

**BROXTOWE BOROUGH COUNCIL****NOTICE OF DECISION****TOWN AND COUNTRY PLANNING ACT 1990**

Application submitted by :

Mr Nick Grace  
 GraceMachin Planning & Property  
 2 Hollowstone  
 The Lace Market  
 Nottingham  
 NG1 1JH

BROXTOWE BOROUGH COUNCIL having considered an application by or on behalf of

Applicant : **Mr Richard Maling, North Sands Developments Ltd**  
 File Reference : **20/00206/FUL**  
 Proposal : **Construct 4 dwellings**  
 Site Address : **5 Court Yard Bramcote Nottinghamshire NG9 3DL**

as shown on the plans submitted with the application, which application and plans and any relevant correspondence are hereinafter referred to as "the application", HEREBY in pursuance of their powers under the above mentioned Act

**GRANT PERMISSION**

for the development in accordance with the application, subject to compliance with the Conditions imposed, and the subsequent approval of all matters referred to in the conditions, for the reasons set out below.

Conditions :

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawing numbers/ documents:

Received by the Local Planning Authority on 11 March 2020:

- Site Location Plan (1:1250)

Received by the Local Planning Authority on 4 May 2020:

- Materials Schedule

Received by the Local Planning Authority on 18 May 2020:

- Site Layout Rev C

Received by the Local Planning Authority on 22 May 2020:

- Street Scene Elevation Rev C
- Plot 1 Rear and Side Elevations Rev D
- Plot 1 Ground and First Floor Plans Rev D
- Plot 2 Rear and Side Elevations Rev D
- Plot 2 Ground and First Floor Plans Rev D
- Plot 2 Front Elevation and Second Floor Plan Rev E
- Plot 3 Elevations Rev E
- Plot 3 Floor and Roof Plans Rev D
- Plot 4 Elevations Rev E

Continued. . .

Received by the Local Planning Authority on 27 May 2020:

- Plot 1 Front Elevation and Second Floor Plan Rev E
- Plot 4 Ground and First Floor Plans and Roof Plan Rev D
- Landscaping Layout Version D (1 of 2 and 2 of 2)

Received by the Local Planning Authority on 11 June 2020:

- Email confirming fence height

Received by the Local Planning Authority on 15 June 2020:

- Tree Plan Rev D
3. No above ground works shall commence until samples and full details of the slate roof material has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.
  4. Prior to the first occupation of the houses hereby approved, all driveways and parking areas shall be designed to prevent the unregulated discharge of surface water onto the public highway. The surfaced drives and parking areas shall then be maintained in such form for the lifetime of the development.
  5. The erection of fencing for the protection of trees on and adjacent to the site shall be undertaken in accordance with Cow Lane Tree Plan Rev D received by the Local Planning Authority on 15 June 2020 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
  6. The approved landscaping shall be carried out no later than the first planting season following the substantial completion of the development or occupation of the building(s), 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.
  7. The first floor windows in the south east (rear) elevation, as shown on drawing Plot 1 Rear and Side Elevations Rev D, shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.
  8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwellings or additions within their curtilages shall be erected without first obtaining planning permission from the Local Planning Authority.

Reasons :

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of the appearance of the development and the Bramcote Conservation Area and in accordance with the aims of Policies 17 and 23 of the Part 2 Local Plan (2019) and Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014).

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20/00206/FUL

4. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. To ensure the existing trees are not adversely affected and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policies 10 & 11 of the Broxtowe Aligned Core Strategy (2014).
6. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
8. To ensure the dwellings are not disproportionate in size to their residential curtilages and to protect the character of the conservation area and the protected trees within the site and in accordance with Policies 17 and 23 of the Part 2 Local Plan (2019) and Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014)

#### **Note to Applicant**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

3. It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and appropriate measures should be in place to avoid this. You are advised to contact Nottinghamshire County Council as Highways Authority on telephone number: 0300 500 80 80.
4. No waste shall be burnt on site at any time.
5. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.

**E. Palmer-Barnes**

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Authorised Officer

Date: 15 June 2020

Attention is drawn to the notes enclosed