



LATE ITEM

1.1 LATE ITEM

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This late item provides an update to information pertaining to item 5.5.

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SUMMARY of LATE ITEMS

5.5 21/00182/FUL 29 Rivergreen Crescent, Bramcote

Email received 26.5.21 from **resident** raising concern with inaccuracies in committee report regarding number of representations received (resident states 13 objections were sent to original consultation and 6 to re-consultation) and number of neighbours consulted (resident states 13 not 5), lack of details regarding objections raised (particularly on policy and legislative grounds) and querying whether all objections have been read and considered, missing proposed ridge height measurement from paragraph 1.1 of report, discrepancy regarding existing and proposed ridge heights (queried whether 1.5m difference stated at 6.2.1 is accurate) and proposed dormer description being misleading.

In response to these concerns, the 5 neighbours consulted originally were those adjoining or directly opposite the site and additional neighbours were then sent letters regarding amendments because additional residents (to the original 5) commented on the application. Consultation was as follows:

- First consultation (21 days) - five neighbours were consulted - one objection was received.
- Second re-consultation (7 days) – due to updated plans – six neighbours were consulted – 12 comments received, with **11** objections and **1** observation (from the original objector). These numbers in bold are a correction to the numbers included in paragraph 5.1.
- Third re-consultation (7 days) – due to change of description - 12 neighbours were consulted - 7 objections received which raised the following additional issues to those stated at 5.2: the inaccuracy of the drawings including chimney height and boundary position, Party Wall Act considerations and human rights due to loss of privacy.

Fourth sentence in paragraph 1.1 amended as follows (missing measurement in bold): *The roof would be hipped, encompassing the entire first floor part of the building and the height would be raised by **1.5m** to 9.2m.*

Height measurement taken from annotated heights on drawings (proposed height scaled up to 9.2m and existing height scaled down to 7.7m).

In relation to the dormer, the existing building includes a side garage/store which extends beyond the main rear elevation. The dormer on the extended rear elevation would extend no further to the rear than this existing part of the building. It would be positioned to directly face towards the rear boundary and would be inset on the rear roof slope – directly beyond the rear boundary is the rear garden of no. 4 Rivergreen Close (see paragraph 6.3.2).

Second sentence in paragraph 6.3.3 amended as follows (missing measurement in bold): *Therefore, whilst there would be some impact in terms of sense of enclosure due to the two storey rear extension extending beyond no. 31's rear elevation (by 2m), the extension would be 0.9m away from the boundary (and no. 31's garage/store is located **0.9m** from the boundary) and therefore is considered to have no significant impact on their privacy or light.*

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SUMMARY of LATE ITEMS

5.1 20/00056/OUT Land West of Awsworth (inside the A6096), including land at Whitehouse Farm, Shilo Way, Awsworth

Emails from 1 **resident** (20.5.21 and 30.5.21) summarised as follows:

- Feels decision already been made and that circumstances weighed in favour of approval.
- Previous comments disregarded.
- Situation handled disgracefully.
- Committee of non-residents will make decision – would have different view if had to live next door.
- Ongoing issue for years so why now being rushed through preventing more people having their say? Should wait for Covid restrictions to be lifted.
- Queries why resident living closest to site would be selected to speak at committee as not necessarily best candidate to speak and whoever speaks will have less than 24 hours to prepare – unfair and insufficient
- Queries what evidence there is that wildlife have moved from site and confirmation that committee aren't putting new homes ahead of wildlife
- Queries whether due diligence been completed
- Insufficient room at school for additional children and no room to expand
- Implications for pollution in area with over 200 houses and associated cars
- Already new buildings in Awsworth – are more needed?
- Doubts there is evidence to support new builds and queries why development will continue anyway – reason such things happen is usually due to incompetence or indifference.

5.2 20/00745/FUL Old Station Yard, Station Road, Beeston

Email exchange (18.5.21 and 23.5.21) between **resident** and **Network Rail**, regarding: HGV access to storage compound and possibility of transferring storage compound to Beeston Sidings (a separate site, further north east), to give more flexibility to the layout for parking, revised circulation and drop off facilities for the station. NR confirm Ilke Homes have been working with them. NR confirm they are working on a scheme to improve drop-off/pick-up facilities and improve access at Beeston station.

Email from **resident** (27.5.21) recognises hard work involved in development. Concern relates to NR retained compound and associated HGV access. Should be re-purposed to provide more space for housing and integrated parking and circulation space for rail users. Downside of removing compound would be possible complications in event of incident on tracks but consider risks of serious incident are low and outweighed by benefits.

Email from **applicant** (20.5.21) responding to deferral reasons from the April Committee:

1. Internal floorspace:
 - Ilke Homes are volumetric builder - dwellings built as modules off site, transported by lorry and craned onto the site for construction. Width of module is constrained by

size of the lorry so the size of modules cannot be altered - restricted to maximum width of 5.5m and maximum length of 12m

- Modules can be assembled on site in days, after which the homes can be occupied. This brings significant benefits: speed of housing delivery and reduced impact on local communities during the construction phase of the site. Typically, a site can be completed in a year as opposed to traditional build of two years
- East Midlands Housing, the end user, are fully supportive of the house types proposed as part of this development, both in terms of design and living space
- All of the proposed homes are within Homes England tolerance of 15% (of the Nationally Described Space Standards (NDSS)) that they allow for when funding such schemes
- NDSS clear in its guidance that relating the internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval if a local authority has adopted the space standard in its Local Plan
- Government publication 'Housing: Optional technical standards' sets out guidance for Local Authorities to use when setting space standards in their Local Plan and requires the authority to first identify a need for internal space standards and then justify the policy, based on evidence of: size and type of dwelling currently being built in the area; consideration of the impact on supply and affordability and the viability of adopting the space standard; timing of the policy so that developers can factor in the related costs of meeting the space standards. This guidance was published in 2015 and the Broxtowe Part 2 Local Plan in 2019, which does not contain any reference or policy relating to space standards
- Appeal decision (Maldon DC) stated that decisions should only require compliance with the NDSS where there is a relevant and current Local Plan policy. The Inspector concluded that the smaller size (of the houses proposed) would not harm the living conditions of the future occupiers and the smaller size results in smaller circulation areas and does not give rise to unacceptable living conditions for future occupiers and dismissed this as a reason for refusal. Further appeal (Braintree DC): the Inspector stated that no significant weight can be attached to the NDSS if there is no Local Plan policy, and concluded that all the rooms were usable and had enough space for furniture and circulation, and smaller bedrooms could also be used by children or as home office
- Lack of a policy requirement in the Broxtowe P2LP for compliance with the NDSS means this cannot be used as a reason for refusal and is unreasonable at this late stage for this to be insisted on
- Each bedroom in three bed dwelling (Dalby) has room for both the bed and storage, and space to walk round. When compared to the recommended floor area contained within the NDSS, only the second bedroom falls below the recommended floor area, but does allow for a double bed. Dalby also has downstairs W.C., en-suite to bedroom 1 and family bathroom
- Other schemes permitted by the committee do not meet the NDSS guidelines, in particular 21/00641/FUL at Brinsley, approved at April Committee. This 115 David Wilson Homes scheme has three bedroom homes which range in size from 74.86m² to 86m² (the Dalby at Old Station Yard is 81m²). The NDSS was not referenced in the report or raised as an issue by the committee members
- Cannot understand why these David Wilson Homes were considered to provide acceptable living conditions when those as part of this scheme were not

- 20/0116/FUL (Field Farm, Stapleford) approved at committee in November 2020 - a similar 3 bed home to that proposed had an 80m² floor area
- Comments were made at committee regarding overdevelopment as the site was allocated for 40 dwellings and 42 are proposed – this was also the case at the Brinsley site (110 allocated and 115 approved)
- Allocation can only be a guideline until all site constraints and opportunities are fully understood
- Good mix of housing on the site and each property has their own private amenity space and a satisfactory distance between each property
- All the policy requirements for infrastructure, access and amenity are met and scheme provides the most efficient use of this highly sustainable site.

2. Private Drives:

- No objections by the Highway Authority to the private drives
- Private drives have been designed to an adoptable standard. The unadopted roads will be managed and maintained by East Midlands Homes in perpetuity, along with the management of the landscaping and general appearance and function of the site
- Private drives were considered acceptable as part of the Brinsley application, determined by committee in April, subject to a condition requiring a plan for future management and maintenance

3. Impact on Beeston Station:

- Network Rail (NR), landowner of the site, have entered into an agreement to sell the land to Ilke Homes so have been involved in the agreement of the content, layout and design of the scheme. NR are working with the Friends of Beeston Station (FoBS) to bring about improvements to the station and have safeguarded land adjoining the site to ensure there is potential for additional station parking and platform expansion. NR are also working with East Midlands Trains (EMR) to deliver a masterplan to guide further improvements at the station including canopy refurbishment, improved access (two lifts) and installation of improved parking and turning facilities
- The access to the proposed development does not prevent the planned improvements to the station/turning area
- The application cannot be refused on the basis of the desire for future improvements that have no statutory weight, are not included in any policy or masterplan, which are on land outside of the control of the applicant and which are not necessary to make the proposal acceptable
- Ilke Homes have tried to engage with FoBS by offering to meet but at the time of writing, FoBS have not responded.

Conclusion:

- Allocated brownfield site in a highly sustainable location which is providing 100% affordable, energy efficient housing, as well as meeting all the required developer contributions.

(Appeal decision notices referred to above and internal photos of the Dalby were appended to the statement.)

Revised ecological survey (20.5.21) updating the recent reptile survey.

5.3 21/00041/FUL 42 Sandy Lane, Bramcote

No late items received

5.4 21/00038/REG3 Fishpond Cottage, 51 Ilkeston Road, Bramcote

A **covering letter** regarding a signed **petition objecting** to the development has been received by email (27.05.21) (all Councillors were copied in to the email) and the petition of **180 signatures** has been received by post (31.05.21). The **petition** raises the following summarised concerns:

- Site incapable of accommodating additional dwellings
- Impact on light, space and privacy
- No need for development
- Additional adverse impact on services, particularly education
- Council's Housing department have neglected Fishpond Cottage and this cannot be used as reason to allow development
- Cottage of 'significant local' interest and non-designated heritage asset
- Design and appearance of new builds is out of character with cottage and unsympathetic to its setting
- Loss of landscaping and biodiversity will impact on ecosystems and valued recreational/open land integral to area's form, context and sense of place
- Alterations to Ilkeston Road and Oakland Court junction will make Ilkeston Road more dangerous
- Family homes too close to Ilkeston Road and inappropriate for occupation by families with children
- Concerns for safeguarding of vulnerable and elderly residents in adjacent sheltered accommodation
- Proposal contravenes Policies 8 (Housing Size, Mix and Choice), 10 (Design and Enhancing Identity), 11 (Historic Environment) and 17 (Biodiversity) of the ACS (2014)
- No proper assessment of existing building's contribution to the area.

The **covering letter** is summarised as follows:

- Welcome BBC decision not to demolish the cottage, but building three houses and two apartments for 20 people is not welcome - location is inappropriate and site is incapable of accommodating any additional housing
- BBC should show greater creativity in development of the site. In 2017, BBC made a decision to sell the cottage and develop part of the garden and surrounding land for dementia friendly bungalows - no explanation has been given as to why this development has not been pursued. Lack of transparency in how the Council and/or its officers have dealt with this matter.
- Any additional building will impact on light, space and privacy between buildings, creating overbearing presence on two of the flats at Oakland Court and bungalows at 1 and 2 Ashbourne Close.
- Council's Housing department have neglected maintenance of the cottage and now seeks to use the current state of the property as a material factor which devalues the property as a Heritage Asset. A property owner cannot rely on their own default (NPPF paragraph 130), therefore the current state of the property must be disregarded as a factor when making any judgement as to the heritage value or impact on the cottage's setting

- Development of Field Farm and proposed development to both sides of Coventry Lane of approximately 1200 homes will include approximately 30% of affordable housing - unnecessary to develop the site for affordable housing
- Additional housing of 1200 homes+ has a wider impact on other services, in particular education. Any additional pupils, however small the number, is not sensible. No mention has been made to show that BBC have given this proper consideration
- Ilkeston Road is a narrow major thoroughfare that carries heavy traffic daily and will only increase with the developments at Field Farm and Coventry Lane, making the road even more dangerous
- Existing junction at Oakland Court and Ilkeston Road is already difficult to turn right out of, and the proposed hedging and new tree in front of the new houses would exacerbate this
- Cottage is of significant local interest and is a 'non-designated heritage asset'. The definition of 'heritage asset' includes historic buildings that have special interest or meaning to the community – this was demonstrated by over 100 objections to the original proposal to demolish the cottage
- Position of the new builds in proximity to the cottage creates a visual screen to heritage asset and has a negative impact on setting
- Computer generated images of the proposed houses suggest that the development will create a rural idyll. Proposed family homes are too close to Ilkeston Road and therefore inappropriate for occupation by families with children. Concerns for the safeguarding of the vulnerable and elderly people living in the adjacent sheltered housing
- Proposed houses will not be in keeping with the adjacent properties in regard to distance from the kerb line and will not maintain the building line and line of sight of the existing properties along Ilkeston Road
- No regard given to the scale, form or context of the existing site and surrounds. Bland and uniform development. Obliterates the existing built form, removing all existing landscaping/biodiversity and impact on the ecosystems and maintenance of the pond, trees and small highly valued recreational parkland area. The open and permeable site extends beyond the curtilage of the existing property and includes open land that is integral to the area's form, context and sense of place. Proposal includes 'garden-grabbing' and is over development of the site.
- Design and appearance of the new builds is out of character with the cottage and unsympathetic to its surroundings
- Proposal fails to accord with Policy 17 of the Part 2 Local Plan and Policies 8, 10, 11 and 17 of the ACS
- Council have agreed, under the ACS, along with Gedling and Nottingham, to have common standards for development, and the public audit regarding the preferred development of the Broadmarsh showed that the public wanted 'nature' and 'heritage' to be the primary focus
- Council should undertake wider public consultation before making any decisions about this project. That the cottage has been empty for some time and now derelict needs to be addressed but not at the expense of making ill-advised decisions. Appears the Council are using Covid and austerity restrictions as a backdrop to streamline administrative and planning procedures at the expense of proper consultation, which undermines the democratic process
- There has been no assessment or feasibility study of the existing buildings contribution to the area

- Covid has shown the importance of open spaces and associated facilities for public recreation and amenity and this should be the use of this site given the cottage's proximity to the park. Having allowed Green Belt land at Field Farm to be used for high density housing it is important that BBC do not allow urban creep and cramming to dominate the beauty of the local topography
- Bramcote Cricket Club should be contacted to see if the cottage and grounds would be of interest to them as their premises (on Bramcote Hills Park) limit their ability to cope with current needs.
- Cottage is the oldest building in Bramcote outside of the conservation area and has heritage value. Building houses on the site would be regretted by future generations. Some residents feel it should be Bramcote Cultural Heritage Centre in addition to the café and toilet facilities already being discussed for Bramcote Hills Park. Council should conduct a feasibility study to see if the provision of the café can be combined with finding a community based solution for the cottage
- Parking and access in the vicinity is already inadequate, particularly affecting access to the sheltered housing and nearby housing
- Houses have been flooded recently resulting in some residents being temporarily re-housed whilst repairs are carried out. Severn Trent need to give assurances that any proposed development would not exacerbate the situation
- The CAT meeting in March was informed that an unsigned anonymous letter had been circulated to residents. The letter was untruthful and counter-productive to the views of those who seek a satisfactory resolution to the future use of the site
- Council demolished Bramcote Hills House over 50 years ago, and more recently cottages to make way for the memorial garden. It appears that the council are inclined to destroy heritage assets in favour of other considerations
- Insufficient consultation both in length of time and number of residents consulted and lack of site notice. Out of date consultation letter was displayed at site and now been removed so lack of contact details for residents.
- Neighbours some of the council's most vulnerable residents and the council need to be mindful of this when making decision as most residents are elderly and many do not have access to the internet/email and to suggest they write in their comments and take them to the council offices means that they are disadvantaged.
- Some residents have complained to Ruth Hyde about the overall poor conduct of the council
- Council are being manipulative, hiding behind bureaucracy and avoiding full scrutiny. Trying to save on time and cost, discriminatory on those who are aged, have poor health, are unemployed or suffer social discrimination.

5.5 21/00182/FUL 29 Rivergreen Crescent, Bramcote

See late item circulated on 28.5.21

3 additional emails from **residents** (29.5.21) in response to late item circulated early – contends rear dormer will still overlook 4 Rivergreen Close, no annotated height on existing elevations, applicant advised existing height is 7.5m but late item states it is 7.7m, 1.9m height difference not 1.5m, drawings inaccurate, incomplete and inconsistent – need be thoroughly checked, disappointed that planning officer did not visit neighbouring properties despite requests, would welcome visit from Members to enable assessment of height, none of photographs include houses directly opposite site, emphasis in proposal being for house with

no bay windows or porch (no. 66 has a bay window and no. 64 a porch), and concerned online system not working for neighbour representations – inference that neighbours did not respond immediately to consultation has upset many residents.

2 emails from **residents** (30.5.21 & 1.6.21) **objecting**: surprised it is considered there would be little impact on neighbouring bungalow (no. 31) as extended house will tower over property and be extremely close causing overshadowing and loss of privacy and had requested visit from planner to discuss how proposal affects privacy.

Email from **applicant** (28.5.21) confirming amended plans are correct and that have met with neighbours and provided updated copies with more details and measurements.

5.6 21/00096/OUT Land adjacent to 24 Princess Avenue, Beeston

No late items received

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