



Tuesday, 24 January 2023

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 1 February 2023 in the Council Chamber, Council Offices, 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: D K Watts (Chair)  
M Handley (Vice-Chair)  
D Bagshaw  
L A Ball BEM  
S J Carr  
R I Jackson  
G Marshall

P J Owen  
S Paterson  
D D Pringle  
H E Skinner  
E Williamson  
R D Willimott

## A G E N D A

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

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 5 - 18)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 11 January 2023.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 APPLICATION NUMBER/22/00619/REM (Pages 19 - 46)

Construct residential development. Reserved matters relating to outline planning permission reference 20/00352/out-approval of details relating to appearance, landscaping, layout, and scale.

Land adjacent and North West of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire.

5.2 APPLICATION NUMBER/22/00346/REM (Pages 47 - 68)

Construct 250 Dwellings (Reserved Matters in relation to Reference 20/00056/OUT-Appearance, Landscaping, Layout and Scale)

Land West of Awsworth (inside the A6096) including Land at Whitehouse Farm Shilo Way Awsworth Nottinghamshire.

5.3 APPLICATION NUMBER/22/00856/FUL (Pages 69 - 80)

Construct single storey and two storey rear extension  
8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX

6. INFORMATION ITEMS

6.1 Delegated Decisions (Pages 81 - 88)

6.2 Appeal Decisions 22/00421/FUL (Pages 89 - 90)

7. EXCLUSION OF PUBLIC AND PRESS

**The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 6a and 6b of Schedule 12A of the Act.**

8. 18/00314/ENF AND 19/00321/ENF

(Pages 91 - 94)

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## **PLANNING COMMITTEE**

**WEDNESDAY, 11 JANUARY 2023**

Present: Councillor M Handley, Vice Chair in the Chair

Councillors: D Bagshaw  
L A Ball BEM  
S J Carr  
R I Jackson  
G Marshall  
P J Owen  
S Paterson  
D D Pringle  
H E Skinner  
E Williamson  
R D Willimott  
H Land (Substitute) (Substitute for D K Watts)

Apologies for absence were received from Councillors D K Watts.

45 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

46 **MINUTES**

The minutes of the meeting on 7 December 2022 were confirmed and signed as a correct record.

47 **NOTIFICATION OF LOBBYING**

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

48 **DEVELOPMENT CONTROL**

48.1 **22/00721/REG3**

Demolition of garages to south of 84 Chilton Drive and construction of 2 x two bedroom semi-detached dwellings and private amenity space. Creation of parking area with landscaping

Garages at Chilton Drive, Watnall, Nottinghamshire

This application was brought before Planning Committee as the Council is the landowner and applicant.

There were late items comprised of comments on contamination and a resulting condition for the Committee to consider.

Peter Goodrick, on behalf of the applicant, addressed the Committee prior to the general debate.

Discussions included a comment that the proper address was Kimberley, that construction vehicles could cause disruption at the site and that the car parking for the development would need to be carefully considered.

**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.**

**Reason: 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. **The development hereby permitted shall be carried out in accordance with drawings daylight and skylight analysis 2766 (03) E01, geo environmental assessment, design and access statement, car park study, arboricultural report received by the Local Planning Authority 7 September 2022 and proposed block plan 2766 (08) E01 Rev A, proposed site plan 2766 (08) E02 Rev C, proposed plans, elevation and floor plans 2766 (08) E03 Rev C and proposed elevation 2766 (08) E04 Rev A received 25 November 2022.**

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

3. **No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.**

**Reason: and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

4. **No above ground works shall take place until a landscaping scheme showing a minimum 10% biodiversity net gain 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. details of boundary treatments;
  - c. planting, seeding/turfing of other soft landscape areas and
  - d. timetable for implementation.

**The approved scheme shall be carried out strictly in accordance**

with the approved details and shall be carried out not later than the first planting season following the substantial 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.

Reason: No such details were submitted with the application, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).

5. No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

6. No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:

- a) The means of access for construction traffic;
- b) Parking provision for site operatives and visitors;
- c) The loading and unloading of plant and materials;
- d) The storage of plant and materials used in construction/demolition of the development;
- e) A scheme for the recycling/disposal of waste resulting from construction/demolition works;
- f) Details of dust and noise suppression to be used during the construction phase and;
- g) A report identifying any asbestos and documenting its safe removal

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

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound

material with the parking bays clearly delineated in accordance with drawing number 2766(08) E02 Rev C. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

8. Occupation of the hereby approved dwellings shall not take place until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

9. No air source heat pump shall be installed unless a noise assessment for the air source heat pumps has been submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 10 a) No part of the development hereby approved shall be commenced, with the exception of demolition and site clearance, until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

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

(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and

(ii) It has been certified to the satisfaction of the local



planning authority that necessary remedial measures have been implemented in full and that

they have rendered the site free from risk to human health from the contaminants identified.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

#### **NOTES TO APPLICANT**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority
3. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto:3015snn@broxtowe.gov.uk) to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
4. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
5. Developer to purchase the first time provision of bins. Notice served in due course.

Developer to purchase the first time provision of bins. Notice served in due course.

1. Developer to purchase the first time provision of bins. Notice

served in due course.

2. Each property would be allocated the following:

1 x 240 litre bin for residual waste

1 x 240 litre bin for recycling waste

1 x 37 litre bag for glass

3. Bins need to be presented at the edge of adopted highway for emptying. The operatives or vehicle will not enter the private road to collect and return the bins from the properties

4. The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)

48.2 22/00707/FUL

Construct single storey front extension

12 Chapel Street, Kimberley, Nottinghamshire, NG16 2NP

Councillor M J Crow had requested that this application be determined by Committee.

There were no late items for consideration.

Peter Saunders, objecting, Councillor M J Crow, Ward Member, and Councillor S Easom, Ward Member, made representation to the Committee prior to the general debate.

The Committee debated the application and there were comments on the small size of the properties and the need to modernise versus the impact of the proposed development on the street scene. There was concern that the application proposed a major alteration to the front of the property, which would have a negative impact on the Conservation Area.

**RESOLVED that planning permission be refused with the precise wording of the refusal to be delegated to the Vice Chair of Planning Committee in conjunction with the Head of Planning and Economic Development.**

Reasons

The development would have a detrimental impact on the visual amenity of the street scene and would fail to enhance the character of the Kimberley Conservation Area, contrary to the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019).

Retain change of use from four separate dwellinghouses (C3) (two flats at 194, numbers 196 and 198) to a residential institution (C2)  
194, 196 and 198 Station Road Beeston NG9 2AY

This application had been called before Committee by Councillor L A Lally and Councillor P Lally.

There were no late items and no public speakers.

It was noted that any noise would be controlled as part of a resident's management plan and that similar properties in the Borough had not given any cause for concern.

**RESOLVED that planning permission be granted subject to the following conditions.**

1. The development hereby permitted shall be retained in accordance with drawing 3588/01B received by the Local Planning Authority on 17 November 2022.

*Reason: For the avoidance of doubt.*

2. Within 6 months of this decision, a Resident Management Plan (RMP) shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall thereafter be carried out in accordance with the approved RMP, for the lifetime of the use. For the avoidance of doubt, the RMP shall include the following:

- i) Details of on-site staffing, including a dedicated property manager during normal office hours supported by designated wardens who will stay at the premises and will deal with any emergencies or incidents outside office hours including night time supervision;
- ii) Details of how the property manager and wardens will liaise with local residents (primarily but not exclusively in Station Road, and Waverley Avenue) throughout the year and how residents can make contact in the event of any disturbance, emergencies or any other management issues;
- iii) The proposed management of servicing and deliveries;
- iv) Details of noise management including measures to ensure that noise disturbance to neighbouring residential properties is minimised.

*Reason: To protect the amenities of neighbouring residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).*

#### **NOTES TO APPLICANT**

1. The Council has acted positively and proactively in the determination of this application by working to determine it

within the agreed determination timescale.

2. The applicant should ensure that sound insulation to limit the transmission of noise between properties is installed and achieves the minimum requirements as contained in the current version of British Standard Approved Document E.

48.4 22/00758/FUL

Construct two storey front and side extensions and balcony to rear  
107 Babbington Lane, Kimberley, Nottinghamshire, NG16 2PT

Councillor P J Owen had requested that this application be determined by Committee.

There were no late items and no public speakers.

It was noted that the property was situated on a large plot of land and that the proposed development would not have a negative impact on the openness and amenity of the Green Belt.

**RESOLVED** that Planning Permission be granted with the precise wording of the approval and conditions delegated to the Vice Chair of Planning Committee in conjunction with the Head of Planning and Economic Development.

**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 drawing numbers NG16-KS-A-0800 Rev P1, NG16-KS-A-0801 Rev P1, NG16-KS-DR-A-0820 Rev P1 and NG16-KS-DR-A-0821 Rev P1 received by the Local Planning Authority on 23 September 2022.
3. The development shall be constructed using bricks and tiles 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 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy

(2014).

**Notes to the applicant**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

3. There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.

The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to

certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.

If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.

If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.

Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.

The existing boundary hedge/tree line directly bordering the development/boundary etc. is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.

Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. [licences@viaem.co.uk](mailto:licences@viaem.co.uk)

If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email [countryside.access@nottsc.gov.uk](mailto:countryside.access@nottsc.gov.uk)

If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-andpermits/skip-permit> and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic.

48.5 22/00649/FUL

Construct two storey side extension  
25 Mansfield Road, Nether Green, Eastwood, Nottinghamshire, NG16 3DW

This application was brought before Committee for determination by Councillor J P T Parker.

There were no late items for the Committee to consider.

Councillor J P T Parker, Ward Member, addressed the Committee prior to the general debate.

There were no concerns regarding the proposed development and its impact on the openness and amenity of the Green Belt.

**RESOLVED that Planning Permission be granted with the precise wording of the approval and conditions delegated to the Vice Chair of Planning Committee and the Head of Planning and Economic Development.**

**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 and application form received by the Local Planning Authority 9 August 2022, proposed principal elevation plan, rear elevation plan, side elevation plan, ground floor plan, first floor plan and roof plan received by the Local Planning Authority 24 November 2022/
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement improvement or alterations to the dwelling falling within Class A shall be undertaken.

**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 privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

**Note to Applicant**

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

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

48.6 22/00651/FUL

Retain the change of use to car wash and car valeting business (revised scheme)  
Manor Garage, 92 Church Street, Stapleford, Nottinghamshire, NG9 8DJ

Councillor J W McGrath had requested that this item be brought before the Committee.

There were no late items.

Amir Ali, applicant, and Mark Donegan, objecting, addressed the Committee prior to the general debate.

A statement was read out on behalf of Councillor J W McGrath.

There was concern about the noise that would be created by the vacuuming and valeting of cars. It was noted that the acoustic fences would not cancel out all noise to neighbouring properties. There was also concern that because the valeting was to happen outside, the noise would carry further, causing more harm to neighbour amenity.

**RESOLVED that Planning Permission be refused with the precise working of the reasons and refusal to be delegated to the Vice Chair of Planning Committee in conjunction with the Head of Planning and Economic Development.**

**Reasons**

**The submitted scheme, by virtue of its design is out of keeping with the prevailing character of properties in this location to the detriment of the visual amenity of the locality. The proposed car wash facility will have a significant impact on the living conditions of nearby residents by virtue of additional noise and disturbance emanating from the premises, above what can reasonably be expected in a predominantly residential area. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).**

49 INFORMATION ITEMS

49.1 APPEAL STATISTICS

The appeal statistics were noted.

49.2 APPEAL DECISION 21/00704/FUL

The appeal decision was noted.

There was a minor disturbance. Councillor M Handley proposed and Councillor S J Carr seconded that there be a brief adjournment to address the situation. The meeting resumed thereafter.



#### 49.3 DELEGATED DECISIONS

The delegated decisions were noted.

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>22/00619/REM</b>
<b>LOCATION:</b>	<b>Land adjacent and north west of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Construct residential development. Reserved matters relating to outline planning permission reference 20/00352/OUT – approval of details relating to appearance, landscaping, layout and scale</b>

This application is brought to the Committee as the Council is a joint landowner of part of the site, it is an allocated site and because of the size of the proposed development.

### 1 Purpose of the Report

- 1.1 This is a major planning application containing “reserved matters” in relation to appearance, landscaping, layout and scale. 169 dwellings are proposed with a mix of terrace, semi-detached, detached and bungalows. Access has already been agreed from Sidings Lane linking to Coventry Lane through the approval of the 20/00352/OUT application in February 2022.

### 1.2 Recommendation

**The Committee is asked to resolve that the reserved matters be granted subject to the conditions outlined in the appendix.**

- 1.3 This allocated site has been split into two and is being managed by two different developers. An outline application (20/00352/OUT) with all matters reserved apart from access has been approved for a large portion of the site (south from Sidings Lane). There is an existing access from Coventry Lane (Sidings Lane) which will be reconfigured with the inclusion of mitigation measures to Coventry Lane. A revised application was approved at Planning Committee in December 2022 subject to a Section 106 Agreement for the second part of the application, north of Sidings Lane under reference 22/00602/FUL.
- 1.4 The 22/00602/FUL scheme includes a satisfactory access irrespective of which scheme is built out first. Both this scheme and the 22/00602/FUL will retain a sufficient access that doesn't prevent development on either site and that has been approved by NCC as Highways Authority.
- 1.5 A Section 106 Agreement has been secured via the 20/00352/OUT for affordable housing, healthcare, education and transport (bus service contribution and mitigation measures to Coventry Lane highway).
- 1.6 The main issues relate to whether 169 dwellings on this site would be acceptable and if the scheme is acceptable in respect of appearance, landscaping, layout and scale.

1.7 The benefits of the proposal would mean 169 additional homes within a sustainable, urban location with improvements to local infrastructure, on a site that has been allocated for housing. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.

1.8 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

1.9 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.

1.10 Legal Implications

The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

1.11 Data Protection Compliance Implications

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

1.12 Background Papers

As part of the application, a Design and Access Statement and a Planning Statement were submitted.

## APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct 169 dwellings on a site to the west of Coventry Lane. This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.
- 1.2 Policy 3.4 of the Part 2 Local Plan (2019) refers to the whole allocated site and the ability to accommodate up to 240 houses. However, this application is south of Sidings Lane as shown below. The triangular parcel of land to the north east of Sidings Lane is being dealt with under 22/00602/FUL.



Site Location Plan (1:1250)

- 1.3 There is an existing access from Coventry Lane (Sidings Lane) which will be reconfigured with the inclusion of mitigation measures to Coventry Lane including a double island on Coventry Lane/Ilkeston Road and an application to reduce the speed on Coventry Lane from 50mph to 40mph. These changes have already been agreed within the 20/00352/OUT application.
- 1.4. The application proposes 51 affordable dwellings (30%) which comprises 17 dwellings that are shared ownership (10%) and 34 dwellings that are affordable rent (20%). The affordable units will be broken up into two areas of the site (east and west). The site will encompass a mix of dwelling types ranging from terrace, semi-detached, detached houses to bungalows.
- 1.5 As mentioned above, the site is served by a single point of access from Coventry Lane which is in line with Policy 3.4 of the P2LP (2019). The layout of the scheme provides a bus loop for the future provision of a bus service that will connect the wider allocation and local areas.
- 1.6 Footpaths and a cycle access are provided within the site which provide connectivity to the wider allocation (the east of Coventry Lane under Policy 3.3), the Field Farm development and the Erewash Valley Trail which is in line with Policy 3.4 of the P2LP (2019).

- 1.7 A buffer in excess of 10m has been provided between the closest houses on the site and Bramcote Crematorium in order to protect the amenity of visitors of this site. Design features such as lower density development in the adjoining area, dwellings being set back behind low-trafficked private drives, and gardens orientated away from the Crematorium to maximise the distance between the development and the closest part of the crematorium. This complies with Policy 3.4 of the P2LP (2019).
- 1.8 The layout, design and appearance of the site is considered to be acceptable. The site is relatively isolated from any existing residential development and there is no requirement to replicate nearby design styles. However, the design is considered to be largely traditional with elements of contemporary which will tie in with the proposed design north of Sidings Lane (22/00602/FUL) which proposes a traditional/contemporary design. It is considered the design and layout of the properties address the street scene and there is a variance in the design to provide visual interest but retain continuity for the site.
- 1.9 To conclude, it is considered the proposed details submitted within this application in relation to design, layout, appearance and landscaping are acceptable.

## 2 Site and surroundings

- 2.1 The site is located to the north east of Stapleford District Centre and is situated in between Stapleford Hill (to the south), the railway line (to the north), Coventry Lane and Bramcote Crematorium to the east and the strategic Aligned Core Strategy allocation of Field Farm to the west. The site is mixed greenfield and brownfield and is used for equestrian, residential and as an engineering depot. The entire allocated site is 12.2 hectares but the part of the site considered for development within this application is 8.73 hectares.
- 2.2 The site is accessed from Sidings Lane, an industrial road, with a bell mouth junction connecting to the A6002, which leads to the A52 via the A6007 to the south and the A610 to Nottingham and M1 Junction 26, to the north. The site is approximately 4km from Ilkeston and Beeston (town centres) and 2k from Stapleford town centre. Nottingham city centre is approximately 8km east of the site.
- 2.3 Coventry Lane extends north-south over a distance of approximately 1.8km along the eastern boundary of the application site. To the north, Coventry Lane forms a signal-controlled junction with Bilborough Road, Nottingham Road, Trowell Road and Wollaton Vale. To the south, Coventry Lane forms a mini-roundabout with Ilkeston Road and beyond this, another mini-roundabout with Ilkeston Road and Hickings Lane.
- 2.4 The site has uneven surfaces and rises from the south west to north east within the centre. Beyond the site to the north west are agricultural fields and the land slopes up. Stapleford Hill is made up of woodland and pathways and rises up to the south of the site. Land to the north west and south of the site is Green Belt.

- 2.5 A major reserved matters application is currently awaiting determination to the west of the site on Field Farm. The application is for reserved matters considering appearance, landscaping, layout and scale for 200 dwellings, associated infrastructure, engineering works and open space.
- 2.6 To the east of Coventry Lane is an allocated site for 500 dwellings which is largely greenfield and a former playing field associated with the adjacent school which has been unused for a number of years. An application has been received for the replacement school only under 22/00740/FUL. The application is to construct a replacement secondary school (750 11-16 places plus 200 sixth form places), the demolition of the existing school with partial retention for Trust Offices and associated car parking, sports pitches and general hard and soft landscaping.

### **3 Relevant Planning History**

- 3.1 An application for an extension to a dwelling (85/00263/FUL) was granted permission in June 1985.
- 3.2 An application for a brick garden shed (90/00381/FUL) was granted permission in June 1990.
- 3.3 An outline application to construct residential development with all matters reserved except for the formation of vehicular access from Coventry Lane (20/00352/OUT) received permission on 11 February 2022.
- 3.4 An application to demolish the existing buildings on site and erect 60 dwellings, including access and drainage infrastructure, substation and open space (21/00155/FUL) was refused permission in March 2022. A very similar scheme is awaiting determination under 22/00602/FUL. This scheme is to the north of Sidings Lane.

### **4 Relevant Policies and Guidance**

#### **4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

##### **4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.**

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces
- Policy 17: Biodiversity
- Policy 18: Infrastructure

#### **4.2 Part 2 Local Plan**

##### **4.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.**

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 16: Green Infrastructure, Parks and Open Space

- Policy 26: Travel Plans
- Policy 28: Green Infrastructure Assets
- Policy 30: Landscape
- Policy 31: Biodiversity Assets

#### 4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a Sufficient Supply of Homes.
- Section 8 – Promoting Healthy and Safe Communities.
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 15 – Conserving and Enhancing the Natural Environment.

## 5 Consultations

- 5.1 **Council's Business and Projects Manager (Environment):** no open space contribution is required if this is being managed privately.

Landscaping:

#### First comments 4.1.23:

Advise there should be more amenity space as open spaces either comprise SUDS of dense planted/existing woodland; however, this should not be to the detriment of biodiversity/habitat areas.

Good to see perimeter green infrastructure/biodiversity corridors. The two corridors cutting through the site also welcome with an open watercourse and excellent feature. The width of the central corridor is compromised as a biodiversity corridor by the inclusion of a surfaced path.

It is considered the size of the development would call for a Local Equipped Area For Play (LEAP), providing a space within 5 minutes' walk on a good pedestrian route, sufficient for children who are starting to venture outdoors and play independently. The LEAP should present a challenging play opportunity with no less than 6 activities on a minimum of 3 individual items. This should be sited within a minimum footprint of 400 square metres with sufficient space for active play around the area. Suitable buffers between residential dwellings should be included and fencing adjacent roads. Signage, seating and bins will also be required. The proposed trim trail arrangement does not meet this standard, offering only balancing/climbing opportunities. The non-accessible equipment and grass mat surfacing may exclude young people with physical disabilities.

Most plant choices are suitable/acceptable but advise that some should be omitted due to the potential to dominate other species and spreading to the Hemlockstone LNR.



Path construction should be sealed tarmac surface with PCC edgings and lighting designed to avoid interference with bats.

The water, buffer zones and green corridors all provide good foraging spaces for bats and hirundines, but these groups also need roosting and nesting opportunities – bat, swift and bee boxes should be included in the green and built environment.

The proposed fence suggested is traditional estate fencing or metal railings which should not hinder any wildlife moving through the development, there is also provision for green corridors in the planning application. Raise no objection to the overall scheme and confirm that it complies with Policy 16 of the P2LP (2019).

Second comments 20.1.23:

Pleasing to see perimeter green infrastructure/biodiversity corridors. The two corridors cutting through the site also welcome with an open watercourse, an excellent feature.

The width of the central corridor is compromised as a biodiversity corridor by the inclusion of a surfaced path.

The balance and location of grassland habitats shown in GL1386 01E, 02E, 03E and 04E work well and will be beneficial to site biodiversity – providing maintenance does follow the management plan and over-zealous mowing is avoided.

Tree, shrub and herbaceous planting appropriate for site and locations.

It would be good to see more consideration given to accessible/inclusive facilities and further information required on proposed open space boundary treatments, lighting, seating and litter bins would be helpful. Path construction should be sealed tarmac surface with PCC edgings, lighting designed to avoid interference with bats.

The water, buffer zones and green corridors all provide good foraging spaces for bats and hirundines, but these groups also need roosting and nesting opportunities – can inclusion of bat, swift and bee boxes be included in the green and built environment?

A clearly written document which if applied should lead to good establishment of plantings with appropriate maintenance of the site.

**5.2 Council's Tree Officer:**

First Comments 12.10.22:

There is no reference to the initial tree survey submitted as part of the 20/00352/OUT application which details tree stock and condition.

Second Comments 6.1.23:

How many of the trees and hedges on site are to be retained according to the tree survey report. There are several English Oak trees T3, T4, T6, T12 and T13, all Class B and T5 Class A that are shown on the tree survey along with various hedges throughout the site which show the root protection area on the tree survey, but cannot see them on the design layout plans. Are they to be retained and if so where are the protective fences to be installed to protect the trees during construction? Will there be sufficient space for the trees against any building plots or are they now to be removed?

Third Comments 10.1.23:

No objection. Plan provided now shows trees (T3, T4, T5, T6, T12 and T13) to be retained and the area of protective fencing around the root protection area. Protection fencing show be in accordance with British Standards and no construction materials should be stored within the root protection area.

- 5.3 **Council's Waste and Recycling Officer:** advise bin requirements.
- 5.4 **Environment Agency:** intend on providing comments in relation to the discharge of conditions for 20/00352/OUT.
- 5.5 **Nottinghamshire County Council as Highways Authority:**

First Comments 10.11.22:

Drawing 2019-613-09W shows a "shared surface" type area extending from plots 3 to 165. The alignment of the carriageway in this section of highway is sufficient to curb speeds, thereby making the blocked paving superfluous to requirement. It is also understood there has been a request for the bus-stop to be repositioned opposite plots 24 and 25. This would not be possible if a shared surface was progressed as raised kerbs are required to facilitate boarding/alighting at the stop. A conventional highway comprising of a tarmac surface with segregated footways on either side of the carriageway must therefore be provided.

Bends turning more than 10 degrees should be tracked with the appropriate size refuse wagon with an element of on-street parking. This also applies to a bus along the bus route, including both junctions with the spine road.

The footway fronting plots 3, 22, and 163 should wrap around the junction radii to ensure pedestrians can maintain desire lines, and to reduce the maintenance burden to the Highway Authority.

Acknowledge the general alignment of the carriageway is intended to reduce speeds; however, there are sections of highway between plots 94 to 104, and 106 to 116 where it is likely vehicles will be driven in excess of 20mph. If the geometry is not changed, additional calming measures should be provided.

The presence of a bend fronting plot 58 is such that drivers will already be slowing down and so the ramped table is unnecessary. This also applies to cul-de-sacs where speeds should already be low. Repeated turning manoeuvres on this type of surface will have an adverse effect on its integrity, and which over time will

become a maintenance liability. These locations should therefore have a tarmac finish to avoid a heavy commuted sum.

All driveways with a tandem style parking arrangement for 2 vehicles should measure at least 11.1m in length.

The parking spaces for plot 13 are too remote from the dwelling and will encourage the residents to station their vehicles in front of the property which is located on a bend. An alternative arrangement should be provided.

Plots 148 to 150 should have a refuse collection point provided directly in front of the house to prevent the bins from being stored on the footway when emptied.

The square at plots 148 to 155 will need to be tracked with the appropriate size refuse wagon to establish whether these vehicles can enter/exit in a forward gear with an element of on-street parking taking place. The exercise should be repeated on all turning heads.

Parking spaces for 2 vehicles between plots should measure at least 6.9m wide. These dimensions have not been satisfied at a number of locations. Justification of the proposed dimensions should be given. Additional depth should be provided for refuse bins to ensure they can be collected from the curtilage. They should also be set deeper so that bins can be collected from the driveway.

Two ponds will be provided to capture surface water. Please note that Highway water should be positively drained to a Severn Trent Water system and NCC will not adopt SUDS features.

#### Second comments 22.12.22:

Layout issues can be resolved by repeating the tracking exercises identified previously.

Further explaining needed in regards to traffic calming at plot 89.

The 2m wide path fronting plots 4 and 22 has the impression of being highway when this is not the case and should therefore be removed.

It would be a help if the driveway dimensions were annotated. Parking at plots 159 doesn't appear to be adequate and should be amended accordingly.

#### Third comments 13.1.2023:

No further comments to make apart from, the ramp fronting plots 109 and 110 is too close to the nearby junction to have any merit. Preference to reposition this opposite plot 116. Alternatively, cushions could be provided so long as they do not face a driveway.

- 5.6 **Network Rail:** no objection in principle but advise conditions in respect of providing a Construction Methodology Statement demonstrating consultation with the Asset Protection Project and Manager at Network Rail has been undertaken and the

agreed details are carried out with the construction of the development, a 1.8m high or above trespass proof fencing should be installed and details of landscaping provided.

- 5.7 **Nottinghamshire Wildlife Trust:** will provide comments in relation to the discharge of conditions for 20/00352/OUT.
- 5.8 **Nottinghamshire County Council as Planning Policy:** bus stop location should be relocated so the bus isn't required to do a full loop before reaching the stop before it exits the site. Request conditions in respect of the development not being brought into use until the bus stop and associated works has been installed.
- 5.9 **NHS Nottingham City Clinical Commissioning Group (CCG):** has requested a health contribution request for £91,576.88 for primary health care.
- 5.10 **Coal Authority:** raise no objection. Details will be addressed under a discharge of conditions application.
- 5.11 **Councils Environmental Health Officer:** no objection but request that noise mitigation measures within the noise report submitted under 20/00352/OUT are implemented in full.
- 5.12 13 neighbours/businesses were consulted and one site notice was posted and two objections were received which can be summarised:
  - No reference to the site (or part of site) being a former tipping site when owned by the National Coal Authority and have concerns for future residents of the site
  - Assume legal advice has been sought due to proximity to crematorium/highway through the requirements of the Crematorium Act 1902? Positive consent of future owners of the development will be required if the crematorium wants to extend in the future. Council could be capping crematoriums capacity with approval of this development
  - No details of fencing and screening from homes, roads and crematorium
  - No information on foundations and noise and disturbance management
  - Section 106 contributions are required to protect and enhance environmental assets in adjoining local nature reserve
  - This development site lies within the Greenwood Community Forest, which aims transform the local landscape to make it a greener and healthier place to be.
  - Paragraph 146 of the NPPF has not been considered nor Policy 16 of the Aligned Core Strategy with respect to Green Infrastructure Corridors.
  - The proposed development will lead to the fragmentation of the green infrastructure corridor by enclosing what was green open space with boundary fencing, and along with Phase 3 of Field Farm, this development will to all intents and purposes encircle the western end of an important environmental asset. This development is contrary to Policy 17 of the Aligned Core Strategy in its current form
  - Unclear if the footpaths will be tarmac surfaced adopted highways or public rights of way, would be more beneficial for them to be public rights of way.

## 6 Assessment

- 6.1 The main issues for consideration relate to the acceptability of highways, design, scale, layout, appearance, landscaping and impact on neighbour amenity.

**6.2 Principle**

- 6.2.1 Following the adoption of the Part 2 Local Plan, land to the west of Coventry Lane was removed from the Nottingham-Derby Green Belt in order to facilitate the Council's 5-year housing land supply. The entire site is allocated for 240 homes; however, this application is for 169 homes and relate to the south of Sidings Lane only.

- 6.2.2 It is considered the principle of residential development on this site is acceptable given that it has been assessed as acceptable for housing through the adoption of the Part 2 Local Plan and is vital in providing the required number of homes to meet the Council's 5-year housing land supply. Furthermore, the principle of development was established with the approval of the outline application, 20/00352/OUT.

**6.3 Access and Highways**

- 6.3.1 The previous application has agreed the access arrangements and mitigation measures to Coventry Lane which include a toucan crossing, a double island on Coventry Lane/Ilkeston Road, an application made to NCC to reduce the speed on Coventry Lane from 50mph to 40 and the provision for a bus service. The layout within this scheme facilitates a bus circle loop to ensure a future bus service can enter and exit the site suitably.

- 6.3.2 The Highways Authority has raised several requests in regards to the layout of the scheme which are detailed in section 5.5 of the report.

- 6.3.3 The developer liaised with the Highways Authority to amend the site layout to account for the amendments requested and to ensure the roads will be to adoptable standards. The Highways Authority confirmed the acceptability of the scheme following the last set of amended plans and the only outstanding details as mentioned in the last comments received can be dealt with by the highways adoption process.

**6.4 Amenity**

- 6.4.1 The site is largely isolated from surrounding existing development and therefore it is considered there will not be an adverse impact on surrounding neighbours' amenity. The site will adjoin the 22/00602/FUL development to the north east. Whilst this application has not yet been determined, it is considered from the information provided on both schemes that there is an acceptable separation distance for neighbours abutting each of the sites boundaries.

- 6.4.2 As part of Policy 3.4 of the Part 2 Local Plan, it states that a buffer should be incorporated between the crematorium and Stapleford Hill to ensure the tranquil setting of the crematorium and that houses close to Stapleford Hill are not shaded for extended periods of time.

- 6.4.3 A buffer of a minimum of 10m with additional tree planting in between has been provided between the crematorium and houses to the north east (which are the closest proximity). Design features such as breaking up the density of the houses with the layout having small private drives, providing an intervening footpath/cycleway and orientating gardens away are all considered to effectively contribute towards maintaining an appropriate buffer with the crematorium.
- 6.4.4 The houses towards to the south of the scheme have been positioned further away from Stapleford Hill to minimise the level of shading. An indicative shading plan has been submitted to depict the predicted shading levels of properties that are within close proximity to Stapleford Hill. The predicted shading levels have accounted for midday on March/September 21<sup>st</sup> and June 21<sup>st</sup>. On June 21<sup>st</sup> it shows that no properties will experience shading and in March and September there will be two properties (plots 129 and 130) that will have shaded gardens. Given the time of year and number of gardens that are completely shaded in respect of the number of units on site, it is considered this is acceptable and would not warrant refusal. The gardens will be shaded for periods of the year when they are less likely to be predominately used. Therefore, it is considered the amenity of these future residents will be acceptable.
- 6.4.5 It is considered all the proposed house types provide an acceptable level of amenity, with adequate sized rooms, primary rooms having outward facing windows and access to private rear amenity space.
- 6.4.6 To conclude, it is considered that the properties on site provide an acceptable amount of amenity provision for future occupiers, and the scheme would not adversely affect the amenity of other uses nearby.

## **6.5 Landscaping**

- 6.5.1 A comprehensive landscaping scheme has been provided and has been assessed by the Landscape Officer, amendments have been made to the landscaping details in line with the majority of the comments provided. There are areas of soft landscaping which include trees, shrubbery, grass and plants and it considered the level of soft landscaping is acceptable.
- 6.5.2 The Landscape Officer raised concerns with the lack of amenity space as this was largely represented by the provision of SuDS area. However, the plans incorporate walkways, areas of open space and other ecological features (such as SuDS) that can be utilised by future occupiers of the development for recreational activities. Furthermore, it is considered the provision of green space is acceptable given the location of the site located within walking distance of Bramcote Hills Park and Stapleford Hill Wood LNR. Whilst the layout was indicative on the 20/00352/OUT this was depicted the areas of open space that have already been accepted.
- 6.5.3 The developer has agreed to a condition in respect of providing further information for the proposed local equipped area for play (LEAP).
- 6.5.4 Open spaces will be maintained by a private company.

- 6.5.5 Following the submission of amended landscaping plans, it is considered that the landscaping provision for the scheme is now acceptable. Further details on the specifics of the equipment provided in the areas of open space, boundary treatments and bird and bat boxes are covered by condition.
- 6.5.6 It is considered the application complies with all relevant policies with the NPPF and the Aligned Core Strategy with regards to Green Infrastructure Corridor. Furthermore, this is an allocated site that has been through the examination of the local plan process.
- 6.5.7 Paragraph 146 of the NPPF refers to the protection of Green Belt land in regards to new development. This site is not located within the Green Belt.

## **6.6 Layout, Scale and Appearance**

- 6.6.1 The site is relatively isolated with the only neighbouring buildings being Hulks Farm and the Crematorium, therefore, there is no requirement to replicate a specific design. However, the proposed properties are considered to reflect a part traditional/contemporary approach with varying styles and designs with a varying pallet of materials (e.g. render and bricks) and are not dissimilar to development in the wider area or the neighbouring scheme 22/00602/FUL. There will be a mixture of dwellings ranging from detached, semi-detached and terrace properties and bungalows. The proposed corner plots are considered to address the street scene appropriately. The scale of the properties is considered to be acceptable and range for one to three storeys in height (with the third storey being rooms in the roof) and no dwelling will exceed 10m in height.
- 6.6.2 The layout of the scheme is considered to be acceptable and functional. The affordable homes are broken up into two sections which is considered appropriate for the number of dwellings on site and ensures that there is a visible mix of house types when travelling through the site. The layout of the dwellings largely face open spaces and footpaths which provides natural surveillance. The layout of the road breaks up areas of housing into clusters which is considered to create a variation in the scheme and avoids monotony. There is a clear pedestrian/cycle way through the scheme which starts south of the main access to the site and extends through the middle of the site around the sustainable drainage feature to the south of the site which provides connectivity with the Field Farm scheme to the south west. It is considered a logical scheme has been proposed which ties in with the proposed development to the north east (22/00602/FUL) and Field Farm development to the south west.
- 6.6.3 The physical constraints of the site and scheme, that being shading from Stapleford Hill, providing a bus loop, maintaining a buffer with Bramcote Crematorium, location of the sustainable drainage features and proximity to the railway line have influenced the layout of the scheme and reduced the number of units that could be accommodated on site. However, it is considered that the layout has responded to all of these constraints appropriately with dwellings being positioned further away from Stapleford Hill to reduce shading, dwellings within the bus loop address the street scene effectively with an acceptable layout, there is a minimum of a 10m buffer with the boundary of the site/crematorium boundary with additional tree

planting, ensuring open spaces within the sustainable drainage features are overlooked for natural defensible space and dwellings beside the railway line largely positioned with their side elevation facing the north to minimise disturbance.

- 6.6.4 To conclude, it is considered the layout, scale and appearance of the site and dwellings and has been addressed appropriately.

## **6.7 Conditions**

- 6.7.1 The conditions under 20/00352/OUT have yet to be discharged. Therefore, a note to applicant will be included within the recommendation to ensure these are discharged before works can commence.

## **6.8 Other**

- 6.8.1 There is no requirement to designate the footpath as a public right of way through this residential site.
- 6.8.2 The Coal Authority was consulted under the previous outline application and this application. A precommencement condition in respect of addressing coal mining legacy features of the site is attached to the outline permission which is considered sufficient in addressing the stability of the land due to its history as a former coal mining site.
- 6.8.3 Consideration of the Crematorium Act 1902 is not a planning consideration. The proximity of the development to crematorium has been considered in line with Policy 3.4 of the P2LP (2019) and is considered to be acceptable.
- 6.8.4 Details of boundary treatments have been provided; however, further details will be provided via the discharge of condition 6 of the outline application; this will also include the trespass proof fence requested by Network Rail.
- 6.8.5 Network Rail has requested a construction method statement but this has been requested via condition 18 of the outline application.
- 6.8.6 The Environmental Health department has not raised any objection to the application and request that the that noise mitigation measures within the noise report submitted under 20/00352/OUT are implemented in full which is considered sufficient.
- 6.8.7 The Section 106 Agreement has been signed in conjunction with 20/00352/OUT and no further financial contributions will be requested.
- 6.8.8 This is an allocated site for residential development and the outline permission has already established the principle of the development. It is considered the landscaping and retention of some hedges/trees put forward is sufficient to offset some of the impact of the development. The Landscape Officer has confirmed that the proposed that the scheme does not conflict with Policy 16 of the Part 2 Local Plan (2019). It is considered the proposed scheme does not conflict with Policy 17 of the Part 2 Local Plan (2019) or paragraph 146 of the NPPF.



7 Planning Balance

The benefits of the proposal are that it would provide 169 dwellings including affordable dwellings, short term jobs created from the construction of the development and financial contributions. Whilst it is accepted that there will be an increase in traffic in the area and some impact on surrounding neighbours amenity, the site is largely isolated that it is considered this will not be detrimental to the wider community. On balance, the positives of the scheme are considered to significantly outweigh the negatives, and as such this scheme is recommended for approval.

8 Conclusion

- 8.1 To conclude, In the opinion of the Planning Officer it is considered this reserved matters application has provided sufficient information to be approved and any outstanding matters will be subject to further scrutiny through the discharge of conditions under the outline application.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to the following conditions:</b>	
<b>1.</b>	<p><b>The development to which this approval relates shall be begin no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.</b></p> <p><b><i>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.</i></b></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with drawings:</b></p> <p><b>Received by the Local Planning Authority on 28 July 2022:</b></p> <ul style="list-style-type: none"> <li>· House Type L – As ref: 2019-613-L2-a-1</li> <li>· House Type L – AS ref: 2019-613-L2-a-2</li> <li>· House Type L – As ref: 2019-613-L1-a-2</li> <li>· House Type L – OPP ref: 2019-613-L1-o-1</li> <li>· House Type L – OPP ref: 2019-613-L1-o-2</li> <li>· House Type L – OPP ref: 2019-613-L2-o-1</li> <li>· House Type L – OPP ref: 2019-613-L2-o-2</li> <li>· House Type P – OPP ref: 2019-613-P1-o-1A</li> <li>· House Type P – OPP ref: 2019-613-P1-o-2A</li> <li>· House Type P – As ref: 2019-613-P2-a-1</li> <li>· House Type P – As ref: 2019-613-P2-a-2</li> <li>· House Type Q – As ref: 2019-613-Q1-a-1A</li> <li>· House Type Q – As ref: 2019-613-Q1-a-2A</li> </ul>

- House Type Q – Opp ref: 2019-613-Q1-o-1
- House Type Q – Opp ref: 2019-613-Q1-o-2
- House Type R1 – As ref: 2019-613-R1-a-1C
- House Type R – As ref: 2019-613-R1-a-2C
- House Type R – Opp ref: 2019-613-R1-o-1A
- House Type R – Opp ref: 2019-613-R1-o-2A
- House Type R – Opp ref: 2019-613-R2-o-1
- House Type R – Opp ref: 2019-613-R2-o-2
- House Type S – As ref: 2019-613-S1-a-1B
- House Type S – As ref: 2019-613-S1-a-2B
- House Type S – Opp ref: 2019-613-S1-o-1A
- House Type S – Opp ref: 2019-613-S1-o-2A
- House Type S – Opp ref: 2019-613-S2-o-1A
- House Type S – Opp ref: 2019-613-S2-o-2A
- House Type T – As ref: 2019-613-T1-a-1B
- House Type T1 – As ref: 2019-613-T1-a-2A
- House Type T – As ref: 2019-613-T2-a-1A
- House Type T – As ref: 2019-613-T2-a-2
- House Type T – Opp ref: 2019-613-T2-o-1
- House Type T – Opp ref: 2019-613-T2-o-2
- House Type U ref: 2019-613-U-a-1B
- House Type U ref: 2019-613-U-a-2A
- House Type V – As ref: 2019-613-V1-a-1
- House Type V – As ref: 2019-613-V1-a-2
- House Type V – Opp ref: 2019-613-V2-o-1
- House Type V – As ref: 2019-613-V2-o-2
- Street Elevations ref: 2019-613-12A
- Street Elevations ref: 2019-613-13A
- Street Scene Views ref: 2019-613-14A
- Street Scene Views ref: 2019-613-15A
- Site Sections ref: 2019-613-19
- Affordable 1B2P ref: 2019-613-1B2P(4)-1A
- Affordable 1B2P ref: 2019-613-1B2P-1C
- Affordable 1B2P-2B4P ref: 2019-613-1B2P-2B4P-1A
- Affordable 1B2P-2B4P ref: 2019-613-1B2P-2B4P-2
- Affordable 1B2P ref: 2019-613-1B2P-2C
- Affordable 1B2P ref: 2019-613-1B2P-3C
- Affordable 1B2P ref: 2019-613-1B2P-4B6P-1A
- Affordable 1B2P-2B4P ref: 2019-613-1B2P-4B6P-2A
- Affordable 1B2P ref: 2019-613-1B2P-4C
- Affordable 2B4P ref: 2019-613-2B4P-1C
- Affordable 2B4P ref: 2019-613-2B4P-2B
- Affordable 2B2P ref: 2019-613-2B4P-SO-1A
- Affordable 2B4P ref: 2019-613-2B4P-SO-2A
- Affordable 3B5P ref: 2019-613-3B5P-1-1B
- Affordable 3B5P ref: 2019-613-3B5P-1-2C
- Affordable 3B5P ref: 2019-613-3B5P-2-1A
- Affordable 3B5P ref: 2019-613-3B5P-2-2A

	<ul style="list-style-type: none"> <li>· Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-1A</li> <li>· Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-2A</li> <li>· Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-1A</li> <li>· Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-2A</li> <li>· Affordable 3B5P SO(2) 2B4P(1) ref: 2019-613-3B5P-SO(2)-2B4P(1)-1A</li> <li>· Affordable 3B5P SO(2) 2B4P(1) ref: 2019-613-3B5P-SO(2)-2B4P(1)-2A</li> <li>· Affordable 3B5P ref: 2019_613_3B5P-SO-1B</li> <li>· Affordable 3B5P ref: 2019_613_3B5P-SO-2B</li> <li>· Affordable 3B5P ref: 2019_613_3B5P-WCH-1A</li> <li>· Affordable 3B5P ref: 2019_613_3B5P-WCH-2A</li> <li>· House Type A ref: 2019-613-AS1-a-1B</li> <li>· House Type A ref: 2019-613-AS1-a-2B</li> <li>· House Type A ref: 2019-613-AT1-a-1B</li> <li>· House Type A ref: 2019-613-AT1-a-2B</li> <li>· Bin Store ref: 2019-613-BS</li> <li>· House Type B ref: 2019_613_BS1-a-1A</li> <li>· House Type B ref: 2019_613_BS1-a-2A</li> <li>· House Type B ref: 2019_613_BS1-o-1A</li> <li>· House Type B ref: 2019_613_BS1-o-2A</li> <li>· House Type C ref: 2019-613-CRT1-a-1A</li> <li>· House Type C ref: 2019-613-CRT1-a-2A</li> <li>· House Type C ref: 2019-613-CS1-a-1A</li> <li>· House Type C ref: 2019-613-CS1-a-2A</li> <li>· 2-unit Cycle Store ref: 2019-613-CS2U</li> <li>· Cycle Store ref: 2019-613-CS4U</li> <li>· House Type C ref: 2019-613-CT1-a-1A</li> <li>· House Type C ref: 2019-613-CT1-a-2A</li> <li>· Brick Boundary Walls ref: 2019-613-D1</li> <li>· Close Boarded Fence &amp; Gate Details ref: 2019-613-D2</li> <li>· Metal Railings Details ref: 2019-613-D3</li> <li>· Metal Estate Fence Details ref: 2019-613-D4</li> <li>· House Type D ref: 2019-613-DS1-a-1A</li> <li>· House Type D ref: 2019-613-DS1-a-2A</li> <li>· House Type E – As ref: 2019-613-E1-a-1A</li> <li>· House Type E1 – As ref: 2019-613-E1-a-2A</li> <li>· House Type E1 – Opp ref: 2019-613-E1-o-1A</li> <li>· House Type E1 – Opp ref: 2019-613-E1-o-2A</li> <li>· House Type E – As ref: 2019-613-E2-a-1A</li> <li>· House Type E – As ref: 2019-613-E2-a-2A</li> <li>· House Type E – Opp ref: 2019-613-E2-o-1A</li> <li>· House Type E – Opp ref: 2019-613-E2-o-2A</li> <li>· House Type E – As ref: 2019-613-E3-a-1A</li> <li>· House Type E – As ref: 2019-613-E3-a-2A</li> </ul>
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- House Type E – Opp ref: 2019-613-E3-o-1A
- House Type E – Opp ref: 2019-613-E3-o-2A
- House Type G – As ref: 2019-613-G1-a-1B
- House Type G – As ref: 2019-613-G1-a-1B
- House Type G – As ref: 2019-613-G1-a-2A
- House Type G – Opp ref: 2019-613-G1-o-1A
- House Type G – As ref: 2019-613-G1-o-2
- House Type G – As ref: 2019-613-G1-a-1
- House Type G – As ref: 2019-613-G2-a-1
- House Type G – As ref: 2019-613-G2-a-2
- House Type G – Opp ref: 2019-613-G2-o-1
- House Type G – Opp ref: 2019-613-G2-o-2
- Double Detached Garage ref: 2019-613-GD
- Single Detached Garage ref: 2019-613-GS
- Twin Detached Garage ref: 2019-613-GT
- House Type H – As ref: 2019-613-H1-a-1A
- House Type H – As ref: 2019-613-H1-a-2A
- House Type H – Opp ref: 2019-613-H1-o-1
- House Type H – Opp ref: 2019-613-H1-o-2
- House Type L – As ref: 2019-613-L1-a-1
- Site Location Plan ref: 2019-613-00A

Received by the Local Planning Authority on 31 August 2022:

- Affordable 1B2P ref: 2019-613-1B2P(4)-2B

Received by the Local Planning Authority on 24 November 2022:

- House Type H – As ref: 2019-613-H2-a-1B
- House Type H – As ref: 2019-613-H2-a-2B
- House Type H – Opp ref: 2019-613-H2-o-1B
- House Type H – As ref: 2019-613-H2-o-2B

Received by the Local Planning Authority on 19 December 2022:

- Site Layout 1 ref: 2019-613-09.1K
- General Arrangement 5 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-05 Rev P05
- General Arrangement 4 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-04 Rev P05
- General Arrangement 3 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-03 Rev P05
- General Arrangement 2 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-02 Rev P05
- General Arrangement 1 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-01 Rev P05

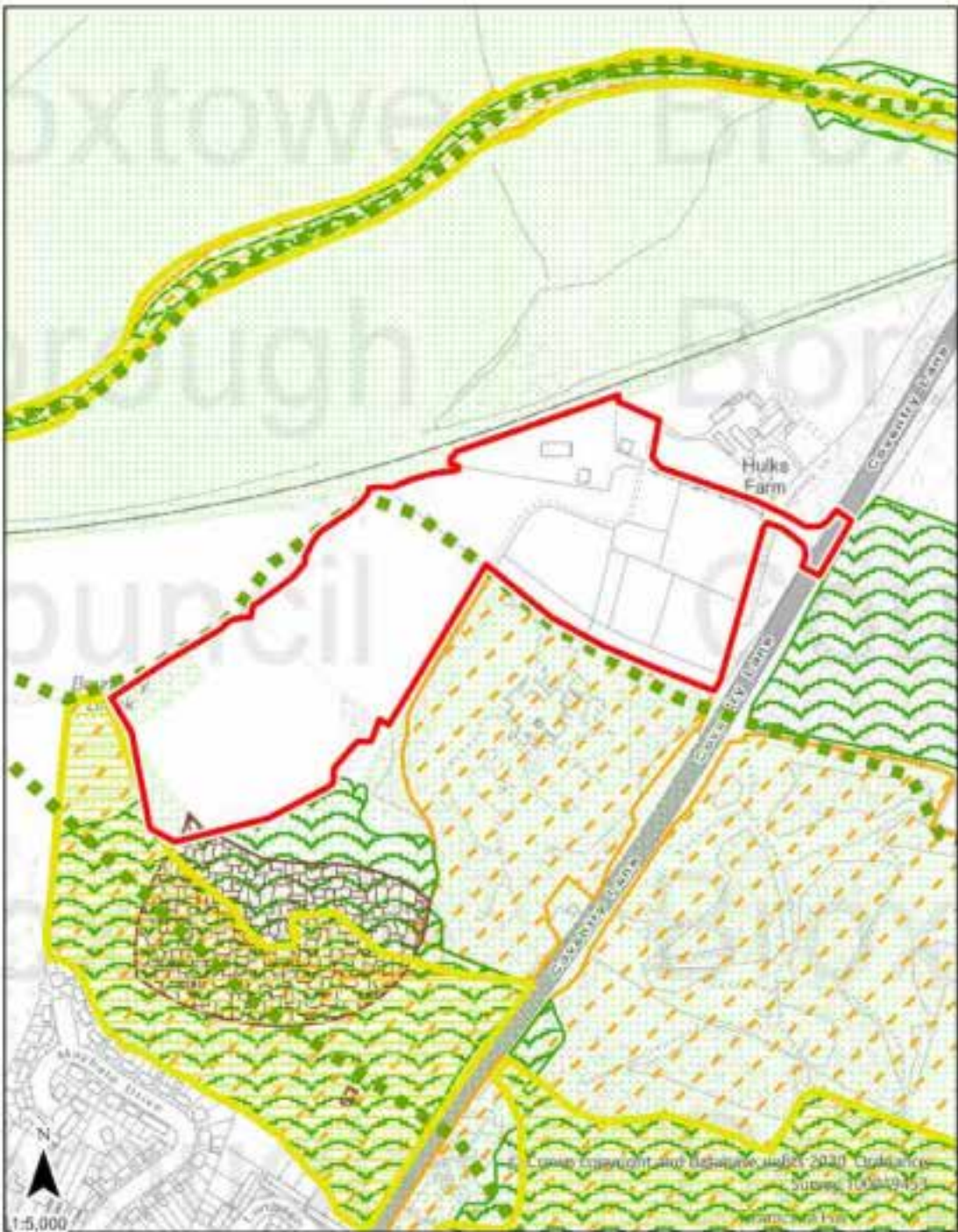
Received by the Local Planning Authority on 6 January 2023:

	<ul style="list-style-type: none"> <li>Site Layout 2 ref: 2019-613-09.2Q</li> <li>Site Floor Plans ref: 2019-613-101C</li> <li>Site Roof Plans ref: 2019-613-100C</li> </ul> <p>Received by the Local Planning Authority on 9 January 2023:</p> <ul style="list-style-type: none"> <li>Landscaping Plan 1 ref: GL1386 01E</li> <li>Landscaping Plan 2 ref: GL1386 02E</li> <li>Landscaping Plan 3 ref: GL1386 03E</li> <li>Landscaping Plan 4 ref: GL1386 04E</li> </ul> <p>Received by the Local Planning Authority on 10 January 2023:</p> <ul style="list-style-type: none"> <li>Tree Retention Plan ref: 2019-613-22</li> </ul> <p>Received by the Local Planning Authority on 12 January 2023:</p> <ul style="list-style-type: none"> <li>Site Layout 2 ref: 2019-613-09.2R</li> <li>Site Layout ref: 2019-613-09AB</li> </ul> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development shall commence until details of protective tree fencing has been submitted to and approved in writing by the Local Planning Authority. The protective tree fencing should be constructed in accordance with British Standards 5837:2012.</p> <p><i>Reason: No such details were submitted and to ensure the existing trees are not adversely affected and in accordance with the aims of Policies 17 &amp; 31 of the Part 2 Local Plan (2019) and Policies 10 &amp; 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>No development above ground level shall commence until full details of bird and bat boxes, including their locations has been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be constructed in accordance with the agreed details.</p> <p><i>Reason: No such details were submitted and in accordance Policy 17 of the Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>Prior to the occupation of the first dwelling hereby approved, full details of the Local Equipped Area of Play (LEAP) should be submitted to and approved in writing by the Local Planning Authority. The LEAP shall be constructed in accordance with the agreed details and maintained for the lifetime of the development.</p> <p><i>Reason: Insufficient details were submitted and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>

6.	<p>Prior to the occupation of the first dwelling hereby approved, full details of seating and bin stores shall be submitted to and approved in writing by the Local Planning Authority. The seating and bin stores shall be constructed in accordance with the agreed details.</p> <p><i>Reason: Insufficient details were submitted and in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
7.	<p>Prior to the occupation of the first dwelling hereby approved, full details of the shared private drives and plan for their future management and maintenance including associated drainage shall be submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall be maintained thereafter in accordance with the approved management and maintenance details, until such time that a private management and maintenance company has been established.</p> <p><i>Reason: To ensure the highway infrastructure is maintained to an appropriate standard and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
8.	<p>All driveways should be surfaced in a bound material (not loose gravel) for a minimum distance of 5 metres behind the highway boundary, and constructed to prevent the discharge of surface water from the driveways onto the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the protective tree fencing, nor is any excavation work to be undertaken within the confines of the protective fence without the written approval of the Local Planning Authority.</p> <p><i>Reason: To ensure the existing trees are not adversely affected and in accordance with the aims of Policies 17 &amp; 31 of the Part 2 Local Plan (2019) and Policies 10 &amp; 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT

<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>
<b>2.</b>	<b>This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.</b>
<b>3.</b>	<b>All relevant conditions on the outline permission (20/00352/OUT) must be complied with.</b>

Map



- Legend**
- |                               |                     |
|-------------------------------|---------------------|
| Site Outline                  | Local Wildlife Site |
| Green Infrastructure Corridor | Open Spaces         |
| Local Nature Reserves         | Green Belt          |
| Local Geological Sites        |                     |



Photos



Proposed site entrance (Sidings Lane)



Facing south west along Coventry Lane



Facing south west from the middle of the site  
Stapleford Hill on horizon



Facing north east from middle of site



Facing east from middle of site



View from the bottom of Stapleford Hill  
facing north east into site

### Plans (not to scale)

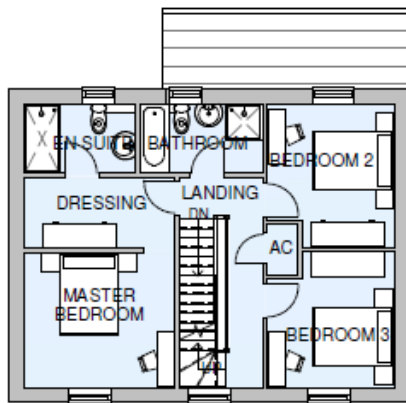


## Site Location Plan

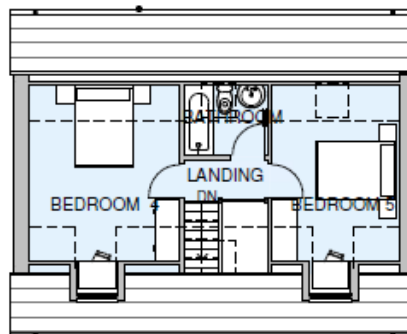


## Layout Plan

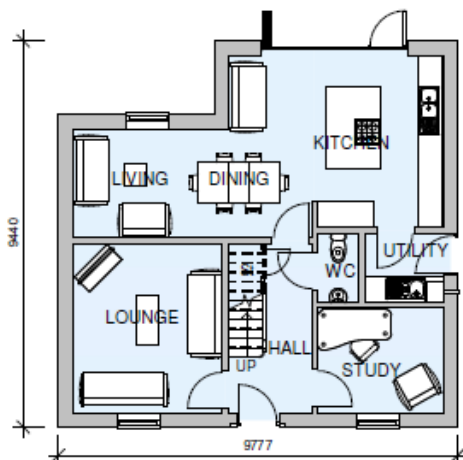
**Plans (not to scale)**



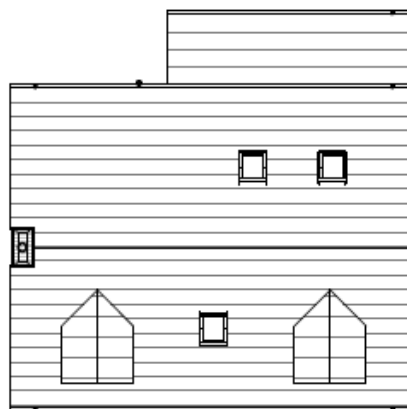
First Floor Plan  
1:100



Second Floor Plan  
1:100



Ground Floor Plan  
1:100



Roof Plan  
1:100

Plans (not to scale)



House Type P

**Plans (not to scale)**



Front (Drive) Elevation  
1 : 100



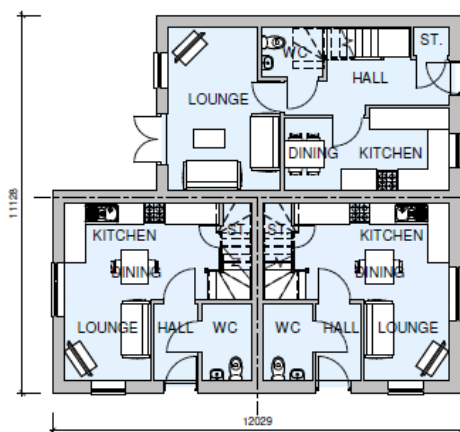
Front (Road) Elevation  
1 : 100



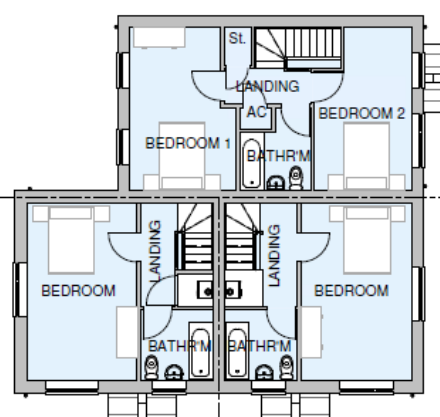
Rear (Garden) Elevation  
1 : 100



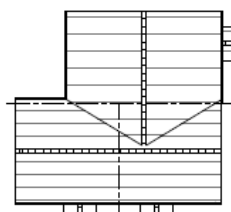
Side (Parking) Elevation  
1 : 100



Ground Floor Plan  
1 : 100



First Floor Plan  
1 : 100



Roof Plan  
1 : 200



Section  
1 : 100

Affordable House Type



Plans (not to scale)



Affordable House Type

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>22/00346/REM</b>
<b>LOCATION:</b>	<b>Land West of Awsworth (inside the A6096) Including Land at Whitehouse Farm Shilo Way Awsworth Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Construct 250 Dwellings (Reserved Matters in Relation to Reference 20/00056/OUT - Appearance, Landscaping, Layout and Scale)</b>

The application is brought to the Committee as it is a reserved matters application for a large major residential development.

### 1. Purpose of Report

1.1 The application seeks approval of reserved matters for the residential areas of the site following the granting of outline planning permission under reference 20/00056/OUT. The reserved matters are Appearance; Landscaping; Layout; and Scale.

### 1.2 Recommendation

**The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.**

### 1.3 Detail

1.3.1 The principle of the development has been considered to be acceptable through the allocation of the site within the Local Plan Part 2 2019 for residential development of up to 250 dwellings and also the granting of Outline Planning Permission under reference number 20/00056/OUT.

1.3.2 As part of the Outline Planning Permission, two points of access Shilo Way and Newtons Lane were considered to be acceptable in regard to their design and subject to the receipt of full contributions towards off-site mitigation works through the signed S106 Agreement as part of 20/00056/OUT. The layout plan submitted with the application shows a central road through the site with access taken from the A6096 and Newtons Lane. Smaller secondary roads and private drives lead to dwellings off this primary route. Various pedestrian/cycle links are also shown through the site including from Park Hill, Barlow Drive North, the A6096 and Newtons Lane. Landscaped areas, public open space, surface water attenuation and a central children's play area are also shown together with the retention of 'The View' and several hedgerows.

**Illustrative Masterplan submitted with 20/00056/OUT**

- 1.3.3 The main issues relate to whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity, whether there would be any detrimental impact on highway safety, contamination of the land, flood risk and the impact on local wildlife/biodiversity.
- 1.3.4 The benefits of the scheme are that the proposal would provide a wide range of size and type of accommodation which would contribute to the delivery of housing stock within the Borough, would provide affordable housing of an amount that would accord with Local Plan policy, it would be set within a layout which encourages sustainable modes of transport with connections to both the built up area of Eastwood and Ilkeston and to green spaces such as the Erewash Canal and beyond, and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.
- 1.3.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.
- 1.4 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets.



**1.5 Legal Implications**

The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

**1.6 Data Protection Compliance Implications**

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

**1.7 Background Papers**

- Design and Access Statement;
- Geo Environmental Assessment;
- Flood Risk Assessment;
- Coal Mining Technical Note;
- Building for Life Assessment;
- Engineering and Drainage Plans;
- Arboricultural Impact Assessment
- Arboricultural Survey;
- Noise Impact Assessment;
- Preliminary Ecology Assessment;
- Energy and Sustainability Statement;
- Energy Efficiency Report.

## APPENDIX

2. Details of the Application

2.1 The application seeks approval of reserved matters for the residential areas of the site following the granting of outline planning permission under reference 20/00056/OUT. The design of the dwellings consists of a mix of two and two and a half storey dwellings in a mix of detached, semi-detached and terraced properties. The reserved matters are Appearance; Landscaping; Layout; and Scale. An overall total of 50 Affordable Houses are proposed, the breakdown of these units is as follows:

- 36 x 2 Bed Dwellings;
- 14 x 3 Bed Dwellings.

2.2 The breakdown of remaining 200 residential units is as follows:

- 43 x 2 Bed Dwellings;
- 69 x 3 Bed Dwellings;
- 66 x 4 Bed Dwellings;
- 22 x 5 Bed Dwellings.

2.3 The principle of the development has been considered to be acceptable through the allocation of the site within the Local Plan Part 2 2019 for residential development of up to 250 dwellings and also the granting of Outline Planning Permission under reference number 20/00056/OUT.

2.4 As part of the Outline Planning Permission, two points of access Shilo Way and Newtons Lane were considered to be acceptable in regard to their design and subject to the receipt of full contributions towards off-site mitigation works through the signed S106 Agreement as part of 20/00056/OUT. The layout plan submitted with the application shows a central road through the site with access taken from the A6096 and Newtons Lane. Smaller secondary roads and private drives lead to dwellings off this primary route. Various pedestrian/cycle links are also shown through the site including from Park Hill, Barlow Drive North, the A6096 and Newtons Lane. Landscaped areas, public open space, surface water attenuation and a central children's play area are also shown together with the retention of 'The View' and several hedgerows.

3. Site and Surroundings

3.1 The site lies to the west of the main built up area of Awsworth and infills the gap between the residential properties on Park Hill, Barlow Drive North, The Glebe and Newtons Lane and the Awsworth bypass (A6096). The site is largely within the Parish of Awsworth, with approximately 1.5 hectares of the south and south eastern part of the site falling within Cossall Parish. The bypass is separated from the application site by a strip of woodland planting, which partially screens the site from the west. The eastern boundary of the site is largely made up of various residential boundary treatments of 2m or less in height. The southern boundary of the site is made up of hedgerow and trees.

- 3.2 The site extends to a little over 10 hectares in area and includes 5 field parcels which are divided by hedgerows and other vegetation. A dwelling and several outbuildings (White House Farm) are located towards the south east of the site. A second dwelling lies in the middle of the site (The View) but this is not included in the application site and is not in the applicant's ownership. The site has been historically used as both a clay pit and for open cast mining with these uses finishing in the early 1980's. Since then it has been in agricultural use and is classified as Grade 4 'Poor' agricultural land (Natural England Agricultural Land Classification Map).
- 3.3 The site is in Flood Zone 1. A ditch runs adjacent to the site boundary along Newtons Lane. The topography of the site slopes upwards in an easterly direction, with a level difference of approximately 18 metres from the southern section of the western boundary (adjacent the A6096) to the northern part of the eastern boundary.
- 3.4 The Grade II\* Listed Bennerley Viaduct is located approximately 175m to the west and some limited views of this are gained from within the site through the screen of trees. Cossall Conservation Area is located 1.1km to the south-east of the site and the Listed Awsworth Infant School, walls, railings and playground and the village War Memorial lie to the north east and east.
- 3.5 Shilo Recreation Ground is located approximately 70m to the north of the site and there are various other 'Green Infrastructure' assets identified in the Council's 'Green Infrastructure Strategy' within the vicinity of the site including the disused Northern Railway line to the north, and Nottingham Canal to the west.
- 3.6 Ilkeston Railway Station is located 900 metres to the south and there are bus stops along Awsworth Lane/The Lane which access the number 27 service to Ilkeston, the station and Kimberley.

#### 4. Relevant Planning History

- 4.1 Outline Planning Permission with only access being considered was granted under reference number 20/00056/OUT in April 2022. A S106 Agreement was also signed as part of the application.

#### 5. Relevant Policies and Guidance

##### 5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces

- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

## **5.2 Part 2 Local Plan 2019**

5.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 1: Flood Risk
- Policy 2: Site Allocations
- Policy 4: Awsworth Site Allocations
- Policy 4.1: Land west of Awsworth (inside the bypass)
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 20: Air Quality
- Policy 21: Unstable Land
- Policy 22: Minerals
- Policy 23: Proposals Affecting Designated and Non-Designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 30: Landscape
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

## **5.3 National Planning Policy Framework (NPPF) 2021:**

5.3.1 The National Planning Policy Framework (NPPF) 2021, outlines a presumption in favour of sustainable development, that planning should be plan-led, decisions should be approached in a positive and creative way and high quality design should be sought.

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

## **5.4 Awsworth Neighbourhood Plan:**

5.4.1 The Awsworth Neighbourhood Plan was adopted on the 21 July 2021.

- Policy H1 - New Homes on 'Land West of Awsworth (inside the bypass)

6. Consultations

- 6.1 **Nottinghamshire County Council Highways** – No objections subject to conditions outlined in the appendix.
- 6.2 **Nottinghamshire County Council Rights of Way** – No objections.
- 6.3 **Nottinghamshire Wildlife Trust** – Provide general advice regarding ecology on the site.
- 6.4 **The Coal Authority** – No objections.
- 6.5 **Council's Waste Collection** – Provide general advice regarding bin storage requirements.
- 6.6 **Natural England** – No comments to make.
- 6.7 **Environmental Health** – Advise conditions relating to 20/00056/OUT still remain regarding site investigation works. Also advise to make the applicants aware of the possibility of Anthrax being present on the site.
- 6.8 **Environment Agency** – No objections subject to various conditions.
- 6.9 **Natural England** – Refers to Standing advice.
- 6.10 **Historic England** – No comments.
- 6.11 **Nottinghamshire County Council Local Lead Flood Risk Authority** – Raise no objections.
- 6.12 **The Councils Tree Officer** - It appears that the majority of the trees and hedge lines on the site are to remain, there are no TPO trees on site and it not within a Conservation Area, no objections to the proposal
- 6.13 **NHS Nottingham and Nottinghamshire CCG:** Advise S106 contributions are still required as per the outline planning permission.
- 6.14 **Awsworth Parish Council** – Provide general comments on the site layout and submitted supporting documents and link the development to the Awsworth Neighbourhood Plan policies.
- 6.15 **Written representations** – Five site notices were originally posted, a press noticed published and neighbouring properties were consulted with 1 letter of support and the remainder 47 letters of objection. The grounds of objection are summarised as follows:
  - Loss of greenfield land;
  - Loss of views;
  - Loss of wildlife;
  - Impacts on local facilities such as schools, doctors, dentists;

- Highway safety;
- Traffic generation;
- Increased traffic along Newtons Lane;
- Over development of the area;
- Land containing Anthrax;
- Loss of privacy;
- Overlooking;
- Loss of daylight/sunlight;
- Sense of enclosure;
- Noise/dust during construction;
- Excessive Housing density and volume.

## 7. Assessment

- 7.1. The main issues relating to this application are whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity, whether there would be any detrimental impact on highway safety, contamination of the land, flood risk and the impact on local wildlife/biodiversity. These are discussed in turn as follows:

### 7.2 Principle

- 7.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 7.2.2 The development of the site for residential purposes has been established through the allocation of the site within the Local Plan Part 2 2019 for up to 250 dwellings. Outline Planning Permission has also been granted under reference number 20/00056/OUT with all matters reserved except for access. The principle of development of the site for residential purposes is considered acceptable, subject to the consideration of other material planning considerations.

### 7.3 Design and Visual Amenity

- 7.3.1 Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy states design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. Policy 17 of the Part 2 Local Plan 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.
- 7.3.2 The layout plan submitted with the application shows a central road through the site with access taken from the A6096 (Shilo Way) and from Newtons Lane. Smaller

secondary roads and private drives lead to dwellings off this primary route. The proposed dwellings comprise a mix of two storey buildings varying from two to five bedrooms, with various plots benefitting from either integral, attached or detached garages. The development will include a variety of different house types of individual design which will add to the individual appearance of the internal layout of the development. Private driveways serving the dwellings are proposed to the side/front of the dwellings.

7.3.3 In terms of existing hedgerows within the site and along the boundary with Shilo Way and Newtons Lane these are to be retained. To complement the existing hedgerows, landscaped areas, public open space, surface water attenuation ponds and a central children's play area are also shown together with the retention of 'The View' and several hedgerows which are indicated on the submitted Landscape Plan. Various pedestrian/cycle links are also shown through the site including from Park Hill, Barlow Drive North, the A6096 and Newtons Lane. The proposed public open space within the site will be managed by the developers and this will be secured through a maintenance company via the S106 Agreement associated with the outline planning permission 20/00056/OUT.

7.3.4 To conclude, the variety in appearance of the house types throughout the development along with the open spaces and proposed landscaping will create an interesting and pleasant environment. Whilst it is acknowledged that the character of the site will change from that of a field to one of built development, this will not be at odds with the residential character of the area. The proposal is not considered to have any significant detrimental impact upon the visual amenity of the area and is in accordance with policy 10 of the Aligned Core Strategy and policy 17 of the Part 2 Local Plan.

#### 7.4 **Residential Amenity**

7.4.1 Objections have been received from neighbouring properties in respect of loss of views, loss of privacy, overlooking, loss of daylight/sunlight, sense of enclosure and noise/dust during the construction period.

7.4.2 In terms of impacts upon existing residential properties located on Newtons Lane, The Glebe and Barlow Drive North, whilst new dwellings are proposed backing onto these properties, adequate separation distances of 21m have been provided with the new dwellings being two storey in nature. Furthermore, a site section plan has been submitted in support of the planning application indicating the land levels within the site being lower than the adjacent existing properties located on The Glebe and Barlow Drive North. All three storey dwellings are sited towards the centre of the site.

7.4.3 In terms of the future occupiers, the layout provides for each property to have access to private outdoor amenity space and storage for bins. The layout allows for adequate spacing between each property and the provision of 1.8m high close boarded timber fences along the boundaries in order to safeguard privacy. Internally, the design and layout allows for satisfactory access to natural light and to an outlook, and the dwellings conform to the DCLG's Technical Housing Standards in terms of internal floor space.

7.4.4 Whilst the character of the site will change from that of an open field to one of built development, this will not be at odds with the residential character of the area. In

view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.

## 7.5 **Highway Safety**

- 7.5.1 As part of the Outline Planning Permission, two points of access Shilo Way and Newtons Lane were considered to be acceptable in regard to their design and subject to the receipt of full contributions towards off-site mitigation works through the signed S106 Agreement as part of 20/00056/OUT. The layout plan submitted with the application shows a central road through the site with access taken from the A6096 and Newtons Lane. Smaller secondary roads and private drives lead to dwellings off this primary route. Off street parking for each plot has been carefully considered in order to ensure that entering and exiting each plot would not have an impact on highway safety in terms of conflict with oncoming traffic, particularly along the central road. The majority of the highway would be adopted, with some unadopted highways where a shared access is serving a short run of dwellings at the end of a cul-de-sac or where a shared access off the central road. Various pedestrian/cycle links are also shown through the site including from Park Hill, Barlow Drive North, the A6096 and Newtons Lane.
- 7.5.2 No objections have been received from the Highway Authority subject to conditions relating to the surfacing of the driveways/parking areas being in a bound material, a scheme to protect key locations from indiscriminate parking and all dwellings being provided with a dedicated socket for future conversion to an EV charging point.
- 7.5.3 In respect of traffic generation, the principle has been established under the outline application and the highway designed accordingly to accommodate the amount of development proposed.

## 7.6 **Land Contamination**

- 7.6.1 Concerns have been raised by local residents in respect of the potential of Anthrax being present with the ground from previous farming activities.
- 7.6.2 As part of the outline planning permission 20/00056/OUT a Phase I Geotechnical Desk Study and Phase II Assessment was submitted. The outline planning permission required details to be submitted of an Intrusive Site Investigation being carried out and submitted along with appropriate gas prevention measures in accordance with the relevant conditions imposed on the outline planning permission. The applicant is fully aware of the concerns raised in respect of the potential for Anthrax being present on the site and proposes to carry out further site investigations and mitigate against if required. Details of these surveys and reports have been submitted for discharge of the relevant conditions attached to the outline application.

## 7.7 **Flood Risk**

- 7.7.1 The site is located within the River Erewash catchment within Flood Zone 1 (less than 1 in 1,000 annual probability of river or sea flooding) so is at the lowest risk of flooding. As such the site is not considered to be at risk of flooding from fluvial sources. A Flood Risk Assessment and Drainage Strategy (FRA) was submitted



as part of the outline planning application which identified and assessed the risks from all forms of flooding to and from the development and demonstrated how these flood risks will be managed.

- 7.7.2 A condition was attached to the outline planning permission for the submission of a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment and Drainage Strategy. It is therefore considered that details will be considered as part of the formal discharge of the relevant condition attached to the outline planning permission 20/00056/OUT.

## 7.8 **Biodiversity**

- 7.8.1 Policy 28 (Green Infrastructure Assets) and Policy 31 (Biodiversity Assets) of the P2LP seek to ensure no significant harm is caused to environmental assets, including protected habitats and species. Both policies share their main evidence base as the Council's Green Infrastructure Strategy. If significant harm is identified, then the P2LP policies require the benefits of the development, such as housing delivery, to clearly outweigh the harm.
- 7.8.2 Three Green Infrastructure Corridors identified within the Council's Green Infrastructure Strategy (2015-2030) run close to the site, with the closest being the Nottingham Canal Secondary Green Infrastructure Corridor (2.9), which lies to the west of the site on the opposite side of the A6096 and follows the route of the Nottingham Canal. This strategy document identifies existing assets to protect near this site including the Public Rights of Way links and identifies opportunities for change and enhancement including links to the canal towpath and using Bennerley Viaduct to connect Awsworth and Ilkeston.
- 7.8.3 There are no sites of international importance within 5km of the site and whilst there are 4 statutory sites and 21 non-statutory sites within 2km of the site, due to the absence of any such sites being located within the development site itself and the position of the site with clear defensible boundaries none of these sites lie immediately adjacent the proposed development. As such it is not considered that the development will have any significant impacts on these sites.
- 7.8.4 An 'Extended Phase I Habitat Survey' was submitted with the outline planning application. The field study's which inform this document found records of breeding and foraging bats, nesting and breeding birds and a small number of common toads. Local BAP priority habitats including hedgerows and farmland (semi-improved grassland/silage) are contained within the site. The site is made up of semi-improved grassland, marshy grassland, hedgerows, dense scrub and the access, hardstanding and buildings associated with White House Farm.
- 7.8.5 As part of the reserved matters application a landscape masterplan has been submitted indicating the retention of existing hedgerows along the boundary and within the site along with the provision of additional open spaces within the site and the provision of balancing ponds.
- 7.8.6 As part of the outline planning permission updated ecological information including bat, amphibian, reptile wintering and breeding bird surveys are required to be submitted and agreed in writing and these will also inform the appropriate

condition which also requires the submission of a Biodiversity Enhancement Plan to be submitted and approved.

#### **7.9 Developer Contributions**

- 7.9.1 Developer contributions have been secured by way of a Section 106 Agreement under outline planning permission reference 20/00056/OUT. No further contributions or obligations are sought.

#### **8 Conclusion**

- 8.1 The benefits of the proposal are that the development would provide additional affordable housing, in a sustainable location, and which could contribute to the housing targets for the Borough and provide a wide range of size of housing to meet the needs of the community. The design and layout provides a range of dwelling types and styles enhancing the existing environment by providing attractive green spaces and ease of movement for vehicles, pedestrians and cyclists. The proposed layout will not give rise to any significant impacts upon the residential amenity of existing neighbouring properties and will provide adequate amenity spaces both internally and externally for future occupiers. Issues regarding land contamination, flood risk and biodiversity can be dealt with under the relevant conditions attached to the outline planning permission 20/00056/OUT.
- 8.2 On balance, In the opinion of the Planning Officer it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 8.3 It is recommended that planning permission is granted, subject to the conditions set out below and subject to the relevant conditions imposed under outline permission, reference 20/00056/OUT and in line with the previously agreed Section 106 Agreement.

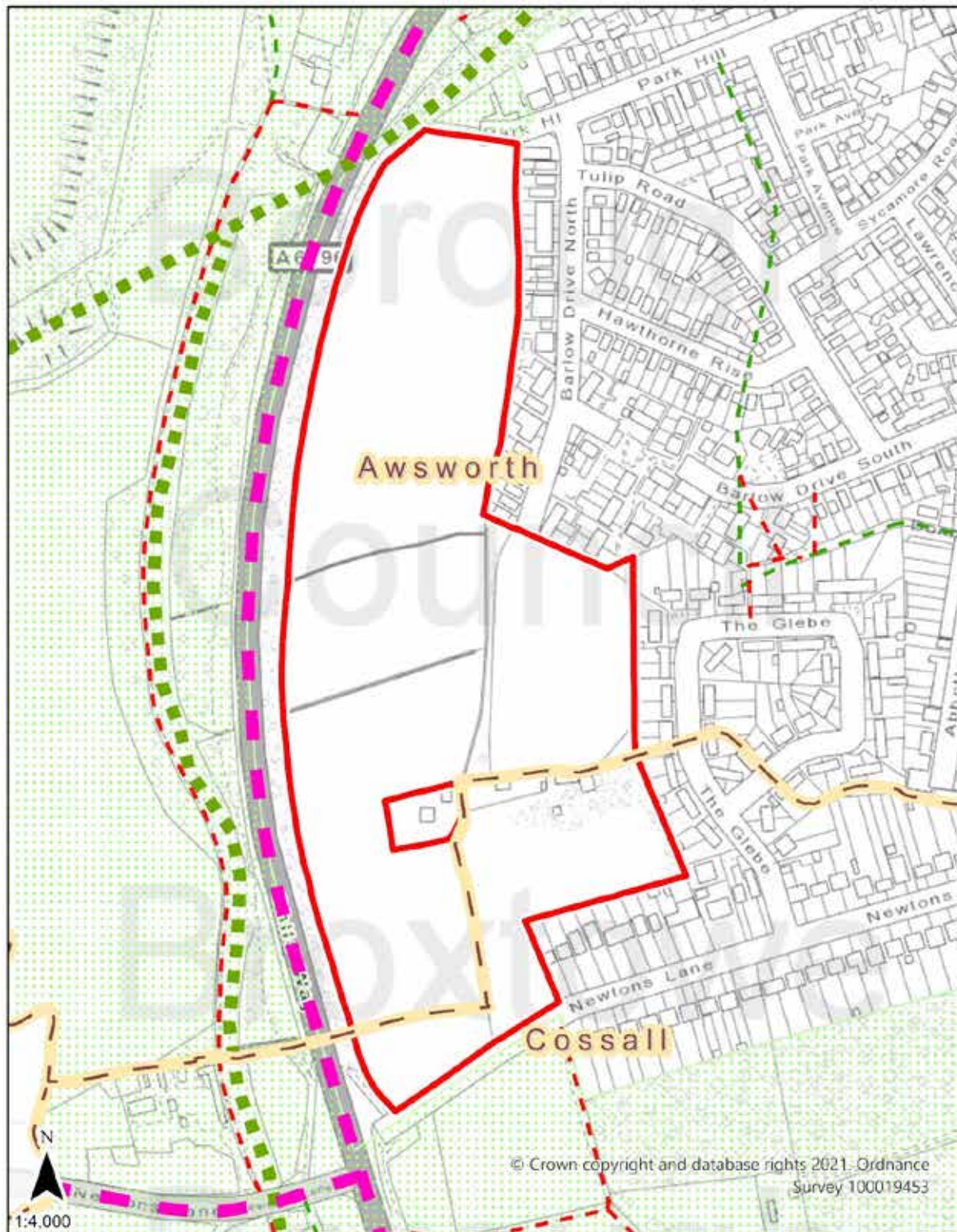
<b><u>Recommendation</u></b>	
	<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>
1.	<p>The development to which this approval relates shall be begun no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p><i>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.</i></p>
2.	<p>This permission shall be read in accordance with the following plans:</p> <p>Site Location Plan 1: 2000, n1794 001</p> <p>Received by the Local Planning Authority on 20.04.2022</p> <p>A2 – End Floorplan drawing no:- AV22/A2/0-001 Rev A A2 – End Elevations drawing no:- AV22/A2/0-002 Rev A</p> <p>B3 – End Floorplan drawing no: AV22/B3/0-001 Rev A B3 – End Elevations drawing no: AV22/B3/0-002 Rev A</p> <p>F2 - End Floorplan drawing no: AV22/F2/0-001 Rev A F2 - End Elevations drawing no: AV22/F2/0-002 Rev A</p> <p>H3 – End Floorplans drawing no: AV22/H3/0-001 Rev A H3 – End Elevations drawing no: AV22/H3/0-002 Rev A</p> <p>R3 – End Floorplans drawing no: AV22/R3/0-001 Rev A R3 – End Elevations drawing no: AV22/R3/0-002 Rev A</p> <p>T2 – End Floorplans drawing no: AV22/T2/0-001 Rev A T2 – End Elevations drawing no: AV22/T2/0-002 Rev A</p> <p>Askern – End Floorplan drawing no. AV22/ASK/0-001 Rev B Askern – End Elevations drawing no. AV22/ASK/0-002 Rev B</p> <p>Baildon – End Floorplan drawing no. AV22/BAI/0-001 Rev C Baildon – End Elevations drawing no. AV22/BAI/0-002 Rev C</p> <p>Cadeby – Floorplan drawing no. AV22/CAD/0-001 Rev B Cadeby – Elevations drawing no. AV22/CAD/0-002 Rev B</p> <p>Cookridge – Floorplan drawing no. AV22/COO/0-001 Rev D Cookridge – Elevations drawing no. AV22/COO/0-002 Rev C</p>

	<p><b>Dalton – Floorplan drawing no. AV22/DAL/0-001 Rev C</b>  <b>Dalton – Elevations drawing no. AV22/DAL/0-002 Rev C</b></p> <p><b>Fernlee – End Floorplan drawing no. AV22/FER/0-001 Rev B</b>  <b>Fernlee – End Elevations drawing no. AV22/FER/0-002 Rev B</b></p> <p><b>Horbury – Floorplan drawing no. AV22/HOR/0-001 Rev D</b>  <b>Horbury – Elevations drawing no. AV22/HOR/0-002 Rev C</b></p> <p><b>Howarth – End Floorplan drawing no. AV22/HOW/0-001 Rev C</b>  <b>Howarth – End Elevations drawing no. AV22/HOW/0-002 Rev C</b></p> <p><b>Leyburn – Floorplan drawing no. AV22/LEY/0-001 Rev C</b>  <b>Leyburn – Elevations drawing no. AV22/LEY/0-002 Rev B</b></p> <p><b>Oakwood – Semi Floorplan drawing no. AV22/OAK/0-001 Rev B</b>  <b>Oakwood – Semi Elevations drawing no. AV22/OAK/0-002 Rev B</b></p> <p><b>Ripon – End Floorplan drawing no. AV22/RIP/0-001 Rev B</b>  <b>Ripon – End Elevations drawing no. AV22/RIP/0-002 Rev B</b></p> <p><b>Saltaire – End Floorplan drawing no. AV22/SAL/0-001 Rev C</b>  <b>Saltaire – End Elevations drawing no. AV22/SAL/0-002 Rev C</b></p> <p><b>Thirsk – End Floorplan drawing no. AV22/THI/0-001 Rev B</b>  <b>Thirsk – End Elevations drawing no. AV22/THI/0-002 Rev B</b></p> <p><b>Thornton – Floorplan drawing no. AV22/THO/0-001 Rev D</b>  <b>Thornton – Elevations drawing no. AV22/THO/0-002 Rev D</b></p> <p><b>Wentbridge – Floorplan drawing no. AV22/WEN/0-001 Rev C</b>  <b>Wentbridge – Elevations drawing no. AV22/WEN/0-002 Rev C</b></p> <p><b>Single Garage – Gable Front - drawing no.500/005 Rev A</b>  <b>Double Garage – Hipped - drawing no.503/006 Rev A</b>  <b>Garage Twin – Hipped Roof - drawing no.505/006 Rev A</b></p> <p><b>Received by the Local Planning Authority on 28.09.2022</b></p> <p><b>Planning Layout – drawing no. n1794_008 Rev H</b>  <b>Colour Presentation Layout, n1794_009D</b></p> <p><b>Received by the Local Planning Authority on 03.11.2022</b></p> <p><b>Materials Layout - drawing no. n1794_600 Rev H</b></p> <p><b>Received by the Local Planning Authority on 30.11.2022</b></p> <p><b>Landscape Master Plan, R/2576 1D</b></p>
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	<b><i>Reason: For the avoidance of doubt</i></b>
3.	<p>The temporary turning facility for buses shall be returned to grass and the vehicular crossings reinstated to footway with full height kerbs once the spine road has been provided to an adoptable standard.</p> <p><b><i>Reason: In the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
4.	<p>Prior to the occupation of any dwelling, a scheme to protect key locations from indiscriminate parking will need to be provided and agreed in writing with the Local Planning Authority.</p> <p><b><i>Reason: In the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
5.	<p>All dwellings shall be provided with a dedicated socket fixed to the house or garage in an appropriate location, with sufficient capacity to allow for the future conversion to an EV charging point.</p> <p><b><i>Reason: To ensure charging cables do not become a trip hazard when laid across the footway in the interest of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a>
3.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.

4.	The associated S106 Agreement and all relevant conditions on the outline permission (20/00056/OUT) must be complied with.
5.	<p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.</p> <p>a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.</p> <p>b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is <u>essential</u> that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to <a href="mailto:hdc.south@nottsccl.gov.uk">hdc.south@nottsccl.gov.uk</a></p>





Legend

- |   |  |
|---|--|
| <span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px;"></span> Site Outline | <span style="color: green; text-decoration: underline wavy;">—</span> Bridleway  |
| <span style="color: magenta; text-decoration: underline wavy;">—</span> Classified Road                     | <span style="color: red; text-decoration: underline wavy;">—</span> Footpath   |
| <span style="color: green; text-decoration: underline wavy;">—</span> Green Infrastructure Corridor         | <span style="color: green; text-decoration: underline dotted;">—</span> Green Belt                                       |
| <span style="color: orange; text-decoration: underline wavy;">—</span> Byway open to all traffic            | <span style="border: 1px dashed yellow; display: inline-block; width: 20px; height: 10px;"></span> Boundaries - Parishes |

**Photographs**

Access point from Newtons Lane



Shilo Way access point



View into the site from Newtons Lane



Towards Newtons Lane and The Glebe



Into the site from Park Hill

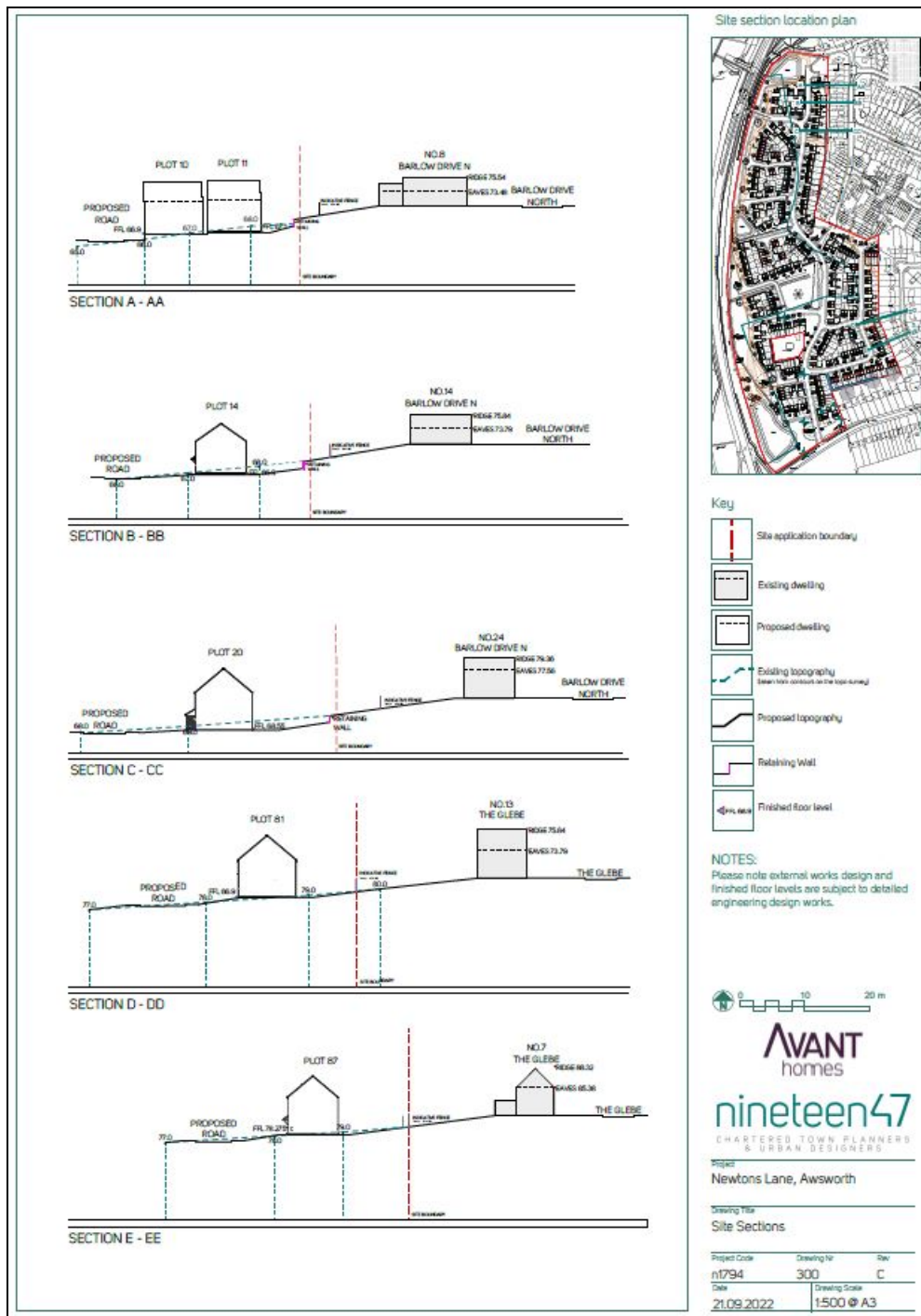




Plans (not to scale)

**Proposed Site Plan**





# Typical House Types





## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>22/00856/FUL</b>
<b>LOCATION:</b>	<b>8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX</b>
<b>PROPOSAL:</b>	<b>Construct single storey and two storey rear extension</b>

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

### 1. Purpose of Report

The application seeks full planning permission for the construction of a single storey and two storey rear extension.

### 2. Recommendation

**The Committee is asked to resolve that planning permission be granted for the reasons set out in the appendix.**

### 3. Details

- 3.1 This application seeks full planning permission to construct a single and two storey rear extension with the upper floor extension creating larger bedroom and bathroom and the ground floor extension to increase the kitchen space. There is currently a conservatory to the rear which will be removed as part of the proposal.
- 3.2 To the front of the property there is currently a porch which is open to the front and side. The plans indicate the bricking up of the side of the porch and the provision of a door to the front, which do not require planning permission.
- 3.3 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens.
- 3.4 The benefits of the proposal are that it would be an enlargement to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. There are considered no negative impacts therefore the proposal is acceptable.

### 4. Financial Implications

- 4.1 There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

Nil.

## APPENDIX

**1 Details of the Application**

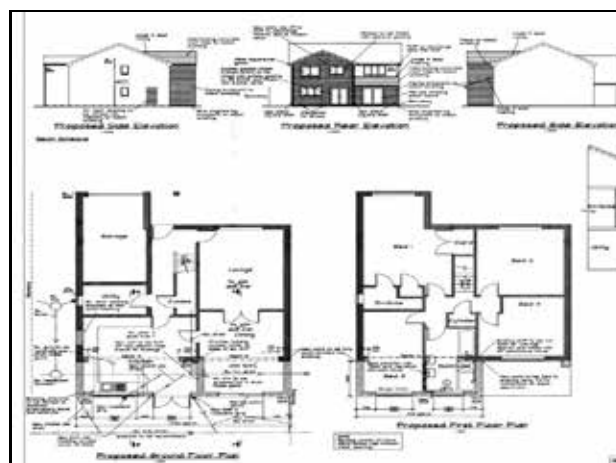
- 1.1 This application seeks consent to construct a single storey rear extension to the kitchen which will extend out by 4.03m and an upper floor rear extension creating a larger bedroom along with an enlarged bathroom at first floor level. The proposed first floor extension will project rearwards by 1.7m and have a width of 5.1m with a pitched ridge height of 6.5m, an eaves height to match that of the existing house and will be finished in matching materials to the existing house.

**2. Site and Surroundings**

- 2.1 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens. The application site is located within a predominantly residential area.
- 2.2 In regards to neighbouring properties the site is located in a built up residential area of Nuthall made up of large detached properties with an immediate neighbour to the north (6 Kenton Avenue) and also an immediate neighbour to the south (10 Kenton Avenue). 4 and 5 Croxley Gardens are located to the west linked by the rear gardens.

**3. Relevant Planning History**

- 3.1 Planning permission was granted under reference number 05/00605/FUL to construct a two storey extension to the rear of the property (below). This was never implemented and the planning permission has now expired.



- 3.2 Planning permission was refused under reference number 22/00142/FUL for the construction of a front porch and a first floor rear extension. This application was

recommended for approval by the planning officer but refused by committee. No appeal was lodged.



#### 4. **Relevant Policies and Guidance**

##### 4.1 **Broxtowe Aligned Core Strategy 2014**

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

- Policy 10: Design and Enhancing Local Identity

##### 4.2 **Part 2 Local Plan 2019:**

4.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.

- Policy 17: Place-making, design and amenity

##### 4.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 2: Achieving Sustainable Development.
- Section 4: Decision-making.
- Section 12: Achieving well-designed places.

##### 4.4 **Consultations**

###### 4.4.1 **Neighbours**

- 5 neighbours were consulted on the application, with 2 objection responses being received regarding:
  - Overlooking and loss of privacy.
  - Loss of daylight/sunlight and overshadowing.
  - Impact on property values.
  - Noise and smell from the proposal.
  - Parking, loading and unloading.
  - Layout and will look uneven.
  - Previous refusal by Committee.

###### 4.4.2 **Nuthall Parish Council**

- Objection received regarding the overdevelopment of the site and the adverse effect on neighbours.



**5. Assessment**

- 5.1 The main issues relate to whether the design and appearance of the proposal are visually acceptable and whether there is an unacceptable impact on neighbour amenity.

**6. Principle**

- 6.1 The principle of a single storey and two storey rear extension to an existing dwelling to replace an existing extension within a residential area in this location, is deemed acceptable in regard to the existing character of the dwelling and the surrounding area.

**7. Design and Visual Amenity**

- 7.1 Policy 10 states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 7.2 Policy 17 of the Part 2 Local Plan 2019 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.
- 7.3 The ground floor rear extension will extend out from the existing kitchen and dining room by 4.03m to extend across the length of the rear of the dwelling. The proposed first floor extension will extend an existing bedroom and bathroom by 1.8m at the rear, but have a reduced width of 5.1m (that is, not the full width of the rear elevation). With an overall ridge height of 6.5m it will be set at a lower level to the roof of the main dwelling and so restricting the appearance from the street scene of Kenton Avenue.
- 7.4 Information submitted on the application form indicates that the finish materials of the proposed extension will match that of the existing house with bricks used in the construction of the walls and tiles to be used on the roof. Therefore, it is considered that the proposed finish materials to be used in the development are considered acceptable in respect to their appearance within the local streetscape.
- 7.5 The proposal is not considered to have any significant detrimental impact upon the character of the street scene or visual amenity of the surrounding area.

**8. Amenity**

- 8.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers.
- 8.2 Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

- 8.3 Objections have been received from neighbouring properties in respect of overlooking / loss of privacy, loss of light/overshadowing, noise and disturbance and parking/unloading of building materials.
- 8.4 Directly to the north of the application site there is an existing two storey detached dwelling number 6 Kenton Avenue. The host dwelling is set behind the rear of the neighbouring property by approximately 2m, with the land levels serving number 6 set approximately 200mm higher than those within the application site. To the rear of number 6 there is an existing conservatory along with a 2m high close boarded timber fence along the boundary. The first floor extension as proposed will be in line with the end side elevation of number 8. The ground floor extension will protrude from the existing dwelling by 4.03m with the two storey extension above extending out from the rear elevation of the dwelling by 1.8m and will be served by a pitched roof which will be set lower than the roof of the main dwelling. Furthermore, the first floor extension will not protrude forward of the rear elevation of number 6, with the submitted block plan indicated this part of the proposal to be behind the rear elevation of number 6. In addition, there are no windows proposed in the side elevation of the first floor extension, with the only window within the side elevation of number 6 being an obscurely glazed first floor landing window. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 6 Kenton Avenue.
- 8.5 To the south of the application site there is an existing two storey detached dwelling number 10 Kenton Avenue. To the rear of the host dwelling there is currently a conservatory extension built up to the boundary which consists of a 2m high close boarded timber fence. The proposed first floor extension will be set in from the boundary with no 10 by 3.5m. To the side of number 10 there is an attached double garage which separates the site from the main dwelling of no 10. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 10 Kenton Avenue.
- 8.6 Directly to the rear of the application site there are two neighbouring properties, numbers 4 and 5 Croxley Gardens. The rear boundary consists of a 2m high close boarded timber fence and with the properties to the rear are served with rear gardens with depths of 10m. It should be noted that the properties to the rear are set at a higher level than the application site. Whilst a two storey extension is proposed, the ground floor will extend out by 4.03m with the two storey extension being built above. The second storey extension will only be extending out by 1.8m to the rear, resulting in a distance of 20m between the rear elevation of no 4 Croxley Gardens (the closest neighbour) and the resulting rear elevation of the first floor extension. The extension will allow for a larger floor space to serve an existing bedroom and bathroom. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring properties of numbers 4 and 5 Croxley Gardens.

## **9. Access**

- 9.1 There are no proposed changes to the existing access and parking arrangements and as there will be no proposed intensification of the property it is considered there will be no additional impact on road safety.

**10. Other Issues Raised**

- 10.1 Concerns have been raised with regards to the impact of the proposal on the value of the neighbouring properties. This issue is not a material planning consideration and cannot be taken into consideration as part of this application.
- 10.2 Whilst concerns have been raised in respect of noise/disturbance during construction and the parking/unloading of building materials, should noise/disturbance become an issue this can be dealt with by separate legislation by the Environmental Health department. Furthermore, the property is served by a large driveway for which building materials could be stored and there are no traffic regulation orders in the form of double yellow lines which would restrict vehicle parking within Kenton Avenue.

**11. Planning Balance**

- 11.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would be of an acceptable scale and design, would not have a significant impact on neighbour amenity and would be in accordance with the policies contained within the development plan.
- 11.2 There are considered no negative impacts, therefore the proposal is acceptable.

**12. Conclusion**

- 12.1 It is considered that, having regard to the relevant policies of the Development Plan, National Planning Guidance and to all other material considerations, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b>  <b><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b>
<b>2.</b>	<b>The development hereby permitted shall be carried out in accordance with the site/location plan (drawing ref:HS/OS) received by the Local Planning Authority on 15 November 2022, Proposed First Floor Plan (Drawing Reference HH/015/002 rev 03), Proposed Ground Floor Plan(Drawing Reference HH/015/001 rev 03), Proposed Roof Plan (Drawing Number HH/015/004 rev 03),</b>

	<p><b>Proposed Elevations (Drawing Number: HH/015/003 rev 03 and HH/015/004 rev 03) received by the Local Planning Authority on January 13<sup>th</sup> 2023.</b></p> <p><i><b>Reason: For the avoidance of doubt.</b></i></p>
3.	<p><b>The single storey and two storey rear extensions shall be constructed using materials to match the existing house and as specified in the application form received by the Local Planning Authority on 15 November 2022, unless otherwise agreed in writing by the Local Planning Authority.</b></p> <p><i><b>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</b></i></p>
	<b>NOTES TO APPLICANT</b>
1.	<p><b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b></p>
2.	<p><b>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</b></p> <p><b>Further information is also available on the Coal Authority website at:</b>  <a href="https://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

Site Plan



Legend

Site Outline



Photographs



Photograph showing the principle (east) elevation



Photograph showing the rear (west) elevation



Photograph showing the rear elevation and its relationship with number 6 Kenton Avenue.



Photograph showing the boundary with number 6 Kenton Avenue

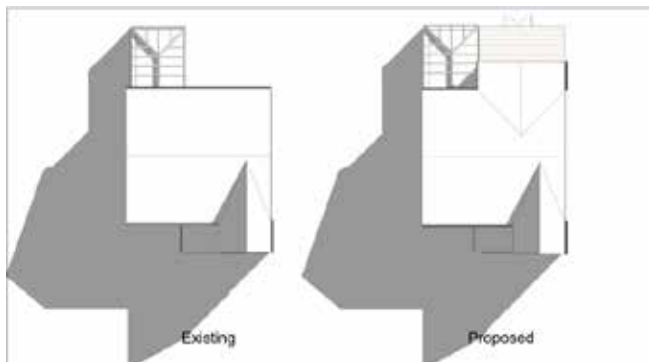
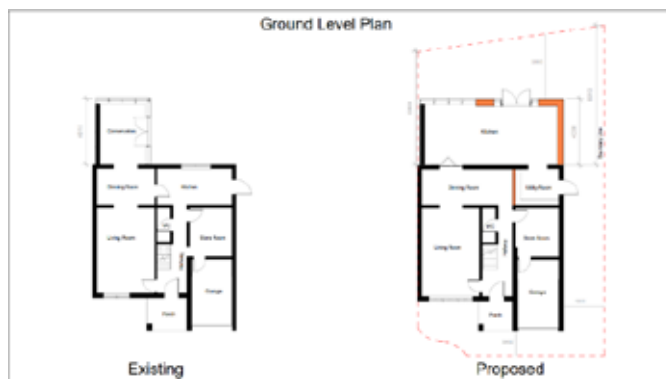


Photograph showing the boundary with number 10 Kenton Avenue



Photograph showing rear boundary to 4 Croxton Gardens

**Plans (not to scale)**



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## **BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT**

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**PLANNING APPLICATIONS DEALT WITH FROM  
12 DECEMBER 2022 TO 6 JANUARY 2023**

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### **CONTENTS**

Planning applications dealt with under Delegated Powers

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

# BROXTOWE BOROUGH COUNCIL

## DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

### 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 K Lock	22/00412/FUL
Site Address	:	Chilwell Manor Golf Club Meadow Lane Chilwell NG9 5AE	
Proposal	:	<b>Construct single storey extension to golf club building to accommodate golf swing studio and golf buggy store</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Andrew King	22/00637/FUL
Site Address	:	74 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	<b>Retain raised deck and retrospective change of piece of land to rear of Pentagon Car Sales garage to domestic garden</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mrs Laura Read	22/00673/FUL
Site Address	:	227 Attenborough Lane Attenborough Nottinghamshire NG9 6AL	
Proposal	:	<b>Construct covered area to side of garage and increase height of existing fence (Revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Dr Marie Amaning	22/00709/FUL
Site Address	:	9 Cator Lane Chilwell Nottinghamshire NG9 4AX	
Proposal	:	<b>Construct single storey front, side and rear extension, two storey rear extension, and hip to gable roof above existing first floor side extension to facilitate loft conversion</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Connie Pullan	22/00768/FUL
Site Address	:	186 High Road Chilwell Nottinghamshire NG9 5BB	
Proposal	:	<b>Works to Listed Building to improve energy efficiency, including replacement of windows and door, installation of air source heat pump, replacement of render, installation of secondary glazing and installation of mechanical extract fans.</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Connie Pullan	22/00769/LBC
Site Address	:	186 High Road Chilwell Nottinghamshire NG9 5BB	
Proposal	:	<b>Works to Listed Building to improve energy efficiency, including replacement of windows and door, installation of air source heat pump, replacement of render, installation of secondary glazing and installation of mechanical extract fans.</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mrs Karen Knight	22/00812/FUL
Site Address	:	109 Long Lane Attenborough Nottinghamshire NG9 6BQ	
Proposal	:	<b>Construct single storey rear extension and first floor side extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr S Taylor	22/00810/PMAP32
Site Address	:	4 Chapel House Clarkes Lane Chilwell Nottinghamshire NG9 5BG	
Proposal	:	<b>Prior Notification for Change of Use from business to residential</b>	
Decision	:	<b>Prior Approval Approved</b>	

Applicant	:	Lloyd	22/00883/CAT
Site Address	:	201 Attenborough Lane Attenborough Nottinghamshire NG9 6AB	
Proposal	:	<b>T1 - Beech - Reduction by 1.8-2.5m to previous points. Crown lift to 5.2m to clear highway as road is used as a bus route</b>	
Decision	:	<b>No Objection</b>	

### **AWSWORTH, COSSALL & TROWELL WARD**

Applicant	:	Mr Matt Eley NG9 Properties Ltd.	22/00228/FUL
Site Address	:	Gardeners Inn Awsworth Lane Cossall Nottinghamshire NG16 2RX	
Proposal	:	<b>Demolish public house and construct five detached dwellings and associated parking</b>	
Decision	:	<b>Refusal</b>	

Applicant	:	Mr Paul Anderton Connect services UK	22/00292/FUL
Site Address	:	Oakwood Grange Robinettes Lane Cossall Nottinghamshire NG16 2RX	
Proposal	:	<b>Demolition of the existing maintenance workshop building and single storey office building and the erection of a new modular workshop/storage building and a new single storey modular office and welfare building.</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	MR & MRS PERKINS	22/00844/FUL
Site Address	:	4 Hill Rise Trowell Nottinghamshire NG9 3PE	
Proposal	:	<b>Construct two side dormers to facilitate loft conversion</b>	
Decision	:	<b>Refusal</b>	

Applicant	:	Amy Withey	22/00846/FUL
Site Address	:	16 Wortley Avenue Trowell Nottinghamshire NG9 3QP	
Proposal	:	<b>Construct first floor side extension.</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr David Burke	22/00886/CAT
Site Address	:	The Manor House 29 Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	:	<b>Silver Birch - tree has split in two and looks dangerous - needs to be felled</b>	
Decision	:	<b>No Objection</b>	

Applicant	:	Mr David Burke	22/00887/CAT
Site Address	:	The Manor House 29 Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	:	<b>Cherry tree - arborist reports tree is diseased and should be felled</b>	
Decision	:	<b>No Objection</b>	

### **BEESTON CENTRAL WARD**

Applicant	:	Mr Jag Randhawa W1 Capital Ltd	22/00281/CLUE
Site Address	:	42 Fletcher Road Beeston Nottinghamshire NG9 2EL	
Proposal	:	<b>Certificate of Lawfulness for an existing use as a House in Multiple Occupation within Use Class C4</b>	
Decision	:	<b>Approval - CLU</b>	

Applicant	:	Mr Christopher Whittingham PA Housing	22/00813/FUL
Site Address	:	60 To 70 Mona Street Beeston Nottinghamshire NG9 2AL	
Proposal	:	<b>Replacement of timber windows and doors with UPVC and insertion of high security door</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Greenfield KLG Rutland	22/00822/VOC
Site Address	:	The Mill Factory Shop 118 Queens Road East Beeston Nottinghamshire	
Proposal	:	<b>Variation of Condition 2 to planning reference 20/00547/FUL - Revised drawings to site plan - provide further car-parking provision on Evelyn Street elevation and to proposed elevations - change appearance of windows and door</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Daniel Wood Daventure Holdings Limited	22/00833/FUL
Site Address	:	59 City Road Beeston Nottinghamshire NG9 2LQ	
Proposal	:	<b>Change of use of a dwelling (Class C3) to HMO (Class C4)</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
Applicant	:	Soda Estates 20 Ltd	22/00843/CLUE
Site Address	:	25 Lower Road Beeston Nottinghamshire NG9 2GT	
Proposal	:	<b>Certificate of lawfulness for existing use as a house in multiple occupation (Class C4)</b>	
Decision	:	<b>Approval - CLU</b>	
<hr/>			
<b>BEESTON NORTH WARD</b>			
Applicant	:	Mr. R. Badge	22/00579/FUL
Site Address	:	1 Lowes Court Nicholas Road Beeston Nottinghamshire NG9 3LP	
Proposal	:	<b>Retention of training cricket pitch with netting and floodlighting and installation of an external seating area</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
Applicant	:	Mr J Huang	22/00763/CLUP
Site Address	:	28 Warwick Avenue Beeston Nottinghamshire NG9 2HQ	
Proposal	:	<b>Certificate of Lawfulness for proposed single storey rear extension and loft conversion with rear dormer</b>	
Decision	:	<b>Approval - CLU</b>	
<hr/>			
<b>BEESTON RYLANDS WARD</b>			
Applicant	:	Mr Dino Labbate Swish Architecture Ltd.	21/00133/FUL
Site Address	:	Land To The Rear Of Clayton Court Queens Road Beeston Nottinghamshire	
Proposal	:	<b>Construct three storey apartment block of 13 flats and dropped kerb (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
Applicant	:	Mr Jowett IDD Commercial Ltd and Platform Housing Group	22/00477/VOC
Site Address	:	Beeston Maltings Dovecote Lane Beeston Nottinghamshire NG9 1JG	
Proposal	:	<b>Variation of conditions 2 and 14 of reference 19/00668/FUL: Condition 2 to refer to updated drawing in respect of acoustic fence following updated Noise Assessment report and Condition 14 to refer to revised Noise Assessment report</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
<b>BEESTON WEST WARD</b>			
Applicant	:	Mr Ali Mohammed	22/00409/FUL
Site Address	:	35 Dale Lane Chilwell Nottinghamshire NG9 4EA	
Proposal	:	<b>Construct domestic basement extension</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
Applicant	:	Cornerstone Cornerstone	22/00866/FUL
Site Address	:	Vodafone Telecommunications Mast Electricity Substation Albion Street Beeston Nottinghamshire	
Proposal	:	<b>The removal of the existing 17m mast with 6 antennas and ancillary equipment and its replacement with a 20m mast with 12 antennas, 4 microwave dishes and ancillary equipment and works ancillary thereto.</b>	
Decision	:	<b>Conditional Permission</b>	
<hr/>			
Applicant	:	JB Tree Care James Brydon JB Tree Care	22/00908/CAT
Site Address	:	24 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	<b>T1 - Silver Birch - 2m crown reduction and crown clean (prune back to previous points). Located in front garden by front wall.</b>	
Decision	:	<b>Withdrawn</b>	

## BRAMCOTE WARD

Applicant	:	Mr Manpreet Rakhra	22/00595/FUL
Site Address	:	7 Windermere Road Beeston Nottinghamshire NG9 3AS	
Proposal	:	<b>Construct single storey front extension and retain side fence</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs A Prayle	22/00737/FUL
Site Address	:	56 Marshall Drive Bramcote Nottinghamshire NG9 3LD	
Proposal	:	<b>Construct single storey side and rear extension. Construct raised parapet wall to first floor rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr James Macdonald The White Hills Park Foundation Trust	22/00740/FUL
Site Address	:	Bramcote College Moor Lane Bramcote Nottinghamshire NG9 3GA	
Proposal	:	<b>Construction of replacement Secondary School (750 11-16 places plus 200 sixth form places). Demolition of existing school with partial retention for Trust Offices. Associated car parking, sports pitches and general hard and soft landscaping.</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Julian Ennis	22/00760/FUL
Site Address	:	44 Balmoral Drive Bramcote Nottinghamshire NG9 3FU	
Proposal	:	<b>Construct single storey rear extension with render and two storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Nicholls	22/00781/FUL
Site Address	:	254 Derby Road Bramcote Nottinghamshire NG9 3JN	
Proposal	:	<b>Construct rear dormer and hip to gable conversion to facilitate loft conversion</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	MR ALISTAIR NICKLIN	22/00796/FUL
Site Address	:	8 The Home Croft Bramcote Nottinghamshire NG9 3DQ	
Proposal	:	<b>Construct detached garage to front</b>	
Decision	:	<b>Refusal</b>	

Applicant	:	Lorna Wood	22/00804/FUL
Site Address	:	37 Park Road Bramcote Nottinghamshire NG9 3LA	
Proposal	:	<b>Construct two storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Johal	22/00958/NMA
Site Address	:	Chantry House Coventry Lane Bramcote Nottinghamshire NG9 3GJ	
Proposal	:	<b>Non material amendment to 21/00855/FUL for alterations to window to Cinema Room/Playroom enlarged (side elevation), Bi-fold doors removed to Cinema Room (rear elevation), 4no. roof lights to pitched roof replaced with single large pitched roof light, small window to kitchen replaced with enlarged aluminium frame double glazed fixed window (rear elevation) and 3no. roof lights added to roof.</b>	
Decision	:	<b>Conditional Permission</b>	

## BRINSLEY WARD

Applicant	:	Mr Tamid Khan	22/00624/FUL
Site Address	:	1 Pharmacy Brynsmoor Road Brinsley Nottinghamshire NG16 5DD	
Proposal	:	<b>Construct single storey side extension to create consultation room. Construct ramp with hand rail to the front main entrance to facilitate DDA access</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Charles Sowter	22/00800/FUL
Site Address	:	20 Moor Road Brinsley Nottinghamshire NG16 5AZ	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

## CHILWELL WEST WARD

Applicant	:	Mr and Mrs Paul Glover	22/00794/FUL
Site Address	:	29 Penrhyn Crescent Chilwell Nottinghamshire NG9 5NZ	
Proposal	:	<b>Construct first floor extension and convert part of the existing garage to habitable room including replacement of garage door with window</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mrs Pamela Preston	22/00845/FUL
Site Address	:	4 Greenland Crescent Chilwell Nottinghamshire NG9 5LB	
Proposal	:	<b>Construct pod for use as a dog grooming business (re submission)</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr & Mrs Swinscoe	22/00860/FUL
Site Address	:	86 Haddon Crescent Chilwell Nottinghamshire NG9 5JR	
Proposal	:	<b>Construct two storey side extension and single storey front and rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

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## EASTWOOD HALL WARD

Applicant	:	Mr K Thompson	22/00656/FUL
Site Address	:	40 Thorn Tree Gardens Eastwood Nottinghamshire NG16 3EE	
Proposal	:	<b>Construct two storey side and single storey rear extension, dormers to front and rear</b>	
Decision	:	<b>Conditional Permission</b>	

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## EASTWOOD HILLTOP WARD

Applicant	:	Mr K Farnsworth	22/00686/FUL
Site Address	:	59A Chewton Street Eastwood Nottinghamshire NG16 3GY	
Proposal	:	<b>Construct single / 2 storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Fr Paul Newman	22/00826/TPOW
Site Address	:	Outside 280 Nottingham Road Eastwood Nottinghamshire NG16 2AQ	
Proposal	:	<b>Two trees on private road -branches encroaching on Telegraph wires - Pruning Back</b>	
Decision	:	<b>Conditional Permission</b>	

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## KIMBERLEY WARD

Applicant	:	Ms J Thurlby	22/00753/FUL
Site Address	:	Knowle Hill Cottage 62 Nottingham Road Kimberley Nottinghamshire NG16 2NA	
Proposal	:	<b>Construct first floor front/side extension</b>	
Decision	:	<b>Conditional Permission</b>	

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## NUTHALL EAST & STRELLEY WARD

Applicant	:	Ms Heffernan	22/00791/FUL
Site Address	:	24 Osterley Grove Nuthall Nottinghamshire NG16 1QN	
Proposal	:	<b>Construct rear conservatory</b>	
Decision	:	<b>Conditional Permission</b>	

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## STAPLEFORD SOUTH EAST WARD

Applicant	:	Mr & Mrs Young	22/00830/FUL
Site Address	:	63 Blake Road Stapleford Nottinghamshire NG9 7HP	
Proposal	:	<b>Construct single storey rear / side extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Ms H Swan	22/00870/FUL
Site Address	:	162 Toton Lane Stapleford Nottinghamshire NG9 7HY	
Proposal	:	<b>Retain Boundary Wall</b>	
Decision	:	<b>Conditional Permission</b>	

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#### STAPLEFORD SOUTH WEST WARD

Applicant	:	Mr Taranjeet Abhol	22/00692/FUL
Site Address	:	63 Frederick Road Stapleford Nottinghamshire NG9 8FL	
Proposal	:	<b>Construct two x two storey dwellings attached to side of 63 Frederick Road, to create a terrace of three dwellings</b>	
Decision	:	<b>Conditional Permission</b>	

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#### TOTON & CHILWELL MEADOWS WARD

Applicant	:	Ms M Kee	22/00460/FUL
Site Address	:	330 Nottingham Road Toton Nottinghamshire NG9 6EF	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr Ian Benton	22/00654/FUL
Site Address	:	43 Carrfield Avenue Toton Nottinghamshire NG9 6FE	
Proposal	:	<b>Retain garden annex incorporating habitable space</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr & Mrs Draycott	22/00851/FUL
Site Address	:	21 Banbury Avenue Toton Nottinghamshire NG9 6JT	
Proposal	:	<b>Construct a two storey side extension and single storey front and rear extension.</b>	
Decision	:	<b>Conditional Permission</b>	

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#### WATNALL & NUTHALL WEST WARD

Applicant	:	Mr Robert Warnes	22/00761/FUL
Site Address	:	17 Carman Close Watnall Nottinghamshire NG16 1JX	
Proposal	:	<b>Construct single storey rear and side extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mrs Judith Robinson	22/00858/CAT
Site Address	:	The Cottage 8 Kimberley Road Nuthall Nottinghamshire NG16 1DG	
Proposal	:	<b>T1 - Sycamore - Fell - multiple stems, overhanging neighbours garden, too big for the corner. Previous permission to remove but expired</b>	
		<b>T2 - Ash Leaf Maple - tree in state of decay</b>	
		<b>T3 - Cedar - Reduction in height by 4m, Lateral branches by 2m</b>	
		<b>T4 - Cedar - Reduction in height by 4m, Lateral branches by 2m</b>	
Decision	:	<b>No Objection</b>	

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## Report of the Chief Executive

## APPEAL SUMMARY

<b>Application Number:</b>	<b>22/00421/FUL</b>
<b>Location:</b>	<b>86 Baker Road, Newthorpe, Nottinghamshire, NG16 2DP</b>
<b>Proposal:</b>	<b>Construct ground floor front and rear extension and hip to gable roof conversion with dormer windows.</b>

## APPEAL DISMISSED

The application was refused planning permission 17 August 2022 and at appeal was considered by The Planning Inspectorate by way of written representations.

The Inspector issued a decision letter and considered the main issues to be the effect of the proposal on both the character and appearance the existing dwelling and street scene.

The property is a small detached single storey bungalow with a hipped roof with the rear garden backing onto open countryside. To the rear is a public footpath.

The Inspector noted other dwellings within the vicinity of the appeal site vary in size, age and appearance, mixture of two storey and single storey dwellings, some of which has been extended and altered.

The proposal seeks to substantially alter and extend the dwelling by construction of a ground floor front and rear additions, a hip to gable roof extension with front and rear dormers. Solar panels would be installed on the rear roof slope.

The Inspector noted the changes to the dwelling would have an impact on the street scene due to the increased bulk and mass and would appear visually dominant and over prominent within the street scene. The ridge of the proposed roof would be taller than the dwellings either side (including the recently extended height of 84 Baker Road).

The Inspector noted the mixture of housing types along Baker Road and agrees with the Local Planning Authority a reduced scheme would be acceptable. However, for the reasons above the proposal is unacceptable and would have a detrimental effect on the character and appearance of the street scene. Therefore, it would conflict with the provisions of the Development Plan Policy 10 of Broxtowe Aligned Core Strategy 2014 and Policy 17 of the Broxtowe Part 2 Local Plan 2019.

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