



27 November 2018

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 5 December 2018 in the New Council Chamber, Town Hall, Foster Avenue, Beeston, NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: M Handley (Chair)
L A Ball BEM (Vice-Chair)
D Bagshaw
J S Briggs
T P Brindley
M Brown

R D MacRae
G Marshall
J K Marsters
P J Owen
R S Robinson
P D Simpson

A G E N D A

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, in any item on the agenda.

3. MINUTES

PAGES 1 - 10

The Committee is asked to confirm as a correct record the minutes of the meeting held on 7 November 2018.

4.	<u>NOTIFICATION OF LOBBYING</u>	
5.	<u>DEVELOPMENT CONTROL</u>	
5.1	<u>18/00268/FUL</u> Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping <u>Myford Ltd, Wilmot Lane, Beeston NG9 1EP</u>	PAGES 11 - 38
5.2	<u>18/00508/FUL</u> Construct single storey rear and two storey rear and side extensions <u>138 Nottingham Road, Nuthall, Nottinghamshire</u> <u>NG16 1AB</u>	PAGES 39 - 48
5.3	<u>18/00624/FUL</u> Amended access to garden centre, demolition and replacement of number 123 with a dormer bungalow and the erection of one additional dormer bungalow <u>123 Moorgreen, Newthorpe, Nottinghamshire NG16 2FF</u>	PAGES 49 - 58
5.4	<u>18/00384/FUL</u> Erect portable building to create public café facility with decking <u>R G Services Site, Gin Close Way, Awsworth,</u> <u>Nottinghamshire NG16 2TA</u>	PAGES 59 - 66
5.5	<u>18/00720/FUL</u> Change of use from retail (Class A1) to café incorporating a bakery (Class A3) <u>109 Central Avenue, Beeston, Nottinghamshire NG9 2QS</u>	PAGES 67 - 74
5.6	<u>18/00339/FUL</u> Two storey and single storey side/rear extensions, raise ridge height, rear dormer window and detached garage <u>Assarts Lodge, Temple Drive, Nuthall, Nottinghamshire</u> <u>NG16 1BH</u>	PAGES 75 - 76
5.7	<u>18/00670/REG3</u> Construct two storey rear extension, insert first floor side window and retain ramp <u>6 Hetley Road, Beeston NG9 2QL</u>	PAGES 77 - 84
5.8	<u>14/00334/OUT and 14/0035/OUT</u> Affordable housing contribution with regard to planning applications – west and east of <u>Newmanleys Road, Eastwood</u>	PAGES 85 - 88

6. INFORMATION ITEMS

6.1 Appeal Statistics

The Committee is asked to NOTE that the position remains unchanged from that reported at its meeting on 22 March 2017. The Council is not therefore currently at risk of special measures based on the figures reported to Committee on the aforementioned date.

6.2 Delegated Decisions

PAGES 89 - 96

This page is intentionally left blank

PLANNING COMMITTEE

7 NOVEMBER 2018

Present: Councillor M Handley, Chair

Councillors:	D Bagshaw	G Marshall
	L A Ball BEM	J K Marsters
	J S Briggs	M Radulovic MBE
	T P Brindley	R S Robinson
	M Brown	P D Simpson
	R I Jackson	A W G A Stockwell (substitute)
	R D MacRae	

An apology for absence was received from P J Owen.

28. DECLARATIONS OF INTEREST

Councillor M Radulovic MBE declared a non-pecuniary interest in item 6.2 owing to the employment of a close relation at Boots, minute number 32.2 refers.

29. MINUTES

The minutes of the meeting held on 10 October 2018 were confirmed and signed.

30. NOTIFICATION OF LOBBYING

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

31. DEVELOPMENT CONTROL

31.1 18/00538/FUL

Construct 15 apartments, following demolition of warehouse
The Raven Group, Ellis Grove, Beeston, NG9 1EP

Councillor J C Patrick had requested that this application be determined by the Committee.

The Committee noted that an email from a local resident outlining their objection to the development had been included in the late items.

Mr Ian Collier, objecting, and Councillor J C Patrick, Ward Member, addressed the Committee prior to the general debate.

The design of the apartments was discussed with particular reference to the appearance of the exterior, the height of the block in relation to homes on Barrydale Avenue and the small size of the living space in the flats. The Committee noted that 15 car parking spaces would be created as part of the proposed development.

There was a discussion about the allocation of Section 106 monies. It was agreed that the Chair of Planning Committee, the Head of Neighbourhoods and Prosperity and Ward Members for Beeston West would consider whether there was enough evidence to suggest a direct link between the development and increased use of West End Community Centre to reallocate funding from other identified projects. It was noted that any amendment to the proposed uses for Section 106 monies would have to be brought before the Committee for approval.

An amendment was proposed by Councillor R I Jackson and seconded by Councillor L A Ball BEM that a condition be added to require the lower section of all first and second floor windows and Juliet balconies in the rear elevation to be obscurely glazed, with the precise wording to be agreed with the Head of Neighbourhoods and Prosperity and the Chair. On being put to the meeting, the amendment was carried.

RESOLVED that:

The Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

- (i) the prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and**
- (ii) the following 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 456 002 Rev D received by the Local Planning Authority on 5 September 2018, 456 004 rev D received by the Local Planning Authority on 2 October 2018, and 456 003 Rev B received by the Local Planning Authority on 12 October 2018.**
 - 3. 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.

- 4. No part of the development hereby approved shall be commenced until details of a scheme for drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: details of proven outfall from the site; details of infiltration including soakaway testing; details of discharge for run off rate; demonstrate that the drainage system can cater for the 1 in 100 year event including 40% allowance for climate change; details of exceedance flows; details of a SuDS system; and details of management and maintenance for the drainage system. Thereafter, the development shall be carried out in accordance with the approved details.**
- 5. No part of the development hereby permitted shall be brought into use until the access / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the access / parking / turning areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall thereafter be retained for the life of the development.**
- 6. No part of the development hereby permitted shall be brought into use until a footway has been provided to the frontage of the development as indicated on plan ref: 456 004 Rev D and constructed in accordance with the Highway Authority specification; the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 456 002 Rev D and maintained in the bound material for the lifetime of the development; and the visibility splays shown on drawing no 456 04 Rev D have been provided. The area within the visibility splays shall thereafter be kept free of all obstructions, structures or erections and the parking area shall not be used for any purpose other than the parking and turning of vehicles.**

- 7. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.**
- 8. No development above slab level shall be carried out until details of the manufacturer, type and colour of the materials to be used in the facing walls and roofs have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**
- 9. No development above slab level shall take place until a landscaping scheme has been submitted to and approved in writing 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 hard surfacing treatment**
 - (c) planting, seeding/turfing of other soft landscape areas,**
 - (d) proposed boundary treatments**
 - (e) a timetable for implementation.**

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

- 10. The approved landscaping shall be carried out not later than the first planting season following the practical completion of the development 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.**
- 11. No development shall take place until detailed plans showing the means of enclosure of the application site have been submitted to and approved in writing by the Local Planning Authority: no part of the development shall be occupied until it has been enclosed in accordance with those details, and thereafter retained for the lifetime of the development.**
- 12. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.**

13. Notwithstanding the details shown on drawing numbers 456 003 Rev B (proposed elevations) and 456 002 Rev D (proposed floor plans) the lower sections of the first and second floor windows, and the Juliet balconies on the rear elevation 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.

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. No such details were provided and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure that the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy E29 of the Broxtowe Local Plan (2004).
4. No such details were provided and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure that the details are satisfactory, in accordance with Policy 1 of the Aligned Core Strategy.
5. In the interests of highway safety to ensure surface water is not deposited on the public highway causing danger to other road users, and in accordance with Policy 10 of the Aligned Core Strategy.
6. In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy.
7. In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy.
8. Full details were not agreed, in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
9. Insufficient details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area, to ensure a satisfactory standard of amenity and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

10. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
11. In the interests of residential amenity and the appearance of the area and in accordance with Policy H7 of the Broxtowe Local Plan (2004).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
13. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application and determining the application within the agreed period.
2. The Public Protection team advise the following:
 - (i) No bonfires to be on the site at any time. No materials produced as a result of the development or clearance shall be burned on site.
 - (ii) All reasonable steps, including dampening down site roads, shall be taken to minimise dust and litter emissions whilst works of demolition and construction are in progress.
 - (iii) The Environmental Health pollution team will require sight of the Asbestos survey and documentation relating to its' safe removal from site prior to commencement of demolition.
 - (iv) The Environmental Health pollution team will need to be notified of the arrival on site of the Mobile Crushing plant for them to carry out inspection of the crushing equipment in lie with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).
3. The development makes it necessary to construct and improve the vehicular crossing over the footway together with reinstatement of the footway fronting the site of/on the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

4. It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).

31.2 18/00663/FUL

Change of use from building society (Class A2) to café/restaurant (Class A3)
8 The Square, Beeston, NG9 2JG

The application had been brought before Committee owing to Broxtowe Borough Council's ownership of the site.

There were no late items and no public speakers for the application.

The debate focussed on the expansion of a successful business and the benefit to the local area in bringing a retail unit back into use.

RESOLVED that planning permission be granted subject to the following 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 the Site Location Plan (1:1250) and proposed floor plan drawing number Estates 20-07-18 003 Rev A received by the Local Planning Authority on 26 September 2018.
3. The use hereby permitted shall not be open to customers outside the hours of 07.00 – 00.00 hours Monday to Sundays, Bank or other Public Holidays without the prior agreement in writing of the Local Planning Authority.
4. The use hereby permitted shall not be open to customers until details of ventilation and filtration equipment to be installed on the premises have been submitted to and agreed in writing by the Local Planning Authority. Once approved the equipment shall be installed in accordance with these details and shall be retained for the duration of the use.

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. **In the interests of the amenities of nearby residents and in accordance with Policy S1 of the Broxtowe Local Plan (2004).**
4. **To minimise the emission of odour in the interests of the amenities of nearby residents and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).**

Note to Applicant

The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.

31.3 18/00234/ENF

Construction of detached bungalow with six unauthorised velux windows added in rear elevation

176 Moorgreen, Newthorpe, Nottingham, NG16 2FE

This matter had been brought to the Council's attention in July 2018. The Committee noted that six velux windows had been inserted into the roof within the rear of the property in contravention of the outline planning permission that had been granted in 2016 under reference 16/00532/OUT and the reserved matters application that was approved for the construction of a detached bungalow on 1 June 2017 under reference 17/00245/REM. It was further noted that, as the development was in the Green Belt, the grant of outline permission was based on very special circumstances.

There were a number of late items for the Committee to consider.

The Committee considered a number of options, including the possibility of enforcement action. There was concern that without a planning application to regularise the development, the conditions placed upon it would not apply.

RESOLVED that no enforcement action be taken for a period of two months to allow for the submission of an amended planning application and if no application is forthcoming a further report be brought to Committee to enable the appropriate action to be taken.

32. INFORMATION ITEMS

32.1 Appeal Statistics

The Committee noted that the position remained unchanged from that reported to it on 22 March 2017 and that the Council was not therefore at risk of special measures based on the figures reported to it on that date.

32.2 Delegated Decisions

The Committee noted the decisions determined under delegated powers between 22 September and 19 October 2018.

Thanks were given to Planners for their work on the application at the Boots site.

This page is intentionally left blank

Report of the Chief Executive

18/00268/FUL

**CONSTRUCT 75 BED CARE FACILITY; 30 SUPPORTED LIVING APARTMENTS (CLASS C2); BISTRO; GYM/SPA; HAIRDRESSERS; BIN, CYCLE AND SCOOTER STORES; EMERGENCY GENERATOR; SUBSTATION, CAR PARKING AND LANDSCAPING
MYFORD LTD, WILMOT LANE, BEESTON NG9 1EP**

Councillor J C Patrick requested this application be determined by the Committee.

1 Details of the Application

- 1.1 This is a major planning application for a 75 bed care facility, 30 supported living apartments, a bistro, gym/spa, hairdressers, bin, cycle and scooter stores, emergency generator, substation, 42 space car park and landscaping. The proposed building would be four storeys in height (14m) parallel to Chilwell Road, with a three storey link to a rectangular C-shaped wing to the south east. The ground floor of the building beside Chilwell Road will contain the communal facilities of gym/spa, hairdressers and bistro, with an external seating area to the south west. An 'Experience Day' activities room where events for residents and the local community are held is also located in this part of the building. All 30 apartments will be located on the upper three floors of this part of the building, arranged either side of a central corridor. 16 of the apartments will have one bedroom and 14 will have two bedrooms.
- 1.2 A three storey (11.5m high) connecting wing containing communal (including 'The Venue') and administrative space and service areas will link the four storey section of the building with the three storey 'household' wings (maximum 11.8m high) forming the 75 bedroom care facility to the south east of the site. Six households, each with 12 bedrooms (all with en-suite bathrooms) and communal kitchenette/dining areas and lounge, are proposed. There will be three guest bedrooms in this part of the building. The 72 care bedrooms would provide a high degree of specialist care, with the 30 apartments for the more active residents who need varying degrees of support.
- 1.3 The C-shaped south eastern three storey wing surrounds a courtyard which will be laid out as a dementia friendly garden area. An evergreen hedge will surround the majority of the perimeter of the building, interspersed with trees at the Ellis Grove entrance. The bistro will open out onto an outdoor seating area to the south west of the building with an adjoining small rainwater garden which will use roof water from disconnected downpipes. Beside the south east boundary, the existing mature trees will be retained and additional understorey planting will take place. Bird and bat boxes are proposed in this area. The car park will be located in the south eastern corner of the site and beside part of the north eastern site boundary. It will contain the buggy and cycle store (beside the south western boundary) and the substation, generator and bin store (beside the north eastern boundary).

- 1.4 Pedestrian access to the building will be from Chilwell Road and Ellis Grove; vehicular access will be from Ellis Grove only.
- 1.5 During the course of the application, the plans were amended to relocate some stairwell windows and to increase the height of the proposed fence by 0.7m to 2.5m on the boundary with Barrydale Avenue.
- 1.6 The following supporting documents were submitted with the application:
 - Design and Access Statement
 - Planning Statement
 - Arboricultural Report
 - Noise and Vibration Assessment
 - Statement of Community Involvement
 - Transport Statement
 - Geo-Environmental Desktop Report
 - Foul and Surface Water Drainage Strategy.

2 Site and Surroundings



Looking towards Chilwell Road across the site frontage



Looking towards rear of 8-14 Ellis Grove from beside south western site boundary



Looking across site towards Barrydale Avenue



8-14 Ellis Grove



Fence demarcates north west boundary of application site

- 2.1 The site has an area of 0.64 hectare and was previously part of the larger Myfords (engineering) site. It is an area of land that slopes down approximately 2m from Chilwell Road towards the south eastern boundary. Demolition of the buildings on site has been completed. The site has vehicular access from Ellis Grove and Wilmot Lane.
- 2.2 To the immediate north west of the site lies the Chilwell Road tram stop. A public footpath runs beside the south western site boundary connecting Vincent Avenue with High Road/Chilwell Road. Ellis Grove adjoins part of the north eastern site boundary, with the rear gardens of numbers 8-14 (terraced houses) being the closest residential properties on this road to the site and the south western wall of the commercial property known as the Raven Group directly adjoins this boundary. The Royal British Legion Social Club is located to the north east, beside the Raven Group.
- 2.3 Semi-detached and terraced properties on Barrydale Avenue adjoin part of the south eastern site boundary. These houses have various rear boundary treatments and there is a row of deciduous trees on the site side of the south eastern boundary, all of which bar one are proposed to be retained.

- 2.4 Various shops/commercial units are on the north western side of Chilwell Road. To the south west of the site is the Council owned car park and land in the ownership of two of the applicants (Peveril Securities Limited and Charterpoint Developments Limited), which forms part of the larger former Myfords site, is located to the south east and west and demolition/clearance of this site has been completed and a new road constructed adjoining the south western end of Barrydale Avenue.

3 Relevant Planning History

- 3.1 Outline planning permission was granted on 12 December 2014 for the redevelopment and change of use of the larger former Myfords site for residential/commercial uses (to include Classes A1, A2, A3, A4, A5, B1(a), C2, C3 and D1 uses). This permission has expired but was granted contemporaneously with a S106 Agreement requiring 25 per cent of the housing on site to be affordable and financial contributions towards education, transport and open space.
- 3.2 A prior notification application for the demolition of the buildings on the larger site was approved on 30 June 2017 (reference 17/00370/DEM). Demolition has been completed.
- 3.3 Planning permission (17/00723/FUL) for 47 dwellings and a retail unit on the southern and western parts of the Myfords site was granted on 24 May 2018, following the grant of planning permission (reference 17/00511/FUL) for a road to serve the southern part of this site on 29 September 2017, to enable its early implementation. Construction of this road has been completed.
- 3.4 At the November Planning Committee, members resolved to grant planning permission for 15 apartments on the adjacent site to the north east (18/00538/FUL) currently occupied by the Raven Group (subject to the completion of a s106 agreement).

4 Policy Context

4.1 **National policy**

- 4.1.1 The revised National Planning Policy Framework (NPPF) July 2018, contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with an up-to-date development plan without delay.
- 4.1.2 Weight may be given to emerging plan policies according to the stage of plan preparation, the extent to which there are unresolved objections to the policies, and the degree of consistency of the emerging policies to the NPPF.
- 4.1.3 Planning conditions and obligations should only be used where they meet the requirements set out in paragraphs 54-56.
- 4.1.4 The document outlines that the government's key housing objective is to significantly boost the supply of homes and states that there should be a

sufficient number and range of homes within safe and well-designed environments. It advises that the needs of groups with specific housing requirements should be addressed.

- 4.1.5 Paragraph 64 deals with the requirement to provide affordable housing when major residential schemes are proposed and stipulates that at least 10 per cent of homes should be available for affordable home ownership. Exemptions to this 10 per cent requirement can be made if the proposed development provides specialist accommodation for the elderly.
- 4.1.6 To promote healthy and safe communities, social interaction should be promoted through active street frontages, places should be safe and accessible and enable and support healthy lifestyles (e.g. through the provision of safe and accessible green infrastructure).
- 4.1.7 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development should be designed so as to give priority to pedestrians and cyclists, meet the needs of disabled people, avoid unnecessary street clutter, allow for efficient goods delivery and access by emergency vehicles and enable charging of electric/ultra-low emission vehicles.
- 4.1.8 Section 11 outlines the need to make effective use of land, particularly previously-developed land. To achieve appropriate development density, consideration should be given to the identified need for different housing types, local market conditions, viability, the availability and capacity of infrastructure and services, promotion of sustainable transport, desirability of maintaining an area's character and setting or promoting regeneration and change and the importance of securing well-designed, attractive and healthy places. Where there is an existing or anticipated shortage of housing land, low density housing schemes should be avoided.
- 4.1.9 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users. Design should take into account the views of the community and where early, proactive and effective engagement with the community has occurred, such schemes should be looked on more favourably.
- 4.1.10 The need to take into account contaminated land when determining applications is detailed at paragraphs 178-179.

4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 'Policy 1: Climate Change' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings. It states that development should demonstrate how carbon dioxide emissions have been minimised. The policy goes on to set out the approach to renewable energy, flood risk and sustainable drainage.
- 4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6150 in the Broxtowe Borough part of GN, of which 3800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.
- 4.2.5 'Policy 4: Employment Provision and Economic Development' refers to the need to appropriately manage existing employment sites to cater for the full range of employment uses by releasing sites no longer attractive to the market/those that are not good quality.
- 4.2.6 'Policy 8: Housing Mix and Choice' sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes, tenures and density. It states that consideration should be given to the needs and demands of the elderly as part of the overall housing mix and sets out the approach to affordable housing, establishing a 30 per cent target for Broxtowe Borough.
- 4.2.7 'Policy 10: Design and Enhancing Local Identity' sets design and layout principles to be applied to new development and looks to ensure that an attractive, safe, inclusive and healthy environment is created and that valued local characteristics are reinforced.
- 4.2.8 'Policy 14: Managing Travel Demand' makes it a priority to select sites which are accessible by the most sustainable means of transport. It sets out measures to encourage a switch to sustainable forms of transport first before major highway capacity improvements are considered.
- 4.2.9 'Policy 16: Green Infrastructure, Parks and Open Spaces' sets out a strategic approach to the provision of new Green Infrastructure.
- 4.2.10 'Policy 18: Infrastructure' seeks to ensure new development is provided with the necessary infrastructure.
- 4.2.11 'Policy 19: Developer Contributions' confirms the current use of section 106 agreements.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy E27 'Protection of Groundwater' – development which would be liable to result in infiltration of contaminants into groundwater will not be permitted unless measures would be carried out as part of the development to prevent contamination taking place.
- 4.3.3 Policy E29 'Contaminated Land' – development of land which may be contaminated will not be permitted until a site investigation has been undertaken and any necessary remedial measures have been agreed.
- 4.3.4 Policy E34 'Control of Noise Nuisance' – planning permission will not be granted for housing and other noise sensitive development if the occupants would experience significant noise disturbance.
- 4.3.5 Policy H5 'Affordable Housing' - on housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25% of dwellings built will be affordable or, exceptionally, that a financial contribution is made to facilitate off-site provision.
- 4.3.6 Policy H6 'Density of Housing Development' - provides density requirements for new residential development: where development is within 400m walking distance of frequent public transport services, a minimum density of 40 dwellings per hectare is required (or 45 dwellings per hectare where there is a choice of public transport modes) and, if the distance is beyond 400m, 35 dwellings per hectare.
- 4.3.7 Policy H7 'Land Not Allocated for Housing Purposes' – residential development on sites within the existing built-up area will be permitted provided the amenity of existing and proposed occupiers is not adversely affected; the development would not result in an undesirable change in the character or appearance of the area; the development of a larger area is not prejudiced; satisfactory provision is made for access and parking; the site is not of significant nature conservation value and the site is not required to be retained for another purpose in the local plan.
- 4.3.8 Policy T1 'Developers' Contributions to Integrated Transport Measures' - planning permission for developments which generate a demand for travel will not be granted until a contribution towards transport infrastructure has been negotiated.
- 4.3.9 Policy T11 'Guidance for Parking Provision' and Appendix 4 require satisfactory provision of vehicle parking and servicing, in accordance with the latest standards.

- 4.3.10 Policy S6 'Food and drink retailing outside town centres' – such uses will not be permitted if their individual or cumulative effect would cause environmental or traffic problems or detriment to residential amenity.
- 4.3.11 Policy RC6 'Open space: requirements for New Developments' - provision should be made for public open space and children's play areas on residential development sites which exceed 0.5 hectares. The design of any open space provision should take into account the possible provision of features beneficial to wildlife.
- 4.3.12 Policy RC12 'Caring institutions' - proposals for the development of nursing homes and other caring institutions will be permitted provided that neighbouring residential amenity is not adversely affected; the character of the surrounding area would not be unacceptably altered; appropriate provision for servicing, access and parking is made; satisfactory outdoor amenity space is provided as well as attractive outlooks from bedrooms and living rooms.

4.4 **Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for Examination, with examination hearing sessions to take place toward the end of this year. The representations on the plan included 12 no. representations in relation to Policy 15, 11 no. representations in relation to Policies 17 and 32, four no. representations in relation to Policy 19, and seven no. representations in relation to Policies 24 and 26. Given that there remain outstanding objections to Policies 15, 17, 19, 24, 26 and 32 that will need to be considered through the Local Plan examination process, these policies can be afforded only limited weight. As there were no objections made to Policy 14, it is very likely that this Policy will be in the adopted version of the Plan and as such it can be afforded moderate weight at this stage.
- 4.4.2 Policy 14 - Centre of Neighbourhood Importance (Chilwell Road/High Road): within this area, permission will be granted for main town centre uses (as defined in the NPPF) or housing, providing such a use does not comprise over 500 sq m for an individual unit (applies to main town centre use only); erode the character of the Centre of Neighbourhood Importance in providing a complementary evening economy offer to Beeston Town Centre; result in less than 30% of ground floor units comprising residential units or result in inefficient use of upper floors.
- 4.4.3 Policy 15 – Housing size, mix and choice: proposals on unallocated sites for development of more than 10 units within Use Classes C2 or C3 should provide 30% or more affordable housing on site, unless there are exceptional circumstances. Where less affordable housing is proposed, such applications should be accompanied by a viability assessment. Developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density including the provision of a proportionate amount of accessible and adaptable dwellings and self-build plots.

- 4.4.4 Policy 17 – Place-making, design and amenity: permission will be granted for development which meets a number of criteria including: that it integrates into its surroundings; provides, or is close to, community facilities; has good access to public transport; creates a place with a locally inspired or otherwise distinctive character; takes advantage of existing topography and buildings; provides sufficient, well-integrated parking; ensures satisfactory standards of amenity for existing and proposed residents; enables convenient use by people with limited mobility; incorporates ecologically sensitive design, with a high standard of planting (makes use of native species) and features for biodiversity (including bat/bird boxes) and does not prejudice the development of a larger site. An assessment in relation to ‘Building for Life’ criteria will be required to be submitted within the Design and Access Statement.
- 4.4.5 Policy 19 - Pollution, Hazardous Substances and Ground Conditions: development of land which may be contaminated will not be permitted until a site investigation has been undertaken and any necessary remedial measures have been agreed.
- 4.4.6 Policy 24 - The health impacts of development: a completed health impact assessment checklist will be required to accompany any application for 50 dwellings or more.
- 4.4.7 Policy 26 - Travel Plans: a Travel Plan will be expected to be submitted for developments of 10 or more dwellings or 1000 sq m or more gross floorspace.
- 4.4.8 Policy 32 - Developer contributions: financial contributions may be sought from developments of 10 or more dwellings or 1000 sq m or more gross floorspace for provision, improvement or maintenance, where relevant, of: affordable housing; health; community facilities; green space; biodiversity; education and highways.
- 4.5 Beeston Town Centre Plan (2008)
- 4.5.1 The site is included within ‘Key Development Area 5 Chilwell Road’, an area identified as in need of regeneration. Potential uses include retail, employment and residential. A two or three storey block should front Chilwell High Road.

5 Consultations

- 5.1 **Nottinghamshire County Council as Highway Authority** advise that the development should generate less traffic than the consented scheme (13/0003/OUT). Concern is expressed that turning movements to enter/exit the site are quite tight and could result in some encroachment of the footway. A Traffic Regulation Order (TRO) will therefore be required to remove parking on part of Ellis Grove to aid drivers exiting the site. The numerous access points on Ellis Grove will need reinstating to footway and within the site, should be increased to 2m in width. No objections subject to conditions relating to a TRO, Ellis Grove footway reinstatement, provision and retention of parking/turning/servicing areas, Travel Plan statement, and surfacing and drainage of site access. Notes to applicant regarding works in the public highway, TRO and mud on the highway.

- 5.2 **Nottinghamshire County Council as Lead Local Flood Authority** has no comment to make on the application.
- 5.3 **Nottinghamshire County Council Rights of Way (Via East Midlands Ltd)** advise that Beeston Footpath No. 55 runs adjacent to the proposed development but appears unaffected. They advise the footpath should not be encroached upon or obstructed.
- 5.4 **NHS Nottingham West Clinical Commissioning Group (CCG)** note that the outline planning permission (13/00003/OUT) did not require a health contribution. The CCG state that recent developments in the area have impacted upon the ability to provide primary care services, particularly in the Beeston area and given the recent closure of the West End Surgery. A better way of working is required to ensure the CCG is aware of proposed care homes and retirement living facilities. It is advised that 65 per cent of the NHS budget is spent on the over 65s and the elderly are the predominant users of health and social care services. Due to recent care home developments, there is a very high volume of frail, complex and very dependent elderly patients in Beeston and GP practices are struggling to cope. This proposal will add to that strain. However, the need for dementia care is recognised. Request that a meeting is held with Belong and planners to discuss the proposal. Such a meeting has been held and the CCG were reassured about the timescales for the proposed development.
- 5.5 **Nottingham Express Transit** has no objections but requests a condition requiring 'goal posts' and wheel cleaning facilities for construction vehicles exiting the site onto Chilwell Road. Consideration should also be given to erecting a hazard sign to warn about the overhead lines. The applicant should be made aware it is not permitted to obstruct the tramway and to comply with the guidelines contained in the 'Working near NET' leaflet.
- 5.6 The **Business and Projects Manager (Environment)** provides comments on the landscape strategy and suggests amendments. Overall, he considers the scheme to be well thought out and to offer many positive landscape features.
- 5.7 The **Strategy and Development Officer (Housing)** advises that Beeston is an area of high demand for affordable housing, particularly for one and two bedroomed properties.
- 5.8 The **Environment and Business Development Manager** advises on the requirements for bin provision and collection for the development.
- 5.9 The **Environmental Health Technical Officer** has no objection subject to conditions relating to remediation of contamination, piling or other penetrative foundation methods, construction hours, noise levels from plant, machinery or equipment associated with the use, deliveries/collections by commercial vehicles (excluding urgent medical supplies), and glazing and ventilation specification.

5.10 Three site notices were posted to publicise the application and 57 surrounding neighbours were sent notification letters. 20 responses were received: 13 objections (one objection on behalf of five properties), three letters raising no objection and one making observations.

5.11 The objections raised can be summarised and categorised as follows:

Amenity

- Loss of light for 8-14 Ellis Grove
- Building will overshadow and enclose (in conjunction with the as yet to be built Hive development) rear of 8-14 Ellis Grove and have an adverse visual impact on Barrydale Avenue residents
- Right to light affected
- Increased noise at night from ambulances
- Need for strong and secure boundary of sufficient height to protect privacy and prevent crime adjacent Barrydale Avenue properties
- Glare/dazzle from proposed glazing and metal will affect residents and motorists
- Loss of privacy
- Disturbance from use of The Venue
- Noise from residents, workers, visitors, deliveries, plant room, generator, car park, alarms, use of bin store and British Legion gate
- Area adjacent Barrydale Avenue was not used by Myfords – will be a car park with associated increase in activity, including the public using the Venue and the Bistro
- Lighting will be intrusive
- Noise, vibrations and pollution during construction
- Rubbish e.g. cigarette ends
- Odour from bin storage area
- Air pollution from car park
- Contravention of Human Rights Act in terms of peaceful enjoyment of property
- Need identified spokesperson to liaise with once construction starts
- Should be compensated for disruption during construction
- Potential for anti-social behaviour in car park and as result of proposed gate to British Legion club
- Impact on neighbouring building from construction queried
- Noise from tram for proposed residents

Highways

- Insufficient parking provision will exacerbate parking problems on Ellis Grove
- Restricted access for ambulances due to parked cars and tight corner on Ellis Grove
- Lack of visibility when exiting Ellis Grove
- Ellis Grove not suitable to provide access to site
- Development should be handed so access is from Wilmot Lane with garden areas beside the British Legion and Barrydale Avenue

Design

- Four storey building is too high, higher than previous building on site and out of keeping with the scale, proportions, materials and character of Chilwell/High Road

- Need for build speed should not be at the expense of the appearance of the development
- Parapet and level threshold has resulted in the building being higher than it needs to be
- Over development and no space for landscaping
- Lack of detail about ground level differences between site and Barrydale Avenue

Conditions

- The Belong model may evolve and they could sell the site which could result in a new operator having different operation methods so conditions are required.
- Construction hours, access for construction vehicles and parking for construction workers should be restricted, particularly after disruption caused by tram works and demolition of buildings on Myfords site
- Conditions should be used to require maintenance of boundary fence, compliance with noise report, remove permitted development rights for CCTV, to limit the operating hours of the commercial facilities on site, to require high level car park lights to be turned off at night, to limit commercial delivery and commercial activity operational hours, to limit the accommodation to over 55s only and vegetation maintenance to preserve neighbour amenity.

Other issues

- No need for development – use could be made of Broxtowe College
- Risk of flooding of Barrydale Avenue due to slope of ground
- Site should be developed so as to bring prosperity and customers to area after disruption of tram works – development appears to be self-sufficient which will not be of benefit to local businesses and may lead to their decline
- Better locations for the proposed development
- Reservations are expressed about the representativeness of the noise survey and adequacy of attenuation storage for surface water
- Lack of response from applicant to questions raised at pre-application
- Lack of contact from councillors and the planners.

- 5.12 In support of the development, comments are made that the proposed landscaping is a positive feature which will be of benefit to biodiversity and residents; loss of tree is unfortunate but proposed landscaping should compensate for its removal and the developer should contact the adjacent residents before it is removed.

6 Appraisal

- 6.1 The main issues relating to this proposal are considered to be the impact on residential amenity and the highway network, the design of the scheme and the requirement for S106 contributions.

6.2 Design

- 6.2.1 The proposed building would be 14m in height (four storeys) beside Chilwell Road with 11.5m-11.8m high wings (three storeys) extending south east. To create a level threshold throughout the building, levels will be built up to the south east of the site as the land level falls in this direction so the south eastern

elevation has a height of 11.8m. It is recognised that the buildings on High Road/Chilwell Road are predominantly two or three storey and the proposed building will also be higher than the building which was located on the application site prior to demolition. However, planning permission was granted in July 2017 for a 12.5m high, four storey building ('The Hive') on the site of the former 63-73 Chilwell Road (16/00867/FUL) which is to the north east of the application site. Planning permission has also been granted for a 15.2m high, four storey building to the south west of the site, (17/00723/FUL), albeit this building is setback from Chilwell Road. Development on the Bartons site further along the High Road to the south west could include buildings of at least three storeys in height. Although none of these buildings have been built yet, they are an indication that a building of the height proposed could be acceptable. Historically, a five storey building occupied part of the application site.

- 6.2.2 No reduction in the height of the building can be achieved according to the applicant as internal ceiling heights are greater because of the need for a larger service void above the ground floor and because the parapet height needs to be at least 1.1m for safe access to the roof for maintenance. To visually reduce the impact of the building's height, the top storey of the four storey section will be a dark/black brick and this floor has been set in from the Chilwell Road frontage (north west) and both end elevations. This section of the building is wide but this has been broken up with recessed windows, use of brick panels and vertical brick columns to avoid an unrelieved expanse of wall. The elevation detailing reflects the banding courses, cill and lintel detailing of Chilwell Road buildings in a contemporary way. The large windows used at ground level will provide interest and an active frontage for the development. To give the entrance legibility, this section of the building projects forward.
- 6.2.3 To the north west of the site, Chilwell Road is wide due to the presence of the tram stop. The Design and Access Statement (D & AS) argues that a tall building will therefore provide enclosure and legibility to the street.
- 6.2.4 It is considered the site and surrounding development to the north west and south west and partly to the north east has an urban character, with existing development being of relatively high density. A taller building is considered to be appropriate in such a location. The proposed development will make efficient use of this previously developed site.
- 6.2.5 Vehicular access to the site will be from Ellis Grove and there will also be a pedestrian entrance in the link section of the building accessed from this road. Ellis Grove is characterised by two storey terraced housing and some commercial buildings, with one such building adjoining the site which is no taller than the terraced housing. The four storey section of the building will be located 2m from Ellis Grove, the three storey rear wing will be located 13.4m from this road and the section of building containing the pedestrian entrance is located over 30m from this road. Although the building will be significantly taller than the existing built form on Ellis Grove, given the building will not present a continuous form to this road due to the variation in setback, it is considered the proposal will not harm the Ellis Grove street scene.

6.2.6 In terms of the detailed design, according to the D & AS, the architects have used Barton House as inspiration for the proposed development as this art deco building has horizontal banding, simple detailing around the windows (which are large) and parapet and a legible entrance. Bricks will be laid predominantly in horizontal courses with panels of vertical bricks. The primary material will be brick in contrasting red tones with some white brick used to the south east of the building to lighten the appearance. Use of brick will link the building to the predominant use of brick in the immediate surroundings. Dark grey UPVC window frames and doors are proposed. Given the size of the building, it is imperative high quality materials are used so material samples will be conditioned. A dark/black brick top floor to replicate the Chilwell Road elevation will be used on the section of the building which links the apartments to the rear household wings. The treatment of the three storey rear wings is simpler than the four storey section of the building with limited use of recesses and the main detailing being a band of vertical bricks above the ground floor fenestration.

6.2.7 To conclude on the design of the proposed development, whilst the building will be prominent due to its height and footprint, it is considered a good quality of design has been achieved which will not have an adverse impact on the character or appearance of the street scene.

6.3 **Amenity**

6.3.1 As detailed above, the proposed building will be tall and, in conjunction with the building approved on the site to the north east of the application site, has the potential to have an overbearing impact upon the amenity of the occupants of 8-14 Ellis Grove, houses located to the north east of the site. These existing residents would have four storey development to the north west and south west of their rear gardens, if the approved and proposed developments are both constructed. Residents have raised concern about feeling enclosed as a result of the proposed and approved developments. The development to the north west of 8-14 Ellis Grove has not commenced but it could be without a further planning permission. Information in the SHLAA is that approximately 90 per cent of residential permissions are built, therefore moderate weight can be given to the impact of both buildings creating an enclosing feeling. It is considered that the combined impact of the approved and proposed schemes would not be so enclosing as to warrant refusal of this application.

6.3.2 The proposed four storey section of building will be located 10.7m from the rear boundaries and 25m from the rear elevations of these houses. Solar studies have been submitted with the application which show that at midday on the winter solstice, the rear gardens of these four houses will predominantly be in shade. Minor shading will occur to the rear garden of number 14 at midday on the spring and autumn equinoxes and no shading of any garden on the summer solstice.

6.3.3 The previous building on the site had an asymmetrical pitched roof which was lower than the height of a two storey house so to replace this with a four storey building will be a significant change. The proposal will cause some harm to the amenity of the occupants of 8-14 Ellis Grove in terms of loss of light and being overbearing. Only hallway windows are proposed in the upper floors of the north east elevation of the four storey part of the building and these can be

conditioned to be obscurely glazed and non-opening so it is considered no loss of privacy would occur for the Ellis Grove residents.

- 6.3.4 As access to the site will be taken from Ellis Grove, there is the potential for increased vehicular movements/activity to have an impact on the amenity of other occupants on Ellis Grove given the dwellings front directly onto the pavement. However, given the previous use of the site, which would have generated activity/traffic, this is considered to not be a significant concern. It is therefore considered to be unnecessary to require the development to have access from Wilmot Lane rather than Ellis Grove.
- 6.3.5 The houses on Barrydale Avenue are located at a lower level than the site (additional sections were submitted during the course of the application to address the concern about lack of levels information) but their rear elevations will be located over 50m from the rear elevation of the proposed building. It is considered this is sufficient distance to ensure the proposed building will not be overbearing or cause any significant loss of light or visual amenity for the occupants of Barrydale Avenue. Some concern has been expressed about the impact of the proposed car park on the occupants of Barrydale Avenue, particularly as this area was not used by Myfords and was grassed. The proposed car park will be separated from the rear boundary of the Barrydale Avenue houses by a strip of landscaping with a minimum width of 7m which comprises existing mature trees and proposed planting. A 2.5m high fence is proposed on the south east car park boundary. It is considered this will be sufficient to protect the privacy of the occupants of Barrydale Avenue, taking into account the level difference. Lighting columns will be used in the car park and it has been requested by residents that the night time use of these columns is restricted by condition. Given there is minimal light spill into the gardens of the properties on Barrydale Avenue from the proposed lighting columns and the car park needs to be safe for use, no condition restricting the hours of use of the lighting columns is proposed.
- 6.3.6 The last use of the site was generally unrestricted industrial use. Accordingly, it is considered that the proposed residential use will have less impact on neighbour amenity. The bistro and other facilities, including the Venue at first floor in the link section of the building, will be available for use by the public. It has been advised by the applicant that the bistro would be open to non-residents 8.30am to 6pm and to the Venue, 8.30am to 11pm. Given the nature of the use (care facility/supported living) and the difficulty of differentiating between use by residents and non-residents and the previous unrestricted use of the site, it is considered to be unnecessary to condition the hours that these facilities can be used by non-residents. In addition, a condition is proposed that restricts first occupation of the building to Belong.
- 6.3.7 Concern has been expressed about the impact of construction works on existing residents. Although some disruption is an inevitable part of construction, given the proximity of this development site to neighbours, it is proposed to restrict the hours that construction can take place in order to minimise disturbance to residents. For the same reason, a condition is recommended in relation to piling or other penetrative foundation methods. In terms of there being a contact for

residents to speak to about concerns during construction, this is a matter for the applicant.

- 6.3.8 A Geo-environmental report was submitted with the application. There is some contamination present on site so this will need remediation. A condition will be recommended accordingly. This condition will ensure the building is safe for occupation in terms of public health considerations.
- 6.3.9 In terms of noise generated by the proposed development, a noise and vibration assessment was submitted with the application. The Environmental Health Technical Officer has raised no objection to this report subject to conditioning the noise level of plant, machinery and equipment. Subject to this condition, the potential for noise disturbance from the development is considered to be acceptable. No external alarms are proposed; internal nurse call systems and telephones are proposed. The hours that deliveries/collections by commercial vehicles can occur will be restricted by condition, with the exception of urgent medical items, to protect residents from undue noise at unsocial hours.
- 6.3.10 Concern has been raised the development affects right to light, its construction will impact on the fabric of nearby buildings and that compensation should be paid for disturbance during construction but these are civil matters. Noise from ambulances has also been raised as a concern. It is understood that it is up to the discretion of the driver as to when the siren is turned on and this is not something that could reasonably be enforced by planning condition. Although more ambulances may visit the site due to the nature of the proposed use than the previous use, it is considered use of sirens will not be so significant as to warrant a refusal of the application, particularly given the urban location of the site. Concern has been expressed about ensuring the car park boundary is secure, particularly with regard to the type and maintenance of the fence proposed and the use of the pedestrian gate to access the Royal British Legion Social Club (potentially resulting in noise and anti-social behaviour in the car park). The precise details of the type of fence can be conditioned to ensure it is robust but it is considered to be unreasonable and unnecessary to condition long term maintenance of the fence. Likewise, the details of the gate to provide potential access to the British Legion Social Club can be conditioned to ensure arrangements are secure. The potential for the materials of the building to cause glare/dazzle motorists; rubbish (e.g. cigarette ends), odour from the bin store and air pollution from the car park are considered to have little weight as planning considerations.
- 6.3.11 A residential development has been granted permission (17/00723/FUL) on the site to the immediate south east of the proposed building. This has yet to be constructed. Plot 29 is a three storey semi-detached house (9.8m high) which has been approved to the south east of the courtyard garden, with one of the proposed household wings (three storey building - 11.8m high) being located adjacent to the rear garden, 1.4m higher than the level of the approved house. The proposed building would be located 3.1m away from the boundary with this approved house and 5.1m from the blank side gable wall of this proposed house. Only a door is proposed in the section of building closest to this approved house (two upper floor stairwell windows were re-located during the course of the application to the north east elevation) so loss of privacy is not

considered to be a significant issue. The applicant has advised that the building cannot be moved further away from this approved house as 12 bed households are the Belong model and removing a bedroom is therefore not an operational option. The proposed relationship is considered to be less than ideal but not significant enough to warrant refusal of the application, particularly as any potential purchasers of plot 29 should be aware of the proposed scheme.

- 6.3.12 The proposed apartment building on the Raven Group site (reference 18/00538/FUL) would be located to the north east and north west of the proposed car park. This apartment building would be three storeys (9.3m high), with kitchen and bathroom windows in the south west (side) elevation and located 20m from the proposed Belong building which will have bedroom windows in the north east facing elevation (in the household wing). As it has been resolved to grant permission for the application on this neighbouring site, some weight can be attached to this proposal. However, it is considered the proposed development will not have an adverse impact on the amenity of the occupants of the proposed 15 apartments and vice versa given the separation distance.
- 6.3.13 In terms of amenity for the proposed residents of the building given the proximity of the tramlines, a noise and vibration assessment was submitted with the application. The report concludes that the noise and vibration climate of the site is dominated by road traffic and the tram using Chilwell Road. Vibration is concluded to cause no adverse effect. Noise mitigation measures are recommended for the proposed development (good quality double glazing and trickle vents) and the Council's Environmental Health Technical Officer has recommended that the glazing and ventilation specification of the building accords with the recommendations of this report. This will be conditioned. Accordingly, it is considered the proposed residents will not be subject to undue noise/vibration disturbance from vehicles and trams on Chilwell Road.
- 6.3.14 The proposed garden areas will provide attractive outlooks from most bedrooms and living rooms. It is considered the proposed residents will have a satisfactory standard of amenity. The site is in a sustainable location, close to shops and local amenities which will be of benefit to the proposed residents. The building as a whole will provide a type of housing that will serve the needs of the elderly.
- 6.3.15 It is considered that the proposed residents will have a satisfactory standard of amenity but that some harm will be caused to the amenity of the residents on Ellis Grove. Accordingly, it needs to be considered as to whether this harm would significantly and demonstrably outweigh the benefits of the scheme.

6.4 Benefits

- 6.4.1 The proposal will provide specialist dementia friendly accommodation for which there is a growing need due to an ageing population. Flexible support packages will be available for residents which will provide choice and an alternative to the traditional care home model.
- 6.4.2 The site is brownfield land with the associated higher redevelopment costs. Given the desire for building housing on such sites (to prevent unnecessary loss of Green Belt land) and, in particular, the highly sustainable location of this

development (beside the tram route and frequent bus routes), the residential development proposed is a positive aspect of this proposal and the loss of employment land is seen to be acceptable (and has already been deemed to be acceptable through the grant of the outline planning permission).

- 6.4.3 The Council currently does not have a five year housing land supply and this can only be rectified with the allocation of sites currently in the Green Belt in the Broxtowe Part 2 Local Plan. The provision of 30 dwellings and the 75 bed care facility on this brownfield site is considered to be a significant benefit in terms of five year supply and provision of homes.
- 6.4.4 A public consultation event took place in February 2018. Pre-application engagement is encouraged in the NPPF. This is considered to be a positive element of the scheme.
- 6.4.5 The applicant states that 140 jobs will be created as a result of the proposed development (80 full time equivalent jobs).
- 6.4.6 Facilities on site will be open to the public, promoting integration with the local community and residents/staff will have the choice whether to stay on site or use local facilities, thus potentially benefitting local businesses.

6.5 Highway safety

- 6.5.1 The site can be accessed from both Wilmot Lane and Ellis Grove. It is proposed that access be taken from Ellis Grove which is a one way street with double yellow lines on the north east side of the carriageway, opposite the proposed site access. County Highways have no objection to the proposal but note that the tracking submitted shows larger vehicles may have difficulty exiting the site if vehicles are parked on Ellis Grove beside the proposed access (ambulances have no access difficulties with parked vehicles present). They therefore recommend a condition is imposed to require consultation to commence on a Traffic Regulation Order which would further restrict parking on a section of Ellis Grove beside the access. A condition is recommended accordingly.
- 6.5.2 In conjunction with the adjacent site (covered by planning permission reference 17/00723/FUL), the proposed development will generate less traffic than both the approved scheme (reference 13/00003/OUT) and the previous (industrial) use of the site. As part of the approved outline, access was to be taken from Ellis Grove for part of the development. The proposed access position accords with this agreed access position. It is considered that the proposed vehicular access to the site is acceptable.
- 6.5.3 A 42 space car park is proposed. Concern has been raised that there is insufficient parking proposed for the staff, visiting healthcare professionals, visitors and residents. County Highways have raised no concerns about the proposed level of parking. The 140 staff will be spread over a 24 hour/seven day week and the site is located immediately beside a tram stop and beside several frequent bus routes. A cycle store with provision for eight bicycles is proposed. Staff and visitors cannot be forced to use these more sustainable modes of transport but it is considered reasonable to expect that some will. Submission of a Travel Plan Statement will be conditioned to encourage use of

sustainable modes of travel. Car ownership for residents is anticipated to be very low as the applicant has advised that the average age of household residents is 85 and 82 for apartment residents. The 2004 Local Plan suggests one visitor parking space per five bedrooms should be provided for care homes, with no set standard provided for staff. The care facility will have 75 bedrooms so this equates to 15 spaces for visitors. It is considered sufficient parking is proposed for the development and the provision of this car park prior to first use of the building will be conditioned.

6.5.4 Given the tram lines to the north west of the site and the limited parking available on Ellis Grove, details of access for construction traffic and parking arrangements for construction vehicles will be conditioned.

6.5.5 In conclusion, it is considered that there are no significant highway issues which would warrant refusal of the application based on guidance contained in the NPPF, subject to conditions relating to the matters detailed above.

6.6 S106

6.6.1 Given the age of the proposed occupants of the apartments would be restricted to over 55s only (and a condition is recommended accordingly), there is no need for an education contribution. Given the previous use of the site and its very sustainable location, a contribution towards sustainable transport measures is not required. No open space contribution has been requested as open space is to be provided on site which includes a high specification, dementia friendly garden.

6.6.2 The only contribution which is considered to be applicable to the development is affordable housing. This is a significant point of disagreement with the applicant who considers that no affordable housing should be required. The applicant considers that no affordable housing is required because they are proposing to provide specialist accommodation for the elderly which they consider to fall within Class C2 of the Use Classes Order; provision of affordable housing would make the scheme unviable and Belong (the applicant) are a not-for-profit organisation. The applicant is currently preparing a viability assessment to support their argument.

6.6.3 Class C2 'residential institutions' of the Use Classes Order is defined as "*Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)). Use as a hospital or nursing home. Use as a residential school, college or training centre.*" Class C3 'Dwellinghouses' is defined as follows: "*Use as a dwellinghouse (whether or not as a sole or main residence) by - (a) a single person or by people to be regarded as forming a single household; (b) not more than six residents living together as a single household where care is provided for residents; or (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).*"

6.6.4 It is considered that the proposed use is a combination of Use Classes C2 and C3, particularly as the 30 apartments will be self-contained with their own front doors and with occupants not necessarily needing care, albeit with the associated higher costs of living in a building where care can be provided should

the occupants require care. The apartments and care facility will be in one building which could be seen as blurring the distinction between the use classes.

6.6.5 However, irrespective of whether the use of the building is Class C2 or C3 (or indeed a combination of both), both use classes are residential uses. Policy 8 of the ACS states “*Affordable housing will be required in new residential developments on appropriate sites*” so irrespective of whether the development is classed as C2 or C3 or a combination of both, this would still be a new residential development and would require an affordable housing contribution, subject to viability. Although only limited weight can be attached to Policy 15 of the Draft Part 2 Local Plan as it is yet to be examined, this policy requires the provision of affordable housing on sites for development of more than 10 units falling within Use Classes C2 or C3 (30% or more in the ‘Beeston’ submarket).

6.6.6 No affordable housing is proposed by the applicant and the applicant asserts that the scheme would be unviable with such a requirement (viability assessment awaited). It is therefore open to members to refuse the scheme as being contrary to Policy 8 of the ACS (subject to the conclusion of the awaited viability assessment). However, the advice of officers would be to approve the scheme with a condition being applied which restricts the first occupation of the building to Belong. This is because there is a clear need for this specialist development and the government, through the NPPF, is requiring Councils to significantly boost their supply of housing, particularly on previously developed land.

6.7 **Other issues**

6.7.1 The tram runs along Chilwell Road to the north of the site. Nottingham Express Transit (NET) has no objection to the application but request a condition requiring ‘goal posts’ and wheel cleaning facilities for construction vehicles exiting the site onto Chilwell Road. As depositing mud on the highway is an offence, no such condition will be used as it is dealt with by other legislation but a note to applicant will be used. NET advise consideration should also be given to erecting a hazard sign to warn about the overhead lines. This will form a note to applicant, as will general advice about working near the tramlines.

6.7.2 A local councillor and the case officer have met with residents.

6.7.3 Use of Broxtowe College or other locations for the development is not a significant planning consideration.

6.7.4 It is considered that a sufficient amount of landscaping has been proposed for the development. A broad landscaping strategy has been submitted but details of landscaping will be conditioned to ensure these are satisfactory. Landscaping will be required to be maintained for five years following completion of the planting.

6.7.5 The County Council as Lead Local Flood Authority have no comment to make on the application. As the site is not located in a flood zone and does not exceed 1 ha in area, there is no requirement to consult the Environment Agency. The site does slope down towards the south east boundary but there will be a

landscaped area between the car park and Barrydale Avenue so it is considered this will act as a soakaway for any surface water run-off.

- 6.7.6 Environmental Health are satisfied with the methodology of the submitted noise and vibration assessment.
- 6.7.7 It is understood that the applicant has responded to the residents who did not receive replies following the pre-application consultation.
- 6.7.8 Permitted development rights for CCTV will not be removed as such a condition is considered to be unnecessary due to the high density of development in the immediate area and no such condition having been imposed on recent developments in the area. It is considered the use of CCTV will cause no significant loss of neighbour privacy and will provide security for users of both the proposed and existing development.
- 6.7.9 Belong could sell the site but the new owner would need to comply with the terms of the application including the type of development and the conditions.

6.8 Conclusion

- 6.8.1 The proposed development will provide specialist accommodation in a sustainable location and the design of the development is considered to be acceptable. There are no highway safety concerns subject to conditions. Some harm is considered to be caused to the amenity of residents on Ellis Grove and the as yet to be built housing development to the south east. However, this is considered to be significantly and demonstrably outweighed by the benefits of the scheme in terms of provision of housing, the sustainable location of the site and the re-use of a previously developed land. The lack of any S106 monies is considered to be acceptable in this case given the nature of the specialist accommodation proposed and the need to significantly boost the supply of housing.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following 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 P4693_104 Planning – Proposed Third Floor, P4693_105 Planning – Proposed Roof Plan and P4693_111 Planning – Proposed Façade Details received by the Local Planning Authority on 18 April 2018; P4693_001 Location Plan, P4693_114 Rev A Planning – Proposed Street Elevations, P4693_121 Rev A Planning – External Bin and Generator Store, P4693_122 Rev A Planning – External Cycle and Buggy Store and P4693_123 Planning – Substation Drawing received by the Local Planning Authority on 18 May 2018; P4693_106 Planning – Proposed GA Elevations – Sheet 1, P4693_107 Planning – Proposed GA Elevations – Sheet 2, P4693_108 Planning –**

Proposed GA Elevations – Sheet 3, P4693_109 Planning – Proposed GA Elevations – Sheet 4, P4693_101 Planning – Proposed Ground Floor, 1072 003 Rev A Landscape Strategy and P4693_112 Planning – Proposed Household Façade Details received by the Local Planning Authority on 21 May 2018; M2715(69)001 Rev P1 received by the Local Planning Authority on 2 July 2018; P4693_SK112 Barrydale Avenue Boundary Sections received by the Local Planning Authority on 25 July 2018; P4693_102 Rev A Planning – Proposed First Floor, P4693_103 Rev A Planning – Proposed Second Floor, P4693_110 Rev A Planning – Proposed GA Elevations – Sheet 5, P4693_100 Rev B Planning – Proposed Site Plan and P4693_124 Rev A Planning – Car Park Sections received by the Local Planning Authority on 3 August 2018 and P4693_113 Rev B Planning – GA Sections received by the Local Planning Authority on 13 November 2018.

3. No development shall commence until:

(i) All necessary groundwater remedial measures have been completed in accordance with Remediation Method Statement (Ref 12292A June 2018) 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.

4. No development shall commence until a plan to show the location of protective fencing for the trees shown to be retained on drawing number P4693_100 Rev B has been submitted to and agreed in writing by the Local Planning Authority. The erection of fencing for the protection of these retained trees shall be undertaken in accordance with the agreed details 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.

5. No development shall commence until details of the construction site access and parking arrangements for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. Construction access and parking shall take place in accordance with the agreed details.

6. No development above slab level shall be carried out until samples of the materials to be used in the facing walls (including windows and doors) and rainwater goods have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.

7. No development above slab level shall take place until a landscaping scheme has been submitted to and approved in writing 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 hard surfacing treatment,
- (c) planting, seeding/turfing of other soft landscape areas,
- (d) proposed boundary treatments including details of the gate access to the British Legion social club
- (e) a timetable for implementation.

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

8. The approved landscaping shall be carried out not later than the first planting season following the practical completion of the development 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.
9. No building to be erected pursuant to this permission shall be occupied or brought into use until:
 - (i) All necessary gas and vapour barrier and clean cover remediation measures have been completed in accordance with Remediation Method Statement (Ref 12292A June 2018) and;
 - (ii) It has been certified to the satisfaction of the Local Planning Authority that the remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.
10. No deliveries or collections by commercial vehicles (excluding the delivery of urgent medical supplies) shall be made to/from the site except between the hours of 07:00 - 22:00 on any day.
11. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.

12. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.
13. 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.
14. The building shall be constructed and the glazing and ventilation installed in accordance with the specification details in the Azymuth Acoustics UK report Ref AA0050, dated February 2018.
15. No part of the development hereby permitted shall be brought into use until a public consultation in the form of a Traffic Regulation Order to remove on-street parking along Ellis Grove has commenced.
16. The development shall not be occupied until the redundant vehicular crossings on Ellis Grove have been removed and replaced with full kerbs and the footpath reinstated to the Highway Authority specification.
17. The building shall not be first occupied until the parking, turning and servicing facilities have been provided in accordance with the approved plans and constructed so as to prevent the unregulated discharge of surface water therefrom onto the public highway. These facilities shall thereafter be retained in the agreed form for the lifetime of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
18. The building shall not be first occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority.
19. The upper floor windows in the north east elevation of the apartments shall be non-opening and 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.
20. No apartment shall be used for any purpose other than as a private residence for the occupation of a person(s) who has (have) attained the age of 55 years.
21. The building hereby approved shall be first occupied by Belong Limited.

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. The development cannot proceed satisfactorily without the remedial measures being undertaken in advance of development commencing, in the interests of protecting groundwater and in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004).
4. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of retaining the trees on the site boundary with Barrydale Avenue and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
5. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of highway safety, to avoid conflict with the tram and to protect residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
6. Full details were not submitted, in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy.
7. No such/insufficient details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area, to ensure a satisfactory standard of amenity and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
8. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
9. In the interests of public health and safety and in accordance with the aims of Policy E29 of the Broxtowe Local Plan (2004).
10. To protect nearby residents from excessive noise and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
11. To protect groundwater from contamination and nearby buildings and residents from noise and vibration in accordance with the aims of Policies E29 and H7 of the Broxtowe Local Plan (2004).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
13. To protect residents from excessive plant noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

14. To protect future occupiers from excessive environmental, commercial and industrial noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
15. In the interests of highway safety to ensure access and egress to and from the site by larger vehicles is not hindered by parked vehicles beside the access.
16. In the interest of pedestrian safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
17. In the interests of highway safety to ensure satisfactory access, servicing and parking arrangements are provided and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
18. To promote sustainable travel and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).
19. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
20. In accordance with the terms of the application and in relation to S106 contribution requirements.
21. In accordance with the terms of the application and in relation to S106 contribution requirements.

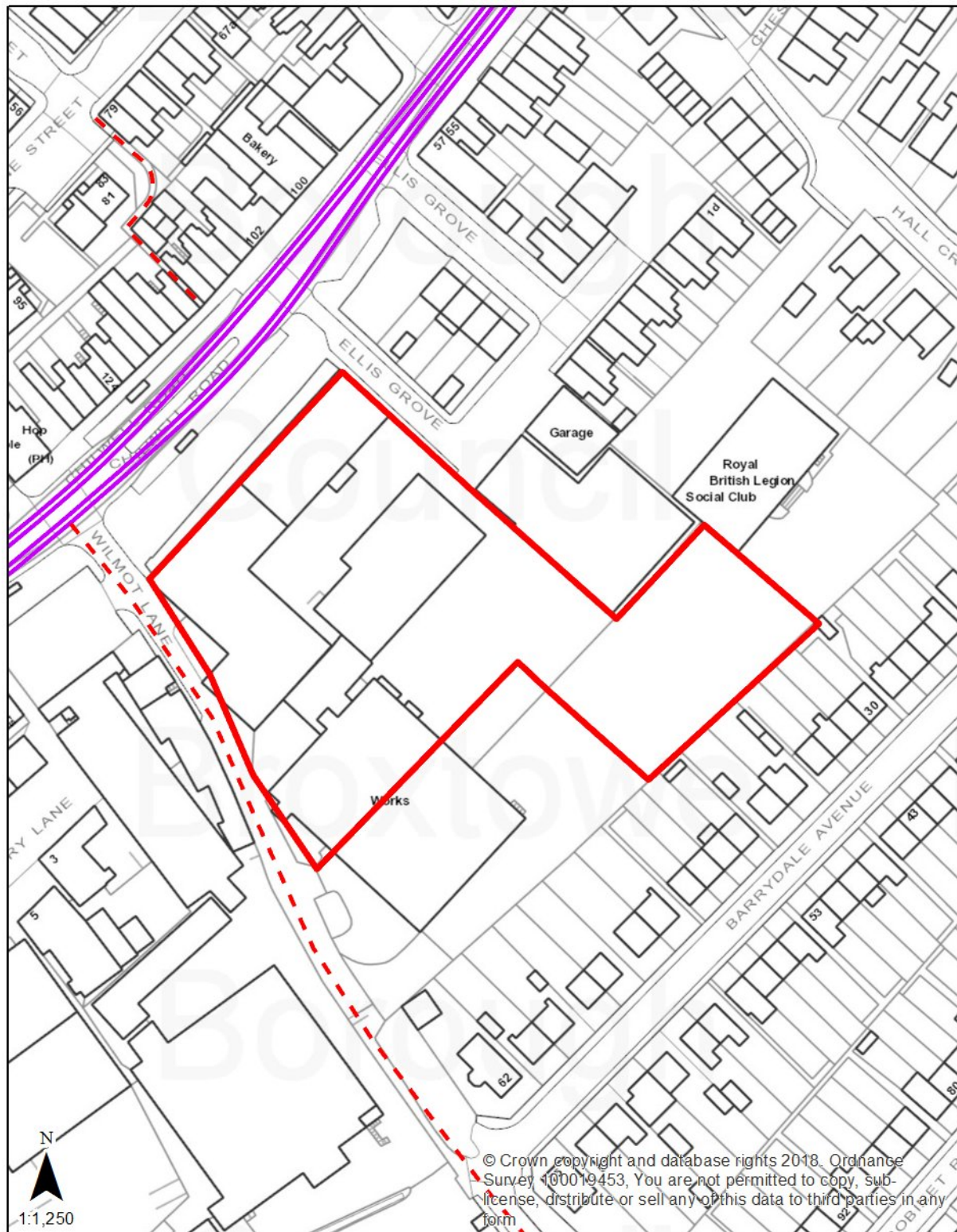
Notes to Applicant:

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).
3. In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under section 278 of the Act. Please contact hdc.south@nottscc.gov.uk for details.
4. The proposed off-site works require a Traffic Regulation Order before the development is brought into use to provide a safer highway environment. The developer should note the Order can be made on behalf of the developer by Via (in partnership with Nottinghamshire County Council) at the expense of the developer. This is a separate legal process and the applicant should contact the Highway Improvements Team on 0300 500 8080 for details.

- | |
|--|
| <p>5. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.</p> |
|--|

Background papers

Application case file



Legend



Site

Tram Route

Public Rights of Way



Byway open to all traffic



Bridleway



Footpath

Report of the Chief Executive

18/00508/FUL

CONSTRUCT SINGLE STOREY REAR AND TWO STOREY REAR AND SIDE EXTENSIONS

138 NOTTINGHAM ROAD, NUTHALL, NOTTINGHAMSHIRE NG16 1AB

Councillor P J Owen has requested this application be determined by Planning Committee.

1 Details of the Application

- 1.1 This application proposes alterations to an existing domestic residential dwelling incorporating the provision of a single storey rear extension and two storey rear and side extensions. The application also includes the provision of a loft conversion with the insertion of roof lights.

2 Site and Surroundings

- 2.1 The application property is a detached two storey dwelling set back from the main road of Nottingham Road. Access to the property is via a private road, which the property is located to the end of.
- 2.2 Along the northern boundary, to the front of the application site, there is a row of mature trees, limiting views of the site and the application property. The site frontage is predominantly paved, with a gravelled area to the south east side of number 138 and then two paved areas encompassed by low brick walls with piers. A grassed area extends from the paved areas to the rear boundary.
- 2.3 The south east site boundary is formed by a brick wall with pillars and railings in-between with gates across the vehicular access and the side wall of number 140. On the rear boundary there is a 1.7m high fence with holly and conifers on the site side of the fence.



Entrance to the site.



Front of property.



Boundary with 136 Nottingham Road.



Side elevation of number 140 Nottingham Road.



Rear elevation.



Land to side of property.

3 Relevant Planning History

- 3.1 02/00196/FUL – in 2002 planning permission was granted for the construction of a two storey extension to the east side of the property and a single storey extension to the west side and rear of the property. This permission has not been implemented.
- 3.2 04/00462/FUL – in 2004 planning permission was granted for the construction of a two storey side extension incorporating an existing single storey extension. This permission has not been implemented.
- 3.3 04/00999/FUL – in 2005 planning permission was granted to construct a two storey detached dwelling on land to the east of the property. This permission has not been implemented.
- 3.4 15/00164/FUL and 15/00385/FUL – in 2005, two planning applications were refused for the construction of a pair of semi-detached houses on land to the east of the property. An appeal was subsequently dismissed by the Planning Inspectorate in 2016 for the later planning application on grounds of.....

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Section 12 of the NPPF, Achieving well-designed places, paragraph 127 states that decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture and create a high standard of amenity for existing and future users.

4.2 **Broxtowe Aligned Core Strategy**

4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 Policy 10 'Design and Enhancing Local Identity' - states that development should be assessed in relation to its massing and scale, materials, design and impact on the amenity of nearby residents.

4.3 **Saved Policies of the Broxtowe Local Plan**

4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. The relevant saved policy is as follows:

4.3.2 Policy H9 'Domestic Extensions' - states that extensions will be permitted provided that they are in keeping with the original building in terms of style, proportion and materials, are in keeping with the appearance of the street scene and do not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties.

4.4 **Part 2 Local Plan (Draft)**

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. The representations on the plan included 11 no. representations in relation to Policy 17. Given that there remain outstanding objections to Policy 17 that will need to be considered through the Local Plan examination process, this policy can be afforded only limited weight.

- 4.4.2 Policy 17 'Place-Making, Design and Amenity' - states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

4.5 Nuthall Neighbourhood Plan

- 4.5.1 The submission version of the Nuthall Neighbourhood Plan was published on Monday 26 February, with the consultation period to running until Friday 20 April 2018. The Inspector has issued her report recommending modifications and for the Plan to proceed to referendum. The referendum is due to be held on 13 December. Policy 5 'Design and the Historic Environment' states that design of all new development should enhance and positively contribute to the character of the area in which it is located. Due to the current stage of the plan preparation, moderate weight can be attached to this policy.

5 Consultations

- 5.1 Nuthall Parish Council raised the following objections to the plans originally submitted:

- Over intensification of the site;
- Overlooking onto the neighbouring properties;
- The extension not being in keeping with the street scene.

Following the submission of amended plans and a re-consultation, no further comments have been received.

- 5.2 Five neighbouring properties were consulted on the application, with four letters having been received raising the following objections:

- The extension being out of keeping with the locality;
- Loss of privacy/overlooking;
- Sense of enclosure;
- Loss of light;
- Restricted access for builder's vehicles.

Following the submission of amended plans and a re-consultation, one further letter has been received raising objections on the grounds of overlooking.

6 Appraisal

- 6.1 The main issues relating to this application are the design of the extension and the impact on residential amenity of neighbouring properties.

6.2 Visual Amenity

- 6.2.1 The application site currently consists of a detached two storey dwelling with a driveway/parking area to the front and a large garden located to the side and rear. The site is accessed via a private driveway off Nottingham Road, with gates sited across the vehicular access.

- 6.2.2 The plans originally submitted with the application proposed a two storey side and rear extension and a single storey rear extension. The application also proposed the raising of the roof by 1m and the provision of three dormer windows on each side of the roof. Following on from concerns raised with the agent/applicant in respect of the raising of the roof and proposed dormer windows being out of keeping with the locality and the potential overlooking from the dormer windows upon the neighbouring properties, amended plans have been received removing the dormer windows and retaining the existing roof height. The application has therefore been assessed in accordance with the amended plans.
- 6.2.3 The existing dwelling currently consists of a gable end to the front and rear, with a single storey extension located to the west side. The application proposes the provision of a two storey west side extension which wraps around the rear of the dwelling. The two storey side extension will measure 2.8m wide and 12.7m in length. The existing gable ends to the front and rear will be retained, with the provision of a window to the front and rear in the roof space. The roof of the extension is proposed to be hipped and set at the same height as the roof serving the main dwelling. Three roof lights are also proposed within the east and west sides of the roof. To the rear of the property, the proposed single storey extension will extend out a further 3m from the proposed two storey extension, and will consist of a sloping roof with two sets of patio doors serving a kitchen and family room. The extensions are considered to be a sympathetic addition to the design of the main dwelling. The dwelling is currently rendered white at first floor level along with brown bricks and the use of matching render material is proposed to be used on the external elevations of the proposed extensions, along with matching bricks and tiles.
- 6.2.4 Due to the location of the application site and the design of the proposed extensions, it is not considered that the proposal will have a significant detrimental impact upon the visual amenity of the area or the character of the street scene.

6.3 Residential Amenity

- 6.3.1 The proposed two storey side extension will be located approximately 1m from the boundary of the application site and number 136 Nottingham Road. Along the boundary there is an existing 2m high close boarded timber fence directly adjacent the dwellings, with a 2 – 3m high hedge running along the remainder of the boundary to the rear of the properties. Number 136 Nottingham Road is sited approximately 3.5m away from the boundary. At ground floor level on the side of number 136 there are two small secondary windows serving habitable rooms. The proposed two storey side/rear extension will extend beyond the rear of number 136 Nottingham Road by 3m, with the single storey extension extending a further 3m. The eaves height of the proposed two storey side extension will measure 5.15m, with the roof sloping up away from the boundary to an overall height of 8m. The single storey rear extension will have an eaves height of 2.55m and an overall height of 3.7m. As a result it is considered that there would be no significant loss in daylight/sunlight to the occupants of the neighbouring property number 136 Nottingham Road. The only windows on the side elevation are a utility and WC window set at a low level on the ground floor and a en-suite

window at first floor level. Given the nature of the windows, it is not considered these will give rise to any potential overlooking issues. There are three roof lights proposed on the side of the roof, these are set approximately 1.7m above eaves level, reducing any potential overlooking issues. It should also be noted that the proposed roof lights could be inserted under permitted development without planning permission.

- 6.3.2 To the east of the main dwelling, there is a dwelling, number 140 Nottingham Road. This dwelling has a blank north west facing elevation. At ground floor level of the application property, there are two existing windows which will remain serving a dining and living room. At first floor level, an en-suite bedroom window is proposed on the side elevation. Although there are three roof lights, given the siting and nature of these windows, it is not considered there will be any overlooking issues.
- 6.3.3 Although there is a window proposed in the rear gable end of the roof, the application site is served by a rear garden measuring approximately 25m. In addition, there is a hedgerow along the rear boundary measuring approximately 3m in height. Furthermore, the properties located to the rear are also served by large gardens measuring approximately 20m in length.
- 6.3.4 Due to the design of the proposed extensions, the proposal is not considered to have an adverse impact upon the residential amenity of the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.
- 6.3.5 The impact upon all other adjacent neighbours is considered acceptable due to the siting and distance of the proposed extensions to the neighbouring properties.

7 Conclusion

- 7.1. Overall, it is considered that the proposal would not be harmful to the visual and residential amenity of the area. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following 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 the Site Location Plan 1: 1250 received by the Local Planning Authority on 23 July 2018, Proposed Plans and Elevations, SG/18/05/02A and Proposed Block Plan, SG/18/05/03A received by the Local Planning Authority on 04 October 2018.**
- 3. The extension shall be constructed using materials of a type, texture and colour so as to match those of the existing building.**

Reasons:

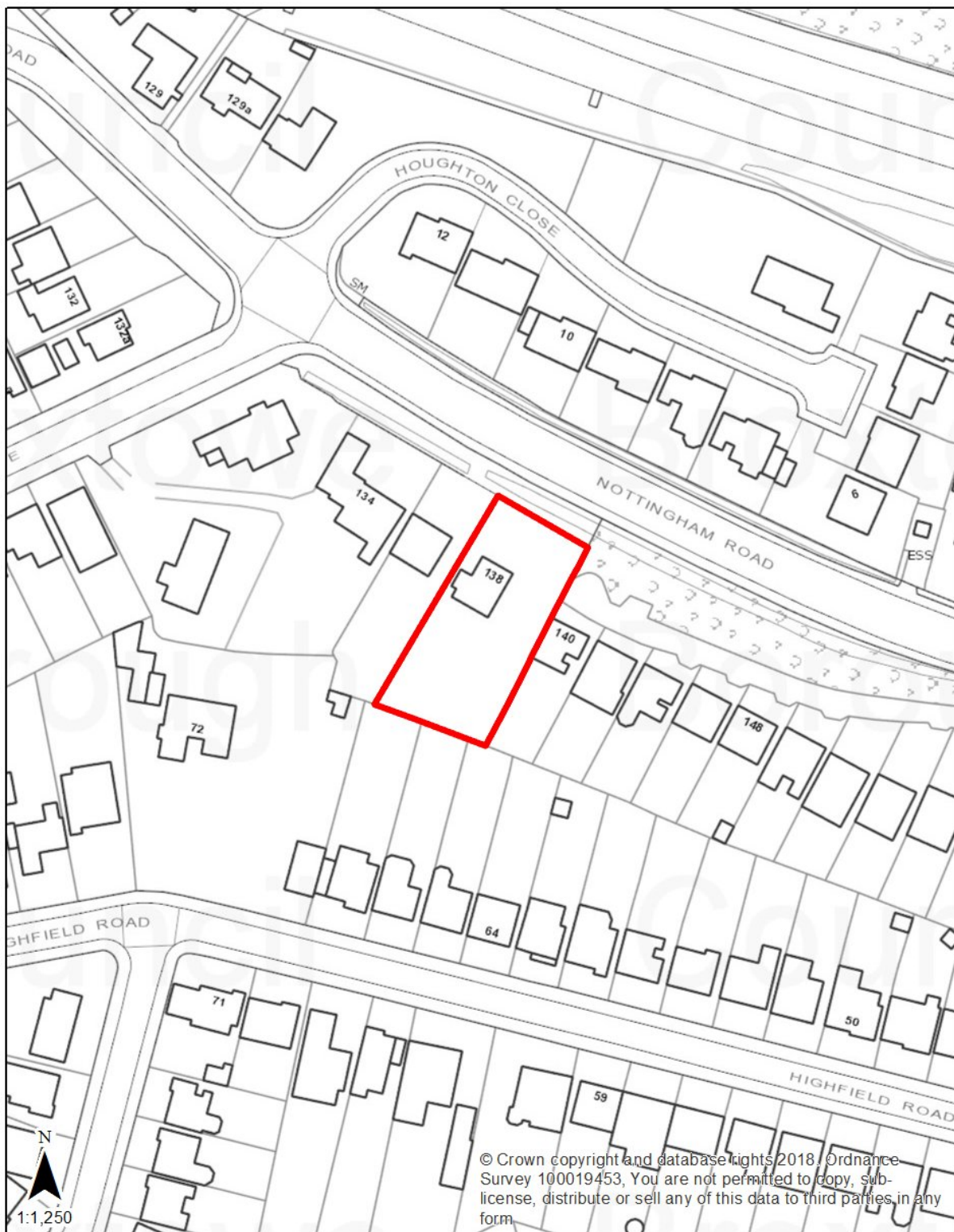
- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**

Note to Applicant:

The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.

Background papers
Application case file

This page is intentionally left blank



Legend

 Site

This page is intentionally left blank

Report of the Chief Executive

18/00624/FUL

AMENDED ACCESS TO GARDEN CENTRE, DEMOLITION AND REPLACEMENT OF NUMBER 123 WITH A DORMER BUNGALOW AND THE ERECTION OF ONE ADDITIONAL DORMER BUNGALOW 123 MOORGREEN, NEWTHORPE, NOTTINGHAMSHIRE, NG16 2FF

Councillor M Brown has requested this application be determined by Planning Committee.

1 Details of the Application

- 1.1 This is a full planning application for the amendment of the existing vehicular access into the site to include the widening of the access and the provision of pedestrian footpaths. The application also includes the demolition of a single storey detached dwelling to the north west of the existing garden centre access, to be replaced with a dormer bungalow and the erection of one additional dormer bungalow to the north west of the replacement dwelling.
- 1.2 In addition to the proposed plans, the following information has been submitted in support of the planning application:
 - Planning Statement
 - Design and Access Statement
 - Preliminary Ecological Appraisal
 - Protected Species Report.

2 Site and Surroundings

- 2.1 The application site is located to the north west of the garden centre, car park and associated buildings. The site lies within the Nottinghamshire Green Belt which covers the immediate surrounding areas, including the properties immediately to the north, south and west and the existing garden centre and associated land/buildings.
- 2.2 The existing vehicular access into the garden centre is currently used by a high volume of traffic, with restricted visibility on exiting the site and with vehicles often having to wait within the highway to enter the site.
- 2.3 The existing bungalow, number 123 Moorgreen, is currently in a poor state of repair, with signs of structural instability. Access is via an existing vehicular access sited off Moorgreen leading to a driveway. To the north west of the driveway there is a garden area serving the dwelling.
- 2.4 Directly to the rear of the site is the Colliers Wood Nature Reserve.



Existing access driveway to garden centre.



Existing dwelling.



View of existing access and dwelling from the south.



View of the site from the north.



Front of existing dwelling.



Garden land with the site.

3 Relevant Planning History

- 3.1 00/00072/FUL – in 2000 planning permission was granted for the erection of security gates to the entrance of the car park and security fencing along the perimeter of the garden centre fronting onto the main road Moorgreen.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.
- 4.1.2 Section 12, Achieving well-designed places, paragraph 127 states that decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture and create a high standard of amenity for existing and future users.
- 4.1.3 Section 13, Protecting green belt land, paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces and limited infilling in villages.

4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 Policy 8 – Housing Size, Mix and Choice: Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities.
- 4.2.4 Policy 10 – Design and Enhancing Local Identity: Development will be assessed in terms of its treatment of plot sizes, materials, architectural style, detailing and impact on the amenity of nearby residents.

4.3 **Saved Policies of the Broxtowe Local Plan**

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Saved Policy E8 – Development in the Green Belt: Planning permission will not be granted for development in the Green Belt except where it constitutes appropriate development.
- 4.3.3 Saved Policy H7 – Land Not Allocated for Housing Purposes: Residential development on sites within existing built up areas will be permitted providing

occupiers of new dwellings would have satisfactory amenity, there is no unacceptable effect upon amenity of occupiers of nearby properties, the development would not be piecemeal in character and satisfactory arrangements can be made for access and parking.

4.4 Part 2 Local Plan (Draft)

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. The representations on the plan included 10 no. representations in relation to Policy 8 and 11 no. representations in relation to policy 17. Given that there remain outstanding objections to Policies 8 and 17 that will need to be considered through the Local Plan examination process, these policies can be afforded only limited weight.

4.4.2 Policy 8: Development in the Green Belt states that applications for development in the Green Belt will be determined in accordance with the NPPF.

4.4.3 Policy 17: Place-making, Design and Amenity sets out design criteria that all new development must adhere to where relevant.

5 Consultations

5.1.1 Five neighbouring properties were consulted on the application along with the posting of a site notice, with one letter having been received objecting on the grounds of loss of privacy.

5.1.2 Nottinghamshire County Council Rights of Way Officer raises no objections to the application.

5.1.3 Nottinghamshire County Council Highways raise no objections subject to conditions relating to the dwellings not being brought into use until the access driveways/parking areas have been provided and the verge crossings have been widened.

5.1.4 Nottinghamshire Wildlife Trust raise no objections and advise that they are satisfied with the survey methodology employed and support the general recommendations for measures to avoid ecological impacts.

6 Appraisal

6.1. The main issues relating to this application are the principle of development, visual amenity, residential amenity and highway safety.

6.2 Principle of Development

6.2.1 The site is part of land designated as the wider Green Belt and therefore there is a strong presumption against inappropriate development unless, in accordance with the National Planning Policy Framework 2018 (NPPF), 'very special circumstances' can be demonstrated where harm is clearly outweighed by other

considerations (paragraphs 143/144). As residential development is not classed as appropriate development either in the Local Plan 2004, the Part 2 Draft Local Plan or in the NPPF then it is considered by definition as harmful to the Green Belt. A recent review of the Green Belt has highlighted that there is currently no intention to remove the site from the Green Belt. Therefore, unless very special circumstances can be clearly evidenced to outweigh Green Belt considerations, planning permission should be refused.

- 6.2.2 The submitted Planning Statement states that the NPPF (paragraph 145) considers limited infilling within villages in the Green Belt to be appropriate development. It also states that it is considered this proposal would represent infill development and would therefore be appropriate development, making the best use of the site and providing much needed housing for the area.
- 6.2.3 With regard to the Local Plan, Moorgreen is not designated as a village and the plan does not set out a policy allowing for such limited infill which would lead to planning permission being granted under the terms allowed by the NPPF. Section 13 of the NPPF – Protecting Green Belt Land attaches great importance to Green Belt, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open.
- 6.2.4 The Planning Statement does outline what are considered by the applicant to be ‘very special circumstances’ in that the redevelopment of the plot enables the widening of the access road into the garden centre, and that by allowing the proposal, this would enable the provision of a safer and more appropriate access for the garden centre thereby having a positive impact upon highway safety in the locality.
- 6.2.5 The block plan submitted indicates the widening of the existing access driveway, along with the provision of footpaths to either site. The proposed replacement dwelling will be sited further within the site, with a larger footprint and taller overall ridge height than the existing dwelling. A central access driveway is proposed, with a large expanse of driveway serving both the replacement dwelling and the additional dwelling. Whilst the dwellings are described as dormer bungalows, they are in essence two storey dwellings.
- 6.2.6 Although the street scene of the immediate vicinity to the east consists of mainly two storey detached residential dwellings set within large plots, the dwellings sited directly opposite to the north east and further along to the west are predominantly single storey. The design of the replacement dwelling in its current form is not considered appropriate due to its size. A new dwelling occupying the remainder of the site would also continue the line of plots along Moorgreen, strengthening the residential character rather than supporting the rural countryside feel. There would also be negative impact on views of open fields sited to the rear associated with the Colliers Wood Nature Reserve. The provision of the new dwelling is not considered to represent infill development in Green Belt policy terms and will result in a form of inappropriate development, which would be harmful to the openness of the Green Belt.
- 6.2.7 Whilst the demolition of the existing dwelling and the rebuild would allow for wider benefits in respect of highway safety through the widening of the existing access

into the garden centre, the site falls entirely within the Green Belt where the NPPF sets out that the construction of new buildings is inappropriate development. 'Very special circumstances' cannot be demonstrated and the construction of a materially larger replacement dwelling and additional dwelling within a domestic plot would result in a significant harm to openness where the rural character along Moorgreen would be eroded. There is no suggestion that the access improvements are dependent on two large dwellings. It appears that these improvements could be undertaken in association with a single smaller replacement dwelling which subject to the details, would be more acceptable on Green Belt policy grounds.

6.3 Visual Amenity

- 6.3.1 Whilst the development is considered to represent inappropriate development within the Green Belt, details have been submitted in respect of the proposed dwellings. The dormer style dwellings are considered to accord with the two storey scale of the building situated adjacent the access entrance into the garden centre to the south east of the site. The dwellings would appear to fit comfortably within the application site in terms of scale, and would be set back from the highway frontage with the retention of an existing hedgerow and trees within the site.

6.4 Residential Amenity

- 6.4.1 Future occupiers of the proposed dwellings would be served by adequate fenestration to all habitable rooms and adequate outdoor garden space. Given the distance between the application site and the nearest residential properties directly opposite the application site, it is not considered the proposal would give rise to any overlooking or over bearing issues. However, this does not outweigh the fact that the proposal is considered to represent inappropriate development within the Green Belt.

6.5 Highway Safety

- 6.5.1 The application proposes the widening of the existing access into the garden centre to allow an easier flow of two way traffic into and out of the site without vehicles having to wait within the highway. In addition, pedestrian footways are to be provided either side of the access driveway to allow safe access and egress for pedestrians. The access serving the existing dwelling is also proposed to be retained and widened to allow vehicles to access private driveways serving the dwellings. The driveways will also allow vehicles to turn and reverse within the site and leave the site in a forward gear. Adequate vehicular visibility is also provided to the entrance of the access to the garden centre and the dwellings. Nottinghamshire County Council as the Highway Authority raise no objections to the proposal subject to conditions relating to the dwellings not being brought into use until the access driveways/parking areas have been provided and the verge crossings have been widened. It is considered there are no highway safety issues relating to this application.

7 Conclusion

- 7.1. Overall, whilst the application site could reasonably accommodate residential development in the form of a replacement dwelling, the site falls entirely within the Green Belt where the construction of new buildings is inappropriate. The potential very special circumstances of access improvements are not considered to outweigh the inappropriate form of development, resulting in a significant harm to openness where the rural character along Moorgreen would be eroded. The proposal is therefore considered contrary to Saved Policy E8 of the Broxtowe Local Plan 2004, Policy 8 of the Draft Part 2 Local Plan and Section 13 - Protecting Green Belt Land of the National Planning Policy Framework 2018.

Recommendation

The Committee is asked to RESOLVE that planning permission be refused for the following reason:

The construction of a materially larger replacement dwelling and a new dwelling would constitute inappropriate development in the Green Belt and there are no very special circumstances demonstrated that clearly outweigh both the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Saved Policy E8 of the Broxtowe Local Plan 2004, Policy 8 of the Draft Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework 2018 and there are no other material considerations that justify treating this proposal as an exception.

Note to Applicant:

The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.


Background papers
Application case file

This page is intentionally left blank



Legend

Road Names

 Site

 Green Belt (Local Plan)

This page is intentionally left blank

Report of the Chief Executive

18/00384/FUL

ERECT PORTABLE BUILDING TO CREATE PUBLIC CAFÉ FACILITY WITH DECKING

R G SERVICES SITE, GIN CLOSE WAY, AWSWORTH, NOTTINGHAMSHIRE NG16 2TA

Councillor L A Ball BEM requested this application be determined by the Committee.

1 Details of the Application

1.1 This planning application aims to erect a portable building at the existing car wash to be used as a café facility. The café will predominantly be for the use of customers of the car wash as a waiting area and facility to purchase refreshments.

1.2 The proposed café unit will be positioned in the south west corner of the site. The unit will have dimensions of 2.44m by 6.1m, with a flat roof and a height of 2.44m. A decking area to the front of the unit will be provided and will also act as a security cover to the front of the unit when it is not in use. The decking area will have dimensions of 2.44m by 6.1m.

2 Site and Surroundings

2.1 The application site is set off Gin Close Way on the edge of Awsworth and is currently used as a car wash business. The proposed café will be positioned approximately 3m from the west boundary of the site adjacent to Gin Close Way and approximately 3.2m from the south boundary of the site which adjoins a vacant site which has planning permission for the development of 55 dwellings under permission 15/00011/FUL.

2.2 The application site adjoins the Green Belt to the west, but is not Green Belt land.



Position of proposed café unit.



Position of proposed café unit.



Position of proposed café unit with wider site in the background.



Car wash site.



Car wash site.

3 Relevant Planning History

- 3.1 In 2014, planning permission 14/00549/FUL was granted to change the use of the site from a haulage depot to a range of uses including the car wash. The decision also granted permission for a 2m high green mesh metal fence to the front boundary.
- 3.2 In 2017, planning permission 17/00514/FUL was granted to retain the car wash business including the canopy, customer waiting shed, valeting area, staff facility within the caravan, ancillary car sales area, hard standing and boundary fence. This permission was required as although permission was granted in 2014, the business operations had not been developed in accordance with the approved plans.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 Policy 10 aims to ensure that development has regard to the local context and is assessed in terms of its impact on the amenity of neighbouring residents.

4.3 **Saved Policies of the Broxtowe Local Plan**

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy S7 states that proposals for Class A3 (food and drink) uses outside the town centres will not be permitted if their individual or cumulative effect would cause environmental or traffic problems or detriment to residential amenity.

4.4 **Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. The representations on the plan included 4 and 11 no. representations in relation to Policy 13 and 17 respectively. Given that there remain outstanding objections to Policy 13 and 17 that will need to be considered through the Local Plan examination process, these policies can be afforded only limited weight.
- 4.4.2 Policy 13 states that permission will be granted for food and drink uses in out-of-centre locations providing it does not result in a unit of 500 sq.m gross floorspace or more, and is an area of deficiency and meets local needs, and such a use does not result in a significant adverse impact on the vitality and viability of any nearby centre taking account of both extant permissions and the cumulative effect of previous increases in floorspace in edge-of-centre and out-of-centre locations.
- 4.4.3 Policy 17: Place-making, Design and Amenity sets out design criteria that all new development must adhere to where relevant.

5 Consultations

- 5.1 The Environmental Health Officer does not raise any objections in relation to this proposal. It has been recommended that an informative note be attached to any permission granted notifying the applicant that it is a legal requirement that the food business must be registered 28 days prior to commencement of operation and. It has also been highlighted that it is unlikely that the premises will comply with the requirements of the relevant food hygiene legislation, especially with regards to toilet and ventilation provisions.
- 5.2 Awsworth Parish Council objects to the proposal on the grounds that the container would be in a prominent open location adjacent to the main entrance to the village of Awsworth and would have no architectural or aesthetic merit. It would be in stark contrast to the timber summerhouse building located to the east of the proposed structure which is already used by waiting customers and it is unclear why this building cannot be used for the café. An additional concern is that the proposed café would not be restricted to use by car wash customers only.
- 5.3 The Parish Council also notes that Condition 4 of planning application 17/00514/FUL regarding landscaping has not been adhered to and is therefore of the view that the current application should not be determined until such a time as the applicant complies fully with the previous conditions. The Council is in discussion with the applicant regarding Condition 4 of planning permission 17/00514/FUL and are awaiting the submission of a landscaping scheme. The Council would not be able to withstand the refusal of this application based solely on non-compliance with a condition of a historic application.
- 5.4 Consultation letters have been sent out to 3 neighbouring properties in respect of this application and a site notice was posted at the site on 24 September 2018. Two objections from members of the public have been received on the grounds that the proposal is unsightly due to the addition of another building on the site and that it would affect a nearby business.

6 Appraisal

- 6.1 The main issues to be considered with this application are the principle of the siting and use of the café in this location, impact on neighbouring amenity and the design and appearance of the proposed unit.

6.2 Principal

- 6.2.1 The proposed café represents a food or drink use outside of a town centre. The NPPF requires the submission of a sequential assessment to examine whether there are any sequentially preferable sites either in or on the edge of nearby centres. The unit will provide 160 sq.m of floorspace and will largely be used for the provision of refreshments to customers using the car wash. The floorspace to be provided is well below the limit of 500 sq.m as set out by Draft Part 2 Local Plan Policy 13. Considering its location on the edge of a village as opposed to a major town centre, as well as its clear intended use to primarily serve customers already visiting the site it is not considered that it will have a negative impact on

the vitality and viability of any town centres, and for these reasons it is not considered that there are any sequentially preferable sites.

- 6.2.2 As the intended use of the café is for customers of the car wash it is not considered that the proposal will result in a significant increase in traffic in the surrounding area. Furthermore, taking into account the relatively small size of the unit it is not likely to attract people from the wider area who would drive to the site specifically for this use. Therefore it is not considered that the proposal will result in a significant increase in traffic in the surrounding area.
- 6.2.3 Taking the above points into account it is considered that the principle of the proposal is in accordance with saved Policy S7 of the Local Plan (2004) and Draft Part 2 Local Plan Policy 13.

6.3 Amenity

- 6.3.1 The proposed unit is located in the south west corner of the site, adjoining Gin Close Way to the west with the car wash covering the area to the north. There are therefore no concerns with regards to impact on amenity to the north and west of the site.
- 6.3.2 Planning permission 15/00011/FUL has been granted for the development of 55 no. residential dwellings on the site to the south and south east of the application site. The plans for this development show that residential units will adjoin the boundary with the car wash. The residential units proposed will be set back from the car wash by their rear gardens, and considering the relatively limited proposed height of the café unit at 2.44m it is not considered that the proposed unit will have an unacceptable visual impact on these units that have already been granted permission.
- 6.3.3 Taking into account the existing commercial use of the application site it is not considered that the proposed café will have any further impact on neighbouring amenity in terms of noise and disturbance. A condition regarding operating hours was attached to the previous permission on the site for the use of the car wash and therefore it is considered appropriate to attach the same condition to this proposal should permission be granted.
- 6.3.4 Overall it is considered that the proposed café unit will not have an unacceptable impact on neighbouring amenity.

6.4 Design and Appearance

- 6.4.1 The proposed unit will occupy a relatively prominent position within the site, being clearly visibly from Gin Close Way. However, steps have been taken to minimise its impact, locating it close to the south west boundary of the site, with the background hedging. It is also sited side on to Gin Close Way, reducing the massing of the building at this visible point and has been positioned so it will be no closer to Gin Close Way than the existing canopy structure which is much larger. There are a number of similar size buildings within the site including the structure for the staff area, the valet area, the main canopy for the car wash and the existing customer waiting unit.

- 6.4.2 The proposed unit is of a size and scale that is in keeping with the existing buildings on the site, and the elevation drawing submitted states that it will be painted green to help it to blend in with its surroundings. The addition of this structure in addition to the existing buildings on the site could be a cause of concern in regards to the number of structures in their totality creating a cramped form of development.
- 6.4.3 During a site visit the applicant suggested that the proposed café unit will replace the existing waiting area, which will be removed as a result. In order to overcome the negative impact of overdeveloping the site it is considered appropriate to condition that the existing waiting area is removed prior to the first use of the new café.
- 6.4.4 Taking into account the existing commercial nature of the site and the style of the buildings located there it is considered that the proposed building would not be out of keeping with the character of the area. Whilst the building occupies a prominent position to be visible from the public realm it will be of a size and scale that will not be overly dominant in the context of the site or the street scene. Overall it is considered that a satisfactory standard of design has been achieved.

6.5 Conditions

- 6.5.1 Planning permission 17/00514/FUL for the change of use of the site to a car wash conditioned that the car wash shall not be open for business except between the hours of 07.30 - 21.00 hours Monday to Saturday and 07.30 – 18.00 hours on Sundays and bank holidays. As the proposed café will principally be used in accordance with the car wash it is considered appropriate to attach the same condition should permission be granted for this café.
- 6.5.2 Taking into account the relationship of the proposed café unit with the car wash, it should be conditioned that the structure should be removed from the site within one month of the cessation of the car wash business. This condition will protect the site against being used solely as a food or drink premises should the car wash cease operating in the future.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following 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 05/18/01 (1:100) and 07/18/01 (1:1250); received by the Local Planning Authority on 1 August and 16 August 2018.**
- 3. Prior to the first use of the café unit hereby approved, the existing structure used as the customer waiting area, positioned to the east of the structure hereby approved shall be removed from the site.**

4. The café unit hereby approved shall not be open for business except between 07.30 - 21.00 hours Monday to Saturday and 07.30 – 18.00 hours on Sundays and bank holidays.
5. The café unit hereby approved shall be painted green within one month of being on site and shall be retained in this colour for the lifetime of the development.
6. The approved portable building and associated decking shall be removed from the site within one month of the cessation of the car wash business.

Reasons:

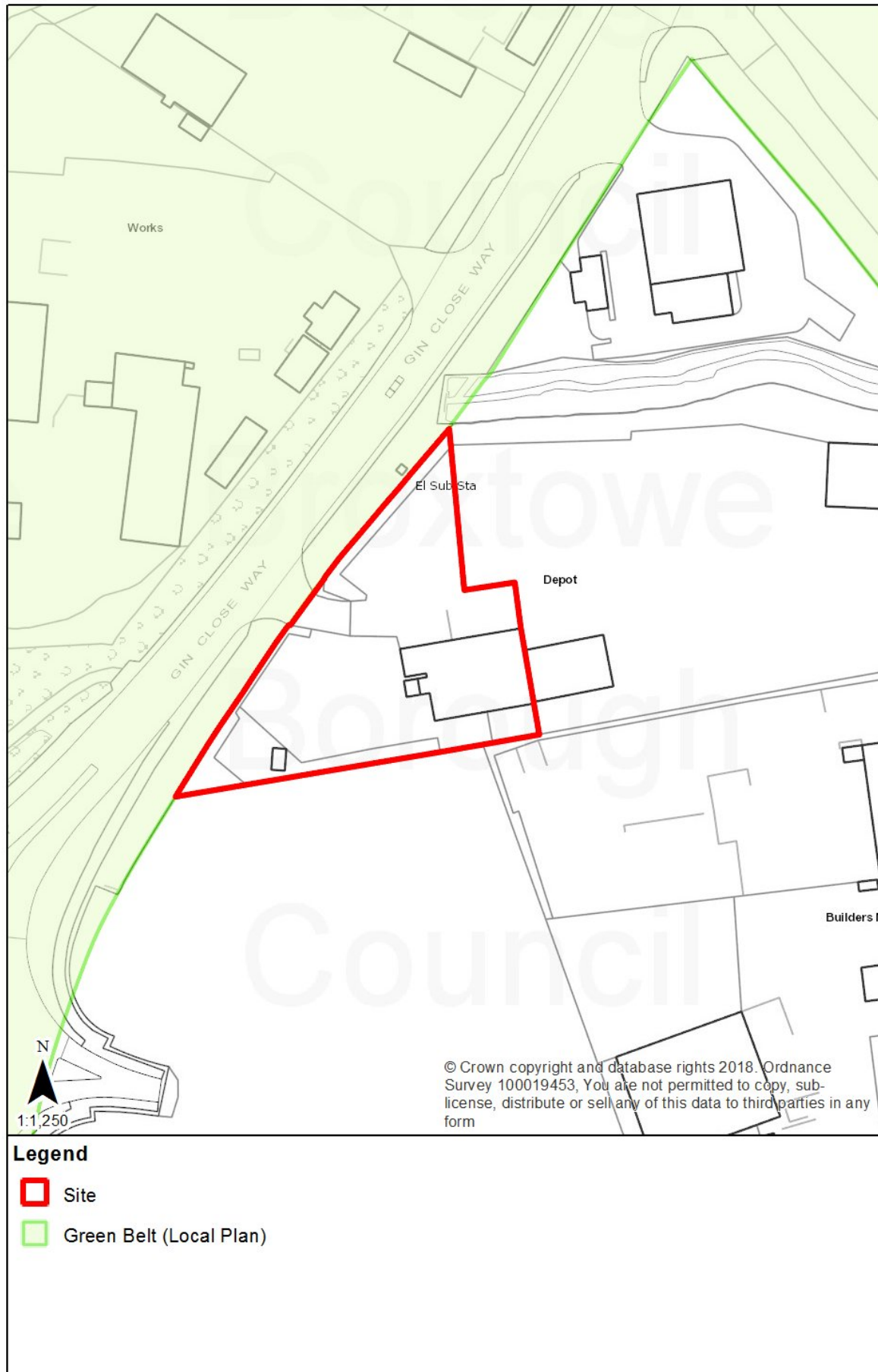
1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the satisfactory standard of external appearance of the application site and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan.
4. In the interest of protecting the area from excessive noise and disturbance during night time hours.
5. To ensure the satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan.
6. In accordance with the terms of this application as the occupation of this site by another operator should the car wash business cease to run may be unacceptable.

Notes to Applicant:

The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.

It is a legal requirement that the premises are registered 28 days prior to commencement of operation. However, regardless of whether planning permission is obtained, it is unlikely that the premises will comply with the requirements of the relevant food hygiene legislation, especially with regards to toilet and ventilation provisions. The applicant is advised to contact the Environmental Health Team on 0115 917 3485 for further advice prior to commencement.

Background papers
Application case file



Report of the Chief Executive

18/00720/FUL

**CHANGE OF USE FROM RETAIL (CLASS A1) TO CAFÉ
INCORPORATING A BAKERY (CLASS A3)**

109 CENTRAL AVENUE, BEESTON, NOTTINGHAMSHIRE NG9 2QS

Councillor S J Carr requested this application be determined by the Committee.

1 Details of the Application

- 1.1 The application proposes to change the use of a retail unit (use class A1) to a café, incorporating a bakery (use class A3). The change of use has already commenced.

2 Site and Surroundings

- 2.1 109 Central Avenue is a shop within a terrace of similar units, in a local shopping parade. The parade is comprised of ten units, six of which (other than the application site) are in A1 use, and three A5 uses (hot food takeaways). There is a separate flat above at first floor. 107 Central Avenue is a hot food takeaway and 111 Central Avenue is a barbers. Both of these properties also have separate flats above.



The site



105 to 111 Central Avenue



113 to 117 Central Avenue



97 to 103 Central Avenue

- 2.2 The parade is located on the west side of Central Avenue, between Anderson Crescent, to the south, and Dennis Avenue, to the north. There are semi-detached dwellings opposite the site, to the east side of Central Avenue.

3 Relevant Planning History

- 3.1 In 1998, conditional planning permission was granted for the change of use of the ground floor to a beauty salon (planning reference 98/00173/FUL) and shortly after followed planning permission for an extension to the premises (planning reference 99/00742/FUL).
- 3.2 In 2005, planning permission was granted to change the use from beauty salon to laundrette (planning reference 05/00204/FUL) and for an extension to the premises (planning reference 06/00082/FUL).
- 3.3 Whilst the authorised use is as a retail unit, the property has been operated as a café under the prior notification scheme (permitted development) at some time between 2013 and 2014. The prior notification scheme allows for a temporary use as a café for a maximum period of two years.
- 3.4 There are three other food and drink uses within the parade, all being in A5 (hot food takeaway) use. Two of these units, 107 and 115, have been in operation since before 1996. The other A5 use, at 113 Central Avenue, was initially refused planning permission (reference 09/00545/FUL) due to the cumulative impact an additional A5 use would have, to the detriment of the amenity of local residents. The application was subsequently allowed on appeal, as the Planning Inspector concluded that the additional A5 use would add to the vitality and viability of the parade and that it would not result in a significant detriment to the amenity of local residents.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 'Policy 6: Role of Town and Local Centres' seeks to ensure that retail development outside of town and local centres does not have an impact on the vitality and viability of those centres.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 'Policy S6: Protection of Local Shopping' Changes of use of existing units within a group of shops from Class A1 retail will not be permitted in cases where it would result in the deterioration of local shopping facilities to an unacceptable degree.
- 4.3.3 'Policy S7: Food and Drink Retailing outside Town Centres' states that proposals for food and drink uses outside the town centres will not be permitted if their individual or cumulative effect would cause environmental or traffic problems, or detriment to residential amenity. Where permitted, opening hours may be restricted in order to protect residential amenity.

4.4 Part 2 Local Plan (Draft)

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. The representations on the plan included four representations in relation to Policy 13. Given that there remain outstanding objections to Policy 13 that will need to be considered through the Local Plan examination process, this policy can be afforded only limited weight.
- 4.4.2 'Policy 13: Proposals for Main Town Centre uses in Edge of Centre and Out of Centre Locations' states that planning permission will be granted for retail, leisure, office or food and drink uses provided that it does not result in a unit of 500 square metres gross floorspace or more; and is in an area of deficiency and meets local needs, and would not result in a significant adverse impact on the vitality and viability of any nearby centre.

5 Consultations

- 5.1 Nottinghamshire County Council as Highways Authority have no concerns as there are pull in bays and road markings protecting driveways. As such the change of use from a retail shop would still attract customers in the same way as a café/bakery.
- 5.2 The Environmental Health Technical Officer advises that suitable ventilation and filtration equipment must be installed, operated and maintained for the life of the development. No details have been submitted as part of the application so these will be secured by condition.
- 5.3 Councillor Carr comments that the shop opened before permission was granted and it is causing severe parking problems.
- 5.4 To publicise the application, eight properties were consulted, and a site notice was posted outside the property. Three representations have been received, two

in support of the proposal and one objection. The concerns raised are: density of A5 uses in the neighbourhood too high; takeaways open until late resulting in anti-social behaviour; litter being dropped by customers.

6 Appraisal

- 6.1 The main issues to consider with this application are whether the use (Class A3) is acceptable in this location, including any impact on nearby occupants, and its impact on the vitality and viability of any nearby centre.
- 6.2 The parade of shops is not classed as a local shopping centre or centre of neighbourhood importance however it does nevertheless provide local shopping facilities for the immediate area around Central Avenue. The nearest larger shopping area is Beeston Town Centre, which is approximately 0.5 mile away.
- 6.3 As outlined in the planning history section above, the property has mainly been in A1 retail use however it is understood that it has been operated as an A3 use for a temporary period at some point between 2013 and 2014.
- 6.4 The aim of the Local Plan retail policies is to ensure that development outside of defined town centres and local shopping areas does not have a detrimental impact on the vitality and viability of the town or local shopping centre.
- 6.5 It is considered that as the unit is relatively small, at less than 60 square metres gross floorspace, and retains an element of retail, it would not have a detrimental impact on the vitality and viability of any nearby centre, and would also meet a local need by the provision of a bakery and café, which is lacking in the immediate area, where nearby residents have an opportunity to meet.
- 6.6 In regard to residential amenity, subject to details of suitable ventilation and filtration equipment being agreed, and subject to a condition restricting hours of opening, it is considered that the use would not have an unacceptable impact on the amenities of the occupiers of the adjoining flats above the shops, or upon the occupiers of properties opposite or to the rear.
- 6.7 Concerns have been raised in regard to an increase in traffic and parking problems generated by the development. It is noted that the unit is within an established parade of shops and as such it is acknowledged that these units would generate some traffic visiting the shops. There are parking laybys provided for the use of customers visiting the shops. Nottinghamshire County Council as Highways Authority raise no objection to the proposal. It is considered that the use would not have a significant impact on highway safety due to its location within an established shopping parade.
- 6.8 It is considered that the proposal accords with Policy 13 of the Draft Part 2 Local Plan, Policies S6 and S7 of the Broxtowe Local Plan and Policy 6 of the Broxtowe Aligned Core Strategy in that it would not have a detrimental impact on the vitality and viability of Beeston Town Centre or other nearby shopping centres and would provide a facility to the benefit of the local residents.

7 Conclusion

- 7.1 It is considered that the proposal accords with Broxtowe Local Plan Policies S6 and S7, with Policy 6 of the Broxtowe Aligned Core Strategy, with Policy 13 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

Recommendation

The Committee is asked to **RESOLVE** that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be retained in accordance with the Site Location Plan received by the Local Planning Authority on 25 October 2018 and proposed floor plan received by the Local Planning Authority on 30 October 2018.
2. Within one month of the date of this decision, details of ventilation and filtration equipment shall have been submitted to the Local Planning Authority. Once approved in writing by the Local Planning Authority, the equipment shall be installed and in full working order within three months of the date of approval and shall be effectively operated and maintained in accordance with the manufacturer's instructions for the life of the development.
3. The use hereby permitted shall not be open to customers outside the hours of 8am to 10pm Monday to Saturday, and 10am to 10pm on Sundays, Bank or other Public Holidays.

Reasons:

1. For the avoidance of doubt.
2. No such details were submitted and in accordance with the aims of Policy S7 of the Broxtowe Local Plan (2004).
3. In the interests of the amenities of nearby residents and in accordance with the aims of Policy S7 of the Broxtowe Local Plan (2004).

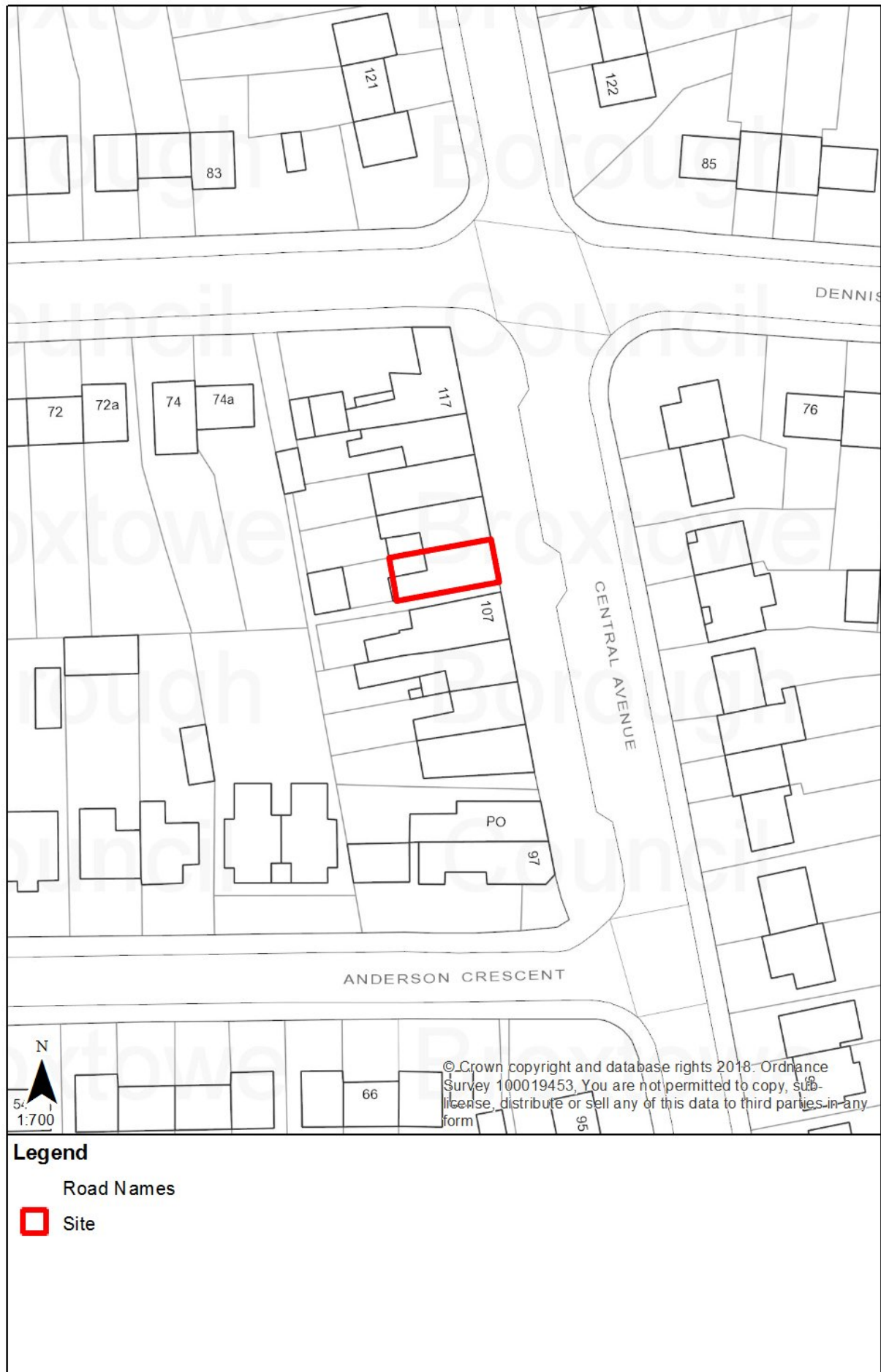
Notes to Applicant:

1. The Council has acted positively and proactively in the determination of this application by communicating with the applicant throughout the course of the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>

- 3. The A3 premises may require registration under the Food Safety Legislation and will need to comply with the standards contained in the relevant Food Hygiene Regulations and toilet provision. The applicant is advised to contact Environmental Health within Public Protection, Council Offices, Foster Avenue, Beeston, Nottingham NG9 1AB (Tel: 0115 917 7777) for further information.**

Background papers

Application case file



This page is intentionally left blank

Report of the Chief Executive

18/00339/FUL

**TWO STOREY AND SINGLE STOREY SIDE/REAR EXTENSIONS,
RAISE RIDGE HEIGHT, REAR DORMER WINDOW AND DETACHED
GARAGE**

**ASSARTS LODGE, TEMPLE DRIVE, NUTHALL,
NOTTINGHAMSHIRE NG16 1BH**

1. Details of the Application

- 1.1 The application was first brought before Planning Committee on 12 September 2018 with a recommendation for approval (original report attached as an appendix). Members deferred making a decision on the application due to the re-consultation period on the amended plans having taken place during the school holidays, meaning that there had not been time for the school to put their concerns to the applicant.
- 1.2 Following on from the Planning Committee, it was noted that a side facing bedroom window was indicated on the proposed floor plans but was missing from the proposed elevations. Amended plans have now been submitted to rectify this and a re-consultation has been undertaken.

2. Consultations

- 2.1 Discussions between the applicant, the applicant's agent and the Head Teacher of Mornington Primary School have now taken place and a letter has been received from the Head Teacher raising no objections to the application.

3. Conclusion

- 3.1 Having regard to the comments made by members at the meeting on 12 September 2018, it is considered that adequate time has now passed to allow discussions to have taken place between the applicant and the Head Teacher of the school to alleviate their concerns. This is evidenced in the letter received from the Head Teacher of the school raising no objections. The proposal therefore accords with Policy H9 of the Broxtowe Local Plan, Policy 10 of the Broxtowe Aligned Core Strategy, Policy 17 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following 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: Site Location Plan 1:1250, 18/461/05 received by the Local Planning Authority on 16 May 2018, Proposed Second Floor Plans, Sections and Elevations, 18/461/03b received m by the Local Planning Authority on 1 July 2018, Proposed Garage Plans, Sections and Floor Plans, 18/461/06 received by the Local Planning Authority on 21 May 2018, Proposed Site Plan, 1: 500, 18/461/04a received by the Local Planning Authority on the 22 August 2018, Proposed Floor Plans and Elevations, 18/461/02b, Proposed Second Floor Plans, Sections and Elevations, 18/461/03b received by the Local Planning Authority on 30 October 2018.
3. The garage shall not be first brought into use until the driveway access to the front of the garage door is surfaced in a hard bound material (not loose gravel) and drained to prevent the unregulated discharge of surface water onto the public highway.
4. The dormer window located in the west elevation of the roof shall be glazed in obscure glass to Pilkington Level 4 or 5 and shall be non-opening below a height of 1.7 metres, measured from the internal finished floor level. The window shall be retained in accordance with these details for the life of the development.

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. In the interests of highway safety.
4. To safeguard the residential amenities of the area and to accord with Policy H9 of the Broxtowe Local Plan 2004.

Notes to Applicant:

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order for the works to be undertaken please contact: hdcsouth@nottsgov.uk

Appendix

Report to Planning Committee 12 September 2018

Background papers

Application case file

Report of the Chief Executive

18/00670/REG3

CONSTRUCT TWO STOREY REAR EXTENSION, INSERT FIRST FLOOR SIDE WINDOW AND RETAIN RAMP

6 HETLEY ROAD, BEESTON, NOTTINGHAMSHIRE NG9 2QL

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

1 Details of the application

- 1.1 The application seeks permission to construct a two storey rear extension, insert a first floor side box bay window and retain a ramp to the front of the property.
- 1.2 The two storey rear extension would have a depth of 3.9m and a width of 5.2m. It would have a hipped roof with an eaves height of 5m and a ridge height of 7.5m. The rear elevation would have two ground floor and two first floor windows. The south west (side) elevation would have a door and an obscurely glazed first floor window. The north east (side) elevation of the extension would be blank. The ground floor of the extension would be used as a bedroom and dining room and the first floor would be a bedroom. A lift would be incorporated within the extension.
- 1.3 The ramp to be retained would be 0.15m high, with retaining slabs 0.3m high. It would also have 1m high handrails. The ramp and handrails wrap-around around the front of the dwelling to provide access to the front door.
- 1.4 A new first floor north east (side) elevation window is proposed on the original dwelling. It will be a box bay window which will be obscurely glazed and non-opening on the north east (side) elevation and clearly glazed on the front and rear. It would be 1.1m wide and 1.3m high. It would extend out by 0.4m. The window will serve a bedroom.
- 1.5 The development is proposed to make the property suitable for disabled occupants.

2 Site and surroundings



Front elevation.



Ramp at front of property (to be retained).



Rear elevation.



Rear of no. 8 Hetley Road.



Rear boundary.

Rear of no. 4 Hetley Road.

- 2.1 The application property is an end-of-terrace, hipped roof, two storey dwelling with a red brick two storey projecting front element. The remainder of the front elevation has red brick on the ground floor and white pebbledash render on the first floor. The side elevation is red brick and the rear elevation is white pebbledash render.
- 2.2 No. 8 Hetley Road has a flat-roofed single storey rear extension beside the boundary with an adjoining two storey rear element. The remainder of the boundary and the rear boundary is a 1.8m high fence. The boundary with no. 4 is open to the side of the application property, there is a 1.8m high fence for approximately 2m and then a 1.8m high hedge extends to the rear.
- 2.3 No. 8 Hetley Road has glazed doors and a window on their ground floor rear elevation and two first floor windows. No. 4 Hetley Road has a dormer with a two-light window and a ground floor window on the side elevation. The rear elevation contains a door and two windows on the ground floor and two first floor windows.
- 2.4 The rear garden of the property slopes up from the patio to the lawn and the site has no off-street parking. Hetley Road is a residential street of terraced and semi-detached dwellings.

3 Relevant planning history

3.1 There is no site history post-1974.

4 Policy context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) July 2018 states planning should be plan-led, decisions should be approached in a positive and creative way and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

4.2 **Broxtowe Aligned Core Strategy**

4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

4.2.2 Policy 10 'Design and Enhancing Local Identity' states that development should be assessed in relation to its massing, scale, materials, design and impact on the amenity of nearby residents.

4.3 **Saved Policies of the Broxtowe Local Plan**

4.3.1 Policy H9 'Domestic Extensions' states extensions to dwellings should be in keeping with the original building in terms of style, proportion and materials, in keeping with the street scene and must not cause an unacceptable degree of loss of privacy or amenity for the occupiers of neighbouring properties.

4.3.2 Policy H10 'Extensions for Disabled Relatives' states extensions to dwellings to provide accommodation or adaptation to meet the needs of disabled or dependent occupiers should be designed to be used as part of the main dwelling when no longer required for that purpose.

4.4 **Part 2 Local Plan (Draft)**

4.4.1 The draft Part 2 Local Plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. There were 11 representations to Policy 17. Given that there remain outstanding objections to Policy 17 that will need to be considered through the Local Plan examination process, this policy can be afforded only limited weight.

4.4.2 Policy 17 'Place-Making, Design and Amenity' states that householder developments should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene. Any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

5 Consultations

- 5.1 Three neighbours have been consulted and no comments have been received.

6 Appraisal

- 6.1 The main issues to consider with this application are the design of the proposal and the impact on neighbour amenity.
- 6.2 The ramp to be retained is located to the front of the dwelling and wraps-around to allow access to the front door. It has a maximum height of 0.3m and is concrete. It is considered that given the relatively low height of the ramp, and its practical use to provide wheelchair access to the dwelling, the design is acceptable. Due to the shallow height, it is considered the ramp has no significant negative impact on neighbour amenity.
- 6.3 The proposed first floor side window would project from the north east (side) elevation of the dwelling. The side glazing would be obscurely glazed and non-opening, with clear glazed opening panels to the front and rear. The room the window serves would be a bedroom, and therefore it was considered an obscurely glazed window would have a negative impact on future occupants of the bedroom. This box bay window would be a different design to the flush windows on the rest of the dwelling and would be partially visible from the street. However, it is considered this would allow sufficient light into the bedroom, without causing loss of privacy for no. 4 Hetley Road which has a dormer window on the north west (side) elevation and it would not have a significant negative impact on the street scene of Hetley Road. The clear glazing to the front and rear will provide an outlook for the occupants of the bedroom.
- 6.4 The proposed extension would be rendered to match the original dwelling. This is considered acceptable given the rear elevation of the dwelling is rendered. Matching render will be conditioned. The design of the proposed extension is simple, but is considered acceptable for an extension located to the rear of the dwelling. The extension would have a hipped roof to match the original dwelling with a ridge height the same as the main roof. The proposed extension could be partially visible from the street scene. It is considered that because the design and materials of the proposed extension are acceptable, and as it is located to the rear of the dwelling, there would be no significant negative impact on the street scene of Hetley Road.
- 6.5 The proposed extension, box bay window and ramp (combined with internal alterations), are designed to adapt the dwelling to meet the needs of disabled occupiers. Aside from the lift within the proposed extension, the use of the extension is typical of a residential dwellinghouse. As the extension is attached to the property, it is considered it could be used as part of the main dwelling when no longer required for disabled occupiers.
- 6.6 The proposed extension would be 1.7m from the boundary with no. 4 Hetley Road, which is a semi-detached dwelling located to the north east of the application site. The north east (side) elevation of the proposed extension would

be blank. The rear elevation of no. 4 extends approximately 1.9m further back than the application property, and therefore the proposed extension would only extend 2m beyond the rear elevation of no. 4. It is therefore considered there would be no significant negative impact on the amenity of the occupants of no. 4 Hetley Road.

- 6.7 No. 8 Hetley Road is the adjoining terraced dwelling located to the south west of the application site. The proposed extension would be 1.9m from the boundary with no. 8. No. 8 has a flat-roofed single storey rear extension and a two storey rear element that both extend 2.8m beyond the rear elevation of the application property. The proposed extension would only extend 1.1m beyond the rear elevation of no. 8. The south west (side) elevation would have one first floor window, which would be obscurely glazed and non-opening and is considered acceptable, subject to conditioning the level of obscurity. It is therefore considered there would be no significant negative impact on the amenity of the occupants of no. 8 Hetley Road.
- 6.8 No. 40 Wallett Avenue is a semi-detached dwelling located to the north of the application site, beyond the rear boundary. The proposed extension would be 12.6m from the rear boundary. The proposed extension would bring two first floor windows 3.9m closer to the boundary with no. 40. However, it is considered the existing two first floor windows on the rear elevation already have the potential to overlook no. 40's rear garden, and therefore the proposed extension would not have a significant negative impact on the amenity of the occupants of no. 40 Wallett Avenue in comparison to the existing situation.
- 6.9 It is considered other neighbours are a sufficient distance away not to be adversely affected.
- 7 Conclusion
- 7.1 In conclusion, it is considered that the proposed extension and box bay window, and the ramp to be retained, are of an acceptable design and would not have a significant negative impact on neighbour amenity. Therefore, the development would accord with Broxtowe Local Plan Policies H9 and H10, Policy 10 of the Broxtowe Aligned Core Strategy, Policy 17 of the Draft Part 2 Local Plan.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following 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 retained and carried out in accordance with the Location Plan at scale 1:1250 received by the Local Planning Authority on 4 October 2018, the amended 'Site Plan' (CW19.004/01) and the amended 'Proposed Elevations' (CW19.004/07) received by the Local Planning authority on 14 November 2018, the amended 'Proposed First Floor' plan (CW19.004/05) and the amended 'Roof Plan' (CW.19.004/08) received by the Local Planning Authority on 20 November 2018 and the amended 'Proposed Ground Floor' plan (CW19.004/04) received by the Local Planning Authority on 22 November 2018.
3. The external walls of the extension hereby approved shall be rendered so as to match the type, texture and colour of the render on the existing building.
4. The first floor south west (side) elevation window of the extension hereby approved and the north east facing part of the box bay window to be inserted in the north east (side) elevation 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 fixed shut and retained in this form for the lifetime of the development. The north east facing part of the bay window to be inserted on the north eastern elevation shall be obscure glazed to Pilkington 4 or 5.

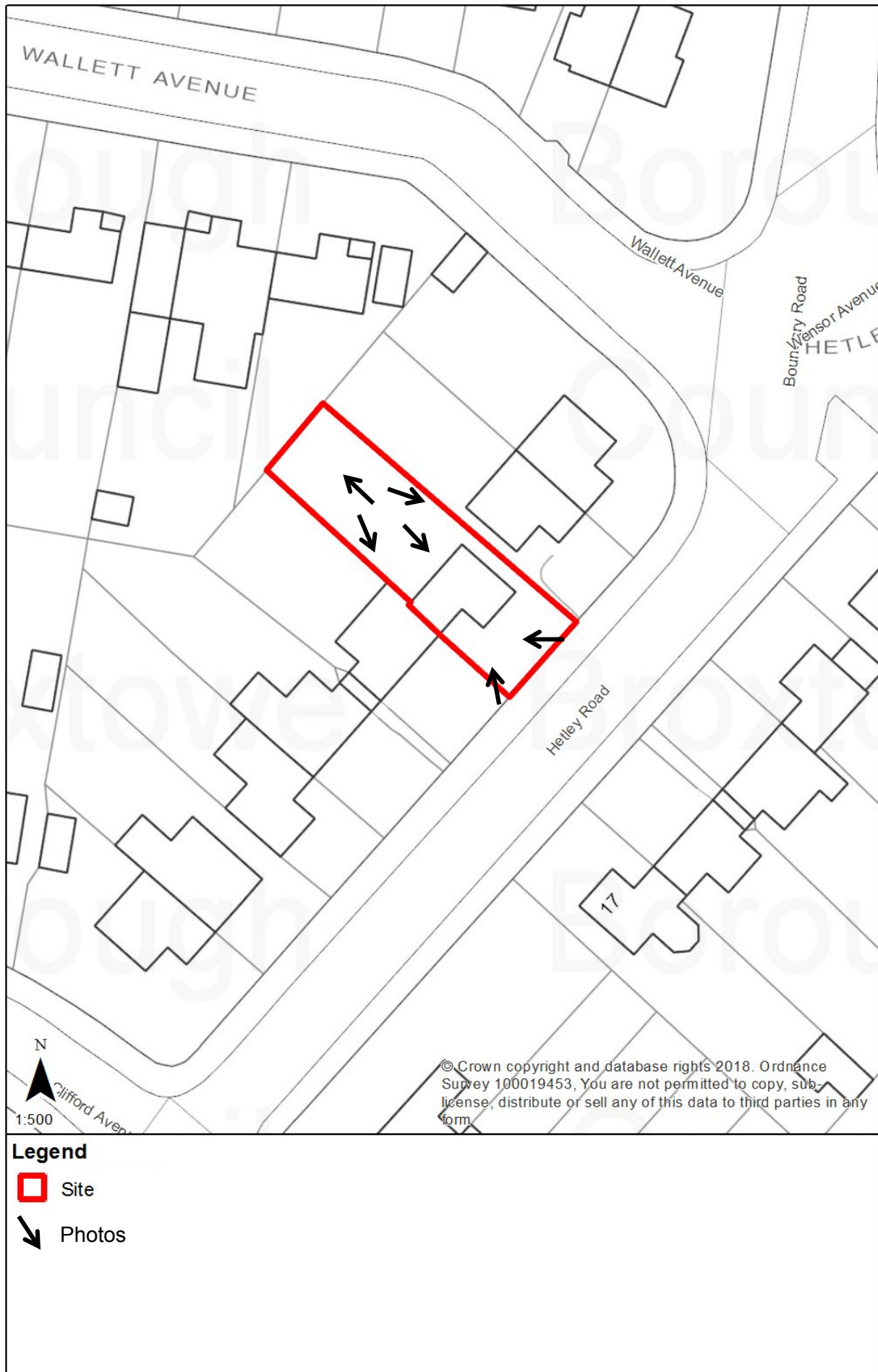
Reasons:

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. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
4. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

Notes to Applicant:

1. The Council has acted positively and proactively in the determination of this application by seeking positive amendments during the consideration of the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>

Background papers
Application case file



This page is intentionally left blank

Report of the Chief Executive

AFFORDABLE HOUSING CONTRIBUTION WITH REGARD TO PLANNING APPLICATIONS 14/00334/OUT AND 14/00335/OUT WEST AND EAST OF NEWMANLEYS ROAD, EASTWOOD

Due to the possible variation within the original Cabinet decision for S106 funding allocation for this development, it is deemed necessary that this issue is brought before Planning Committee.

1 History and details of the application

- 1.1 In May 2015 planning permission was granted for two concurrent housing developments within Eastwood on either side of Newmanleys Road. Application reference 14/00334/OUT related to outline planning permission for 40 houses on the west of Newmanleys Road and application reference 14/00335/OUT for 150 houses to the east. Thus, outline planning permission was granted for 190 houses overall. These planning permissions were granted at Planning Committee but subject to the signing of a S106 legal agreement. This legal agreement outlined that the Council must receive the equivalent of £910,000 (either in cash or through the freehold value of land or houses) in affordable housing contributions, across the two sites.
- 1.2 The £910,000 contribution is for affordable housing only, and this was determined following a Cabinet decision in November 2015. The overall S106 contributions for 190 houses would usually have been higher, but a viability assessment was submitted at the time outlining the significant issues with developing this site. The housing site to the east of Newmanleys Road borders a former landfill tip. This tip is producing landfill gases which migrate through the soil and could cause harm to human health unless suitably mitigated. It was outlined that, in order to mitigate the landfill gases, a large vent trench would be created on the border of the site with the tip, alongside secondary ground contamination measures. In return for remediating this site for redevelopment, the Council's Cabinet agreed to deviate from normal S106 requirements in order to facilitate the development. Consequently, a decision was taken to both reduce the S106 payments to £910,000 and it was determined to put this money towards affordable housing only.
- 1.3 Whilst the original decision to spend the £910,000 on 'affordable housing' only is not being revisited here, it is proposed that the specifics of the affordable housing contribution are amended, hence why this issue is being brought back to Committee.
- 1.4 The current S106 outlines the following main points:
 - The applicant shall provide to the Council affordable housing to the equivalent value of £910,000.
 - The affordable housing provision shall be in the form of unremediated land, serviced and remediated land, or a financial contribution.
 - Prior to 50% practical completion of the eastern site, the affordable housing provision shall be provided/paid in full.

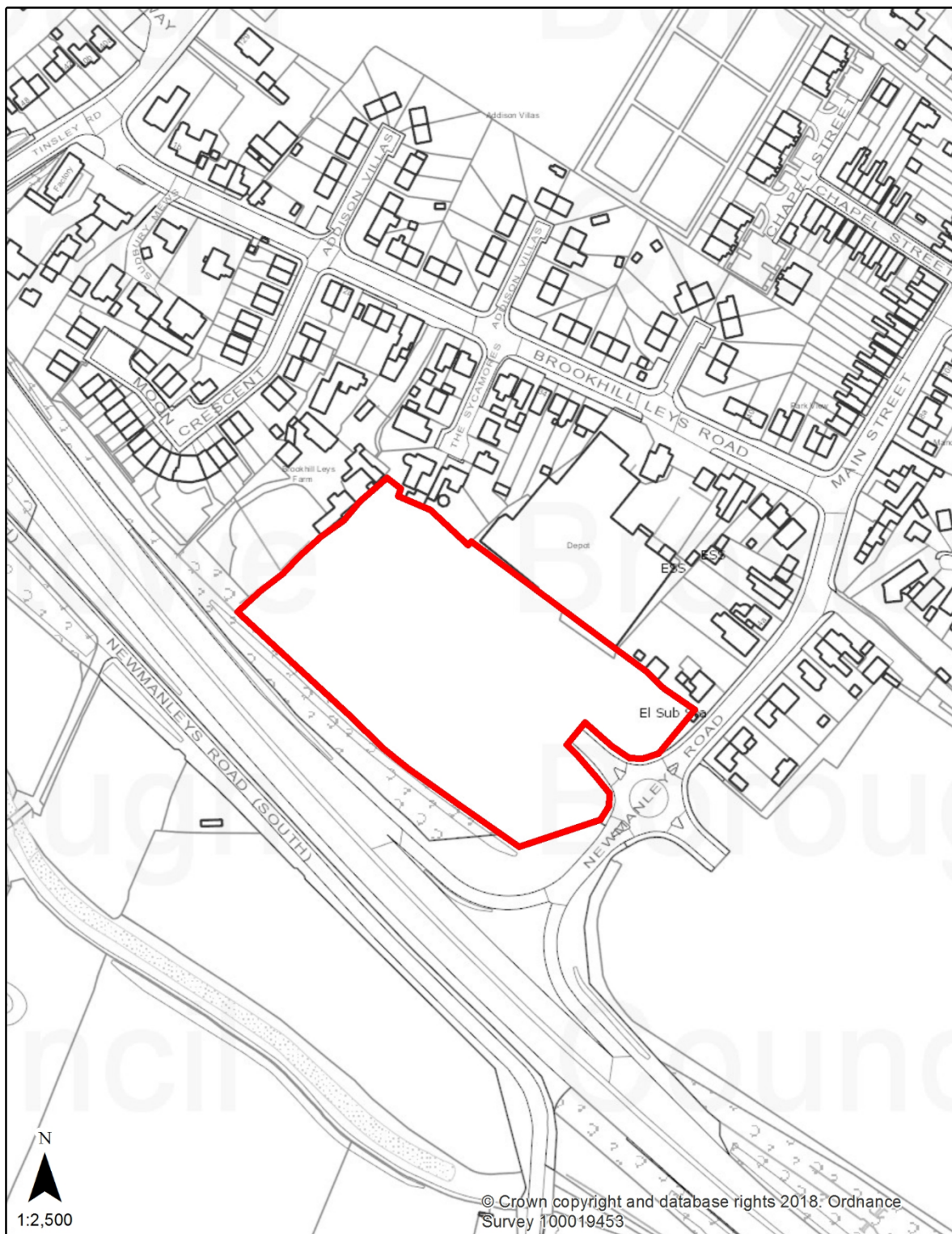
- 1.5 The current applicants, NCHA housing, are suggesting a proposed amendment/addendum to the existing S106 agreement within the context of their proposal to develop the whole of the western site for affordable housing. The applicants are offering nomination rights on seven houses, rather than paying any monetary contribution or donating land or housing. Nomination rights for seven houses essentially means that the houses are not owned or maintained by the Council but that they will be occupied indefinitely by applicants from the Council's waiting list. Whilst the Council does not, therefore, get the physical houses or money, it does get access to affordable housing indefinitely to meet the affordable housing need of borough. Furthermore, the Council would not be responsible for any ongoing management or maintenance costs. It is important to note that the trigger of not developing more than 50% of the housing on the eastern site (eastern side of Newmanleys Road) remains.
- 1.6 The Housing department is happy with this proposal as it results in no long term management or maintenance costs, but ensures the long term benefit of providing seven houses at affordable rent indefinitely as the Council would have the nomination rights over these properties for their lifetime. Furthermore, and whilst not subject to this agreement, if NCHA develop this site (the western side), the whole western site would come forward for affordable housing. This would create a significant uplift in affordable housing within the area of Eastwood and ensure further nomination right opportunities and additional applicants could be housed. A recently commissioned social and affordable housing needs study has confirmed that there is significant need for affordable rented housing in Eastwood. The study estimated that 43 additional affordable homes per annum are required in the Eastwood area. If NCHA could develop the whole western site this would make a significant contribution towards meeting this need and should be seen as a significant benefit to the locality.
- 1.7 Members should be aware that, whilst it is anticipated the wider western site will come forward for affordable housing, the ability of the Council to enforce this is limited. This is due to the fact that the grant money utilised for this purpose from Homes England will not be available if it is included within a S106 requirement. To that end, Homes England have the ability to ensure this site is developed for affordable units (and it is fully expected it will be) but the Council will only be entitled to enforce the seven dwellings contained within the S106 agreement.

Recommendation

The Committee is asked to RESOLVE that the S106 Agreement be amended accordingly to enable the affordable housing requirement to be met by way of nomination rights for seven houses.

Background papers

Nil



Legend

Sites

This page is intentionally left blank

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

**PLANNING APPLICATIONS DEALT WITH FROM
20 October 2018 TO 16 November 2018**

CONTENTS

Planning applications dealt with under Delegated Powers

Please note: This list is now prepared in WARD order (alphabetically)

BROXTOWE BOROUGH COUNCIL

DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

P L A N N I N G A P P L I C A T I O N S D E T E R M I N E D B Y D E V E L O P M E N T C O N T R O L

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	:	Mr Jay Shepard	18/00536/FUL
Site Address	:	4 Ladybridge Close Attenborough Nottinghamshire NG9 6BS	
Proposal	:	Retain single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr D Bull	18/00553/FUL
Site Address	:	Land Adjacent 41 Meadow Lane Chilwell Nottinghamshire NG9 5AE	
Proposal	:	Construct two dwellings	
Decision	:	Conditional Permission	

Applicant	:	Mr P Bradshaw	18/00547/FUL
Site Address	:	23 Gwenbrook Avenue Chilwell Nottinghamshire NG9 4BA	
Proposal	:	Construct single storey rear, two storey side and single storey front extensions and raised patio	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Alan Smith	18/00596/FUL
Site Address	:	17 Norman Close Chilwell Nottinghamshire NG9 4EW	
Proposal	:	Construct two storey side and single storey rear extensions and extend frontage hardstanding	
Decision	:	Conditional Permission	

Applicant	:	Mr P Gallagher	18/00600/FUL
Site Address	:	172 Attenborough Lane Attenborough Nottinghamshire NG9 6AB	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Marcia Carlile	18/00614/FUL
Site Address	:	12 Highgrove Avenue Chilwell Nottinghamshire NG9 4DN	
Proposal	:	Raise roof height, including loft conversion and insertion of roof lights	
Decision	:	Conditional Permission	

Applicant	:	Ms Claire Boulter	18/00642/CLUP
Site Address	:	44 Harris Road Chilwell Nottinghamshire NG9 4FB	
Proposal	:	Certificate of lawful development to construct single storey rear extension	
Decision	:	Approval - CLU	

Applicant	:	Mr M Reason	18/00680/PNH
Site Address	:	42 Clarkes Lane Chilwell Nottinghamshire NG9 5BL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.5 metres, and an eaves height of 2.4 metres	
Decision	:	Prior Approval Not Required	

Applicant	:	24 Kingrove Avenue Chilwell Nottinghamshire NG9 4DQ	18/00690/PNH
Site Address	:		
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 1.9 metres, with a maximum height of 3.95 metres, and an eaves height of 2.85 metres	
Decision	:	Prior Approval Not Required	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr & Mrs James Morris	18/00673/PNH
Site Address	:	25 Ilkeston Road Trowell Nottinghamshire NG9 3PY	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 4 metres, and an eaves height of 3 metres	
Decision	:	Prior Approval Not Required	

BEESTON CENTRAL WARD

Applicant	:	Mr & Mrs Williams	18/00283/FUL
Site Address	:	37 Queens Drive Beeston Nottingham NG9 2ES	
Proposal	:	Construct single storey rear extension and steps	
Decision	:	Conditional Permission	

Applicant	:	Mr J Legge	18/00590/FUL
Site Address	:	72 Lower Road Beeston Nottinghamshire NG9 2GT	
Proposal	:	Construct single storey rear/side extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Ben Morrell	18/00640/FUL
Site Address	:	37 Humber Road Beeston Nottinghamshire NG9 2EJ	
Proposal	:	Construct two storey side extension and single storey front and rear extensions	
Decision	:	Withdrawn	

Applicant	:	Mr M Ram	18/00646/PNH
Site Address	:	148 Queens Road Beeston Nottinghamshire NG9 2FF	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.5 metres, and an eaves height of 2.1 metres	
Decision	:	Prior Approval Not Required	

BEESTON NORTH WARD

Applicant	:	Mr Josh Spokes	18/00609/FUL
Site Address	:	246 Wollaton Road Beeston Nottingham NG9 2PL	
Proposal	:	Construct dropped kerb	
Decision	:	Conditional Permission	

BEESTON RYLANDS WARD

Applicant	:	Mr R Lloyd	18/00622/MMA
Site Address	:	68 Trafalgar Road Beeston Nottinghamshire NG9 1LE	
Proposal	:	Minor material amendment to development previously approved under reference 15/00191/FUL (construct dwelling) to change from render to brick and to partially increase the roof height	
Decision	:	Conditional Permission	

BEESTON WEST WARD

Applicant	:	Mr Richard Wilson J Sainsbury plc	18/00480/ADV
Site Address	:	Sainsbury's Stoney Street Beeston Nottinghamshire NG9 2LA	
Proposal	:	Display free-standing internally illuminated digital advertisement display unit	
Decision	:	Conditional Permission	

Applicant	:	Mr George Grant	18/00501/FUL
Site Address	:	69 Imperial Road Beeston Nottinghamshire NG9 1FE	
Proposal	:	Construct detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mr Thomas	18/00576/FUL
Site Address	:	10 High Road Chilwell Nottinghamshire NG9 4AE	
Proposal	:	Change use from retail (Class A1) to bar/restaurant/cafe (Class A3 / A4)	
Decision	:	Conditional Permission	
Applicant	:	C/o Agent	18/00583/FUL
Site Address	:	362 Queens Road West Chilwell Nottinghamshire NG9 1GW	
Proposal	:	Construct dropped kerb	
Decision	:	Conditional Permission	
Applicant	:	Ms Paterson	18/00584/FUL
Site Address	:	4 North Street Beeston Nottinghamshire NG9 1FF	
Proposal	:	Construct single storey rear extensions and convert garage to living accommodation	
Decision	:	Conditional Permission	
Applicant	:	Mr P Tomlinson	18/00586/FUL
Site Address	:	7 Glebe Street Beeston Nottinghamshire NG9 1BZ	
Proposal	:	Construct front canopy, two storey side extension, single storey rear extension, demolition of rear extension and the installation of external insulation with rendered finish	
Decision	:	Conditional Permission	
Applicant	:	Mr Iain Henderson Savers Health & Beauty	18/00610/ADV
Site Address	:	33 High Road Beeston Nottinghamshire NG9 2JQ	
Proposal	:	Display internally illuminated fascia sign and projecting sign	
Decision	:	Conditional Permission	
Applicant	:	Mr Ahmed	18/00613/FUL
Site Address	:	83 Park Road Chilwell Nottinghamshire NG9 4DE	
Proposal	:	Construct front porch and alterations to front first floor windows	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Crandley	18/00617/FUL
Site Address	:	7 Park Street Beeston NG9 1AH	
Proposal	:	Construct single storey extension, pitched roof to existing garage and convert part of garage into habitable room	
Decision	:	Conditional Permission	
Applicant	:	Mr Knight	18/00619/FUL
Site Address	:	1 Imperial Avenue Beeston Nottingham NG9 1EZ	
Proposal	:	Construct single storey rear, first floor side and porch extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs McCarthy	18/00621/FUL
Site Address	:	15 Larch Crescent Chilwell Nottinghamshire NG9 4DL	
Proposal	:	Construct two storey side and single storey rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr Landa	18/00668/DEM
Site Address	:	Lock Up Garages Middleton Street Beeston Nottinghamshire	
Proposal	:	Prior notification to demolish existing garage blocks	
Decision	:	Prior Approval Not Required	

BRAMCOTE WARD

Applicant	:	Mr Charles Lowe	18/00337/FUL
Site Address	:	88 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Construct two detached dwellings with integral garages following demolition of existing house	
Decision	:	Conditional Permission	
Applicant	:	Mr M McGrath	18/00546/FUL
Site Address	:	33 Chapel Street Bramcote Nottinghamshire NG9 3HB	
Proposal	:	Construct rear first floor extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Terry Shirley	18/00615/FUL
Site Address	:	33 Rufford Avenue Bramcote Nottinghamshire NG9 3JG	
Proposal	:	Construct single storey rear / side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Rob Long	18/00629/FUL
Site Address	:	64 Beeston Fields Drive Bramcote Nottingham NG9 3TD	
Proposal	:	Construct two storey side and rear extensions with balcony to rear, raise ridge height of existing side/rear wing to enlarge first floor and associated external alterations (revised scheme)	
Decision	:	Conditional Permission	
BRINSLEY WARD			
Applicant	:	Mr & Mrs Dove	18/00588/FUL
Site Address	:	18 Whitehead Drive Brinsley Nottinghamshire NG16 5AW	
Proposal	:	Construct side and rear extension, including dormers and increased ridge height	
Decision	:	Conditional Permission	
CHILWELL WEST WARD			
Applicant	:	Mr Edward Argyle	18/00534/FUL
Site Address	:	106 Sunnyside Road Chilwell Nottingham NG9 4FR	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	
EASTWOOD HALL WARD			
Applicant	:	Mrs SWINOGA-NUTHALL	18/00649/FUL
Site Address	:	60 Robey Drive Eastwood Nottingham NG16 3DP	
Proposal	:	Construct rear extension	
Decision	:	Conditional Permission	
EASTWOOD HILLTOP WARD			
Applicant	:	Mr Simon Spibey	18/00557/FUL
Site Address	:	82 Charles Avenue Eastwood Nottinghamshire NG16 2AF	
Proposal	:	Erect fence	
Decision	:	Conditional Permission	
Applicant	:	Mr Flowers	18/00612/FUL
Site Address	:	16 Castle Street Eastwood Nottinghamshire NG16 3GW	
Proposal	:	Construct single storey side and rear garage extension and convert to habitable annex building	
Decision	:	Conditional Permission	
GREASLEY WARD			

Applicant	:	Miss Haigh Opus 4	18/00595/ADV
Site Address	:	Caunton Engineering Limited Willow House Engine Lane Moorgreen Industrial Park Newthorpe Nottinghamshire	
Proposal	:	Display signage	
Decision	:	Conditional Permission	

KIMBERLEY WARD

Applicant	:	Mr J Tunstall	18/00417/FUL
Site Address	:	43 Victoria Street Kimberley Nottinghamshire NG16 2NH	
Proposal	:	Extension to front and change of use from office to dwelling and workshop into domestic garage	
Decision	:	Refusal	

Applicant	:	Miss Laura Coleman	18/00573/FUL
Site Address	:	81 Babbington Lane Kimberley Nottingham NG16 2PT	
Proposal	:	Construct single storey rear extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Zahir Malik	18/00602/FUL
Site Address	:	39A Main Street Kimberley NG16 2NG	
Proposal	:	Change of Use of ground floor from storage/retail (Class A1) to Mixed use storage/retail (class A1), financial & professional services (class A1 & A2) and beauty salon to include nail, beauty and massage business (sui generis) and Retain Change of Use of first floor from financial and professional services (Class A2) to mixed use retail & financial & professional services (class A1 & A2), and beauty salons to include nail, beauty and massage business (Sui Generis) and therapist business (sui generis)	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mr James Witts	18/00585/FUL
Site Address	:	57 Horsendale Avenue Nuthall Nottinghamshire NG16 1AQ	
Proposal	:	Construct front canopy two storey side and single storey rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr Shafiq Rahman	18/00562/FUL
Site Address	:	1 Drummond Drive Nuthall Nottinghamshire NG16 1BJ	
Proposal	:	Construct two storey side and single storey rear extensions and install rooflights	
Decision	:	Conditional Permission	

Applicant	:	Mr SURAJ SINGH	18/00627/FUL
Site Address	:	Holly House 11 Farringdon Close Nuthall Nottingham NG16 1QB	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs C Buckley	18/00637/PNH
Site Address	:	46 Gloucester Avenue Nuthall Nottinghamshire NG16 1AL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3 metres, with a maximum height of 2 metres, and an eaves height of 2 metres	
Decision	:	Refusal	

STAPLEFORD NORTH WARD

Applicant	:	Mr Simon Beales	18/00587/FUL
Site Address	:	94 Pasture Road Stapleford Nottinghamshire NG9 8GL	
Proposal	:	Construct hipped roof to porch, convert part of garage to habitable accommodation and external alterations including rendering	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Ms C Clifford	18/00605/FUL
Site Address	:	2 Sunlea Crescent Stapleford Nottingham NG9 7JP	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mrs S Seaman	18/00682/PNH
Site Address	:	1 Linden Grove Stapleford Nottinghamshire NG9 7GQ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.3 metres, and an eaves height of 2.4 metres	
Decision	:	Prior Approval Not Required	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr & Mrs Dora And Antonio Lacerda Correia	17/00485/FUL
Site Address	:	327 Nottingham Road Toton Nottinghamshire NG9 6EG	
Proposal	:	Retain rear dormer and construct single storey rear extension with pitched roof	
Decision	:	Conditional Permission	

Applicant	:	Mr Andy Patchitt	18/00510/OUT
Site Address	:	32 High Road Toton Nottinghamshire NG9 6EH	
Proposal	:	Outline application to construct 4 new dwellings (with all matters reserved)	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs King	18/00611/FUL
Site Address	:	59 Rutland Avenue Toton Nottingham NG9 6EP	
Proposal	:	Change of use of domestic outbuildings to boarding cattery	
Decision	:	Conditional Permission	

Applicant	:	Mrs H Richards	18/00666/PNH
Site Address	:	14 Whitburn Road Toton Nottinghamshire NG9 6HP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.7 metres, and an eaves height of 2.7 metres	
Decision	:	Prior Approval Not Required	

WATNALL & NUTHALL WEST WARD

Applicant	:	N/A Aspen Infrastructure	17/00863/FUL
Site Address	:	Watnall Brickworks Long Lane Watnall Nottinghamshire	
Proposal	:	Install liquefied natural gas (LNG) energy facility and associated infrastructure	
Decision	:	Withdrawn	

Applicant	:	Mr Lee Witts	18/00555/FUL
Site Address	:	3 Spencer Drive Nuthall Nottinghamshire NG16 1DQ	
Proposal	:	Construct two storey and single storey extensions and conversion of existing garage to garden storage	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Matthews	18/00592/FUL
Site Address	:	38 Main Road Watnall Nottinghamshire NG16 1HT	
Proposal	:	Construct two storey rear extension and dropped kerb	
Decision	:	Conditional Permission	

