:**

- 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).**
- 2. A methodology and timetable of site investigation and**

recording

3. Provision for site analysis

4. Provision for publication and dissemination of analysis and records

5. Provision for archive deposition

6. Nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

*Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework, Policy 11 of the Broxtowe Aligned Core Strategy (2014) and Policy 23 of the Broxtowe Part 2 Local Plan (2019).*

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) trees, hedges and shrubs to be retained and measures for their protection during the course of development

(b) numbers, types, sizes and positions of proposed trees and shrubs

(c) proposed boundary treatments

(d) proposed hard surfacing treatment

(e) proposed external lighting details

(f) planting, seeding/turfing of other soft landscape areas

The approved scheme shall be carried out strictly in accordance with the agreed details.

The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the buildings, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

*Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policies 10 and 17 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019).*

10. Prior to the commencement of development, an Arboricultural Method Statement and tree protection

measures, to BS5837, shall be submitted to and approved in writing by the Local Planning Authority. This should demonstrate how all existing boundary trees and hedgerows to be retained will be protected during the construction period. The development shall thereafter be carried out only in accordance with the approved details.

*Reason: To ensure protection during construction works of trees and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired, in order to comply with Policy 17 - Biodiversity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.*

11. No development shall take place until details of and a timetable for the undergrounding of the on-site overhead pylons on site has been submitted to and approved in writing by the local planning authority.

*Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policies 10 and 17 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019).*

12. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (to include consideration of lighting) (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance

with the approved details, unless otherwise agreed in writing by the local planning authority.

*Reason: In the interests of protecting existing environmental features and habitats during the construction period in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.*

13. No part of the development hereby permitted shall be brought into use unless or until plans detailing the location of new bus stops and a temporary turning facility within the site have been made to the satisfaction of the Local Planning Authority, which must include a bus stop(s) within the land covered by the application and shall include any of the following: real time bus stop flags, poles & displays including low voltage power source to the real time information pole location; polycarbonate bus shelter; solar or electrical lighting in bus shelter; raised kerbs; enforceable bus stop clearway; lowered access kerbs; additional hard stand (3.7 metres depth x 8 metres width if required), black top dressing (tarmacadam) and the above to be installed to an agreed timescale. If bus stops are not installed prior to bus services operating the developer will be responsible for the cost of any temporary infrastructure arrangements.

**Reason:** In the interest of highway safety and residential amenity and in accordance with policy 17 of the Part 2 Local Plan 2019.

14. No part of the development hereby permitted shall be brought into use unless or until the details of a scheme for provision of free integrated bus and tram passes to residents of the development upon occupation are submitted and approved by the Local Planning Authority. The scheme should include details of the bus pass(es) including period of validity or equivalent, the area of coverage, arrangements for promoting the passes, application and monitoring arrangements.

**Reason:** In the interest of highway safety and residential amenity and in accordance with policy 17 of the Part 2 Local Plan 2019.

15. Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall be in accordance with the enhancement measures contained within ES Chapter 7 (section 7.5) and the EA (4.9 Habitats and 4.17 Species) and shall be implemented in

accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.*

16. No above ground works shall take place until details of play equipment to be provided within the site has been submitted to and approved by the Local Planning Authority. This scheme shall include the following and shall thereafter be provided in accordance with the approved details:
- a) Appearance, position and location of the play equipment which shall include provision for accessible equipment and surfacing;
  - b) Access and boundary treatments; and
  - c) Timetable for delivery of the play area and associated equipment.

*Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).*

17. No development shall commence until general arrangement plan(s) to a scale of 1:200 showing details of the walking / cycling infrastructure including works to the adopted highway have been submitted to and approved in writing by the Local Planning Authority. The details shall be submitted in accordance with guidance contained in LTN 1/20 on Cycle Infrastructure Design and Manual for Streets and where applicable indicate proposals for:
- Existing levels of the finished highway tying into building threshold levels;
  - Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
  - Signing, street furniture, street trees and pits;
  - Structures on or adjacent to the highway ;
  - Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement) The development or any phase of the development, whichever is the sooner, shall not be occupied until the walking and cycling infrastructure for the development or phase of development has been constructed and completed in accordance with the approved details.

**Reason: To comply with the guidance in LTN 1/20 on Cycle Infrastructure Design and in Manual for Streets and in accordance with policy 17 of the Paet 2 Local Plan 2019.**

- 18. No development shall commence until all details of the site access points including links to existing and proposed Public Rights of Way for pedestrians and cyclists in accordance with Parameter Plan P23\_2379\_DE\_015B\_01 have been submitted to and approved in writing by the Local Planning Authority. The development or any phase of the development, whichever is the sooner, shall not be occupied until the means of access for pedestrians and/or cyclists for the development or phase of development have been constructed in accordance with the approved details which shall thereafter be retained for access purposes only.**

**Reason: In the interest of highway safety and in accordance with policy 17 of the Part 2 Local Plan 2019.**

- 19. No development shall commence until details of the cycle parking have been submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum unless local cycle parking standards are greater. The development or any phase of the development, whichever is the sooner, shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.**

**To comply with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum and in accordance with policy 17 of the Part 2 Local Plan 2019.**

- 20. No part of the development hereby permitted shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in the plan.**

***Reason: In the interests of highway safety and the environment to encourage use of more sustainable modes of transport than the car and in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part***

***2 Local Plan (2019) and Part 9 - Promoting Sustainable Transport of the NPPF 2024.***

21. No part of the development shall be brought into use until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.

***Reason: To reduce the potential for crime in accordance within Part 8 – Promoting healthy and safe communities of the National Planning Policy Framework 2024.***

22. The dwellings shall not be brought into use until, a scheme detailing the developments adherence to design principles contained within the Councils Reduction of Carbon in New Development Supplementary Planning Document (2025) has been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

***Reason: In the interests of securing sustainable development in accordance with the aims of Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and the Councils Reduction of Carbon in New Development Supplementary Planning Document (2025).***

23. 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 Saturdays and at no time on Sundays or Bank / Public Holidays.

***Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).***

24. The applicant shall provide a detailed obtrusive light calculations for the identified receptors along with an Isolux Contour plans for the relevant identified receptors prior to completion of the relevant phases.

***Reason: To protect residential amenity and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).***

25. The applicant shall provide certification that the noise mitigation measures contained within section 7 of the Hoare Lea noise report have been installed in the relevant plots prior to occupation.

***Reason: To protect occupants from excessive environmental noise and in accordance with Policy 17 of***

the Part 2 Local Plan 2019.

### **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](mailto:3015snn@broxtowe.gov.uk) to ensure addresses are created.  
This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3. The County Council Public Rights of Way team advise:

For path which required a TCPA diversion

- Under Section 12 of the Growth and Infrastructure Act 2013, it is now possible for the planning authority to carry out preliminary consultations, draft and make the Order under the appropriate Regulations (Town & Country Planning Public Path Orders Regulations 1993) if an application has been made under Part 3, and before planning permission has been granted, if on granting it, it is necessary to alter a public path. The order can be confirmed if planning permission is then granted. This can avoid the previous delays caused by developers having to wait for planning permission to be granted before applying for a diversion.
- In cases where a Diversion Order has yet to be secured, the grant of planning permission does not permit the obstruction of the public right of way and that separate statutory approval for the stopping up or diversion order will be required under the provisions of the Highways Act 1980 or the Town and Country Planning Act 1990 or any other statutory provision. The development will require the diversion of a public right of way and no part of that development hereby permitted or any temporary works or structures shall obstruct the public right of way until approval has been secured and the diversion has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority. This is to ensure that the right of way is



retained in such a state that it achieves continuity with the wider rights of way and highway networks.

- There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.
- If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. The route should have natural surveillance and is not narrowly fenced as this is a concern for public safety and a consideration for potential crime.
- If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.
- 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.
- 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 incorporated it as part of a greenspace corridor. See NCC development guide.
- If the design of any proposed development requires the legally recorded route of the RoW to be diverted because it cannot be accommodated on the legal line within the scheme, then this 2 should be addressed under the relevant provisions within the Town and Country Planning Act 1990 for the diverting/stopping up of public rights of way affected by development. An application way under this act should be made to the Planning authority and is a separate application to the planning permission
- The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.
- Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption.  
[licences@viaem.co.uk](mailto:licences@viaem.co.uk)

If this is not possible then an application to temporarily close the path for the duration should also be applied for

(6 weeks' notice is required), email [countryside.access@nottsc.gov.uk](mailto:countryside.access@nottsc.gov.uk)

- If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit> and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if on a bridleway, motorised vehicles if on a byway open to all traffic
  - 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 should be provided if possible.
3. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and County Planning Act 1990, and reference should be made thereto.
4. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.
- a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
- b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

5. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
6. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
7. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
8. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

## 94 INFORMATION ITEMS

### 94.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

### 94.2 APPEAL DECISIONS

The Committee noted the appeal decisions.

95     ENFORCEMENT SUMMARY

The Committee noted the enforcement summary.