

## RECOMMENDED PLANNING CONDITIONS

### Commencement

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of each of the three phases of the development, namely:

- (a) Works associated with the construction of the replacement residential accommodation block;
- (b) Works associated with the demolition of the Scarlet Unit;
- (c) Works associated with the extension block for the provision of vocational education and office space.

*Reason: To enable the CPA to monitor compliance with the conditions of the planning permission.*

### Approved plans

3. The development hereby permitted shall only be carried out in accordance with the following documents, plans and drawings, unless where amendments are made pursuant to the other conditions:

- (a) Planning application forms received by the CPA on 15 October 2015;
- (b) Planning Statement received by the CPA on 15 October 2015;
- (c) Energy and Sustainability Statement received by the CPA on 15 October 2015;
- (d) Analytical Geotechnics Limited Geological, Geotechnical and Environmental Investigations Report received by the CPA on 15 October 2015;
- (e) AECOM Environment Arboricultural Report received by the CPA on 15 October 2015;
- (f) BSG Ecology Bat Survey for Air Handling Plant Relocation Report received by the CPA on 15 October 2015;
- (g) BSG Ecology Extended Phase 1 Habitat Survey Report received by the CPA on 15 October 2015;

- (h) Site Investigation Report received by the CPA on 15 October 2015;
- (i) Drawing Number A100 – Location Plan received by the CPA on 15 October 2015;
- (j) Drawing Number A102b – Existing Site Roof Plan received by the CPA on 15 October 2015;
- (k) Drawing Number A103 – Proposed Site Plan Roof Plan Drawing Number A113(2) – Aerial View of Proposed with Trees received by the CPA on 15 October 2015;
- (l) Drawing Number A106 – Construction, Bid Programme and Phasing Plans received by the CPA on 15 October 2015;
- (m) Drawing Number A107 – Proposed Roof Plans received by the CPA on 15 October 2015;
- (n) Drawing Number A108 – Existing Elevations received by the CPA on 15 October 2015;
- (o) Drawing Number A108b – Existing Elevations with Trees received by the CPA on 15 October 2015;
- (p) Drawing Number A109 – Proposed Elevations received by the CPA on 15 October 2015;
- (q) Drawing Number A109(2) – Proposed Elevations with Trees received by the CPA on 15 October 2015;
- (r) Drawing Number A110 – Proposed Trees for Removal received by the CPA on 15 October 2015;
- (s) Drawing Number A111 – Proposed Site Landscaping received by the CPA on 15 October 2015;
- (t) Drawing Number 112 – Aerial View of Existing received by the CPA on 15 October 2015;
- (u) Drawing Number A112b – Aerial View of Existing with Trees received by the CPA on 15 October 2015;
- (v) Drawing Number A113 – Aerial View of Proposed received by the CPA on 15 October 2015;
- (w) Drawing Number A113(2) – Aerial View of Proposed with Trees received by the CPA on 15 October 2015
- (x) Drawing Number A114 – Section through Care Staff Office/Residential Space received by the CPA on 15 October 2015;
- (y) Drawing Number A115 – 3D Views received by the CPA on 15 October 2015;
- (z) Drawing Number A116 – Views from Neighbours received by the CPA on 15 October 2015;

- (aa) Drawing A117 – Site Section A-A received by the CPA on 15 October 2015;
- (bb) BSG Ecology Extended Phase 1 Habitat Survey Addendum Report (December 2015) received by the CPA on 8 December 2015;
- (cc) BSG Ecology Extended Phase 1 Habitat Survey Addendum Report (December 2015) received by the CPA on 23 December 2015.

*Reason: For the avoidance of doubt and to enable the CPA to monitor compliance with the conditions of the planning permission.*

### **Bat surveys**

- 4. No development, as required to be notified under Condition 2 above, shall commence until:
  - (a) The existing Scarlet Unit to be demolished has been surveyed by a suitably qualified ecologist for bats in accordance with details which have previously been submitted to and approved in writing by the CPA and which accords with the Bat Conservation Trust document entitled ‘Bat Surveys for Professional Ecologists – Good Practice Guidelines 3<sup>rd</sup> Edition 2016’;
  - (b) The results of the surveys carried out in accordance with (a) above have been submitted to the CPA for its approval in writing, in addition to details of the measures proposed to mitigate the impacts of the development hereby permitted on bat populations surveyed, including confirmation of the mitigation measures already designed into the development hereby permitted in addition to any further measures considered necessary as a result of the surveys undertaken.
  - (c) The development shall thereafter be carried out in accordance with the approved mitigation scheme.

*Reason: Details are required to be submitted prior to the commencement of development to ensure that the development is carried out without any adverse impacts on a European Protected Species and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).*

- 5. In the event that a tree (marked as Target Note 8 on Photograph 11, page 14 of the BSG Ecology Extended Phase 1 Habitat Survey Report, September 2015) on the western boundary of the site needs to be removed or have works carried out to it, then it shall be subject to a bat survey, as specified in paragraph 5.12 of the BSG Ecology Extended Phase 1 Habitat Survey Report, September 2015 received by the CPA on 15 October 2015.

*Reason: To ensure that the development is carried out without any adverse impacts on a European Protected Species and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).*

### **Contractors’ working arrangements**

6. Unless in the event of an emergency when life, limb or property is in danger, no construction work shall be carried out or plant operated other than between the following hours:

08.00 hours to 18.00 hours Monday to Friday;

08.00 hours to 13.00 hours Saturdays.

There shall be no construction work undertaken on Sundays, Public or Bank Holidays.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

7. No development shall commence until details of contractors' access and site working arrangements have been submitted to, and been approved in writing by, the CPA. The details shall specify the following:

- (a) The size and location of the works compound(s);
- (b) The number, size (including height) and location of all contractors' temporary buildings;
- (c) The location(s) and means of access to the site and routeing for construction traffic;
- (d) Provision for contractors' parking;
- (e) Temporary means of enclosure and demarcation of the site operational boundaries, to be erected prior to the commencement of construction operations in any part of the site and maintained for the duration of construction operations;
- (f) Arrangements for the use/disposal of surplus soil materials including any temporary soil storage arrangements;
- (g) Measures to ensure that dust emissions are minimised;
- (h) Measures to ensure that no vehicles shall leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway;
- (i) Measures to minimise disturbance from noise which may include but not necessarily be restricted to the following:
  - (i) Cladding, insulation and operation of plant and machinery in accordance with manufacturers' recommendations, including the fitting of silencers;
  - (ii) Erection of noise attenuation bunds and fencing;
  - (iii) Additional restrictions on hours of working to those specified in Condition 6 above.

(j) Details of the procedure to deal with any complaints received.

The site contractors' access and working arrangements shall be carried out in accordance with the approved details.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

8. No demolition of the Scarlet Building shall take place until a scheme indicating the method of demolition, the hours of operation, the method of removal, and the length of time required for demolition has been submitted to and approved in writing by the CPA. Demolition works shall then proceed in accordance with the approved scheme.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

9. No development shall commence until the means of protection of trees to be retained during the periods of construction have been submitted to and approved in writing by the CPA. The submission shall include details of the method of working to be carried out should works be required within root protection areas of trees to be retained. The approved scheme shall be implemented as part of site enabling works and maintained throughout the construction periods to the satisfaction of the CPA.

*Reason: Details are required to be submitted prior to the commencement of development to ensure that the health of trees on the site will be satisfactorily safeguarded during the period of construction in the interest of the visual amenity and ecology of the site.*

10. Should any tree, shrub, scrub, hedgerow or other vegetation clearance works be carried out between the months of March to August inclusive, the works shall only be undertaken in accordance with a methodology which shall first have been submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

*Reason: To avoid disturbance to birds during the breeding season and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).*

11. Should any demolition works be carried out between the months of March to August inclusive, the works shall only be undertaken in accordance with a methodology which shall first have been submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

*Reason: To avoid disturbance to birds during the breeding season and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).*

12. There shall be no bonfires on site at any time and all trade waste shall be disposed of by a suitably licenced waste carrier at a suitably licenced waste facility.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

### **Materials used in the construction of the development**

13. Prior to their use on site, samples of the facing materials and finishes, including paving and other surfacing materials to be used in the construction of the development hereby permitted shall have been submitted to, and been approved in writing by, the CPA. The development shall thereafter be carried out in accordance with the approved details.

*Reason: In the interest of visual amenity and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

### **Lighting**

14. Prior to their installation, details of any external lighting to be installed shall have been submitted to and approved in writing by the CPA. The submission shall include details of how the lighting shall be directed and shielded so as not to cause glare to neighbouring properties in accordance with Institute of Lighting Professionals *Guidance for the Reduction of Obtrusive Light – Table 2 - Zone E3*.

*Reason: In the interest of the visual amenity of the development and to accord with Policy E33 of the Broxtowe Local Plan.*

### **Contamination**

15. Prior to demolition of the Scarlet Unit, a Pre-Demolition Asbestos Survey of the building shall be submitted to and approved in writing by the CPA. The demolition works shall be carried out in accordance with the approved details. Within one month of the completion of demolition works (or each stage thereof) a validation report shall be submitted to the CPA to confirm that the demolition footprint does not contain Asbestos Containing Materials or other contaminated materials.

*Reason: To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.*

### **Drainage**

16. No development shall commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the CPA. The scheme shall provide for sustainable drainage attenuation measures and shall be implemented in accordance with the approved details before the development is first brought into use.

*Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, and to accord with Policy 1 of the Broxtowe Aligned Core Strategy.*

## **Landscaping**

17. Within 6 months of the commencement of the development hereby permitted, a scheme for the provision of landscaping to include:
- (a) species, locations, planting size and planting density (including tree planting);
  - (b) seed mix specification;
  - (c) establishment methods (including tree pit detail);
  - (d) a programme for the implementation of the scheme including details of landscaping works to be provided during each of the three phases of the development hereby permitted; and
  - (e) a schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

shall be submitted to and approved in writing by the CPA. Other than as may be agreed in the programme for the implementation of landscaping and planting, as detailed in (d) above, the approved landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree, plant, shrub or grass seeding that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

*Reason: In the interest of visual amenity and to accord with Policy 10 of the Broxtowe Aligned Core Strategy.*

## **Informative/notes to applicant**

1. Due to the presence of National Grid (NG) apparatus in proximity to the application area, the contractor should contact NG before any works are carried out to ensure NG's apparatus is not affected by any of the proposed works. More information can be obtained from [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com) or (0) 800 6885 88.

2. Severn Trent Water advises that there may be sewers within the area specified, that have been recently adopted under The Transfers of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and the applicant is advised to contact STW to discuss the proposals, on [net.dev.east@severntrent.co.uk](mailto:net.dev.east@severntrent.co.uk).
3. The County Council's Landscape & Reclamation Team recommends that advice is taken regarding possible soil heave and whether a period of time should elapse between the removal of trees and commencement of building works. It is also recommended that existing poplars and willows near to the proposed building are either removed or coppiced, with root barriers between the tree and the building. Advice should be taken from NCC Forestry Officers.
4. The County Council's Senior Practitioner Nature Conservation recommends that in the case of the air handling unit, if bats are discovered in the course of the relocation of ducting, then works should cease immediately, and advice be sought from a suitably qualified and licensed ecologist to ascertain a suitable way forward including consideration of the need for a European Protected Species licence application, as necessary.
5. In the event that the bat surveys carried out in accordance with Condition 4 above identify the presence of bats in the Scarlet Unit, then no development shall commence until it has been confirmed that a European Protected Species Licence has been granted and a copy of that licence shall be submitted to the CPA.