



Friday, 12 April 2019

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 24 April 2019 in the New Council Chamber, Town Hall, Foster Avenue, Beeston, NG9 1AB, commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors:	M Handley (Chair)	R D MacRae
	L A Ball BEM (Vice-Chair)	G Marshall
	D Bagshaw	J K Marsters
	J S Briggs	P J Owen
	T P Brindley	P D Simpson
	M Brown	T A Cullen

A G E N D A

1. APOLOGIES

2. DECLARATIONS OF INTEREST

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

3. MINUTES

PAGES 1 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 13 March 2019.

4. NOTIFICATION OF LOBBYING

Town Hall, Foster Avenue, Beeston, Nottingham, NG9 1AB

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5. PROPOSED STOPPING UP OF UNREGISTERED PUBLIC RIGHT OF WAY - LAND SOUTH EAST OF B&M STYRING STREET AND STATION ROAD, BEESTON PAGES 7 - 14

This item is brought to Committee to make a Stopping Up Order under the Town and Country Planning Act 1990 following an application received by the Council for a public path diversion order to stop up the Footpath adjoining the building currently occupied by B&M Stores running from Styring Street to Station Road at the side of the former bus station.

6. DEVELOPMENT CONTROL

6.1 18/00763/FUL PAGES 15 - 30

Construct apartment block consisting of 4 flats following demolition of existing bungalow (revised scheme)
2a Lily Grove Beeston Nottinghamshire NG9 1QL

6.2 18/00377/FUL PAGES 31 - 52

Construct 14 houses, garages and associated access road following demolition of dwelling
Land to the rear of 13 Middleton Crescent, Beeston, Nottinghamshire

6.3 18/00798/FUL PAGES 53 - 68

Construct 15 houses and 4 apartments, associated access and drainage infrastructure and demolition of existing buildings
Hilltop House, Nottingham Road, Eastwood, Nottinghamshire, NG16 3GN

6.4 18/00490/FUL PAGES 69 - 74

Non-material amendment to construct single storey rear extension, two storey side extension and hip to gable loft extension with rear dormer (revised scheme)
60 Bramcote Road, Beeston, Nottinghamshire, NG9 1DW

6.5 19/00045/FUL PAGES 75 - 80

Construct glazed roof enclosure over new metal access staircase (revised scheme)

The Queens Head, 34 Main Street, Kimberley,
Nottinghamshire

6.6 18/00865/FUL PAGES 81 - 98

Construct 4 dwellings comprising 3 conversions of agricultural buildings and 1 conversion and extension of an agricultural building together with garaging and visitor car parking spaces
Field House Farm Cossall Road Trowell Nottinghamshire

6.7 19/00182/FUL PAGES 99 - 106

Upgrade to the existing communications apparatus consisting of a replacement tower of 25m in height, supporting new antenna, dishes and ancillary apparatus along with new and replacement / relocated cabinets at ground level within the existing compound footprint, as well as incorporating an existing site sharers apparatus.
Telecommunications Mast, Markham Road, Bramcote

7. INFORMATION ITEMS

7.1 Appeal Decision PAGES 107 - 112

The Committee noted the appeal decisions taken by the Planning Inspector.

7.2 Appeal Statistics

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

7.3 Delegated Decisions PAGES 113 - 120

8. 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 1, 2, 3 and 6 of Schedule 12A of the Act.

8.1 19/00009/ENF

PAGES 121 - 124

Construction of stables, boundary, fencing, gates, floodlights, CCTV cameras, portacabin and alleged use of buildings to provide living accommodation

PLANNING COMMITTEE

WEDNESDAY, 13 MARCH 2019

Present: Councillor M Handley, Chair

Councillors: D Bagshaw
L A Ball BEM
J S Briggs
T P Brindley
M Brown
T A Cullen
R I Jackson
R D MacRae
G Marshall
J K Marsters
P J Owen
P D Simpson

An apology for absence was received from Councillor M Radulovic MBE.

54. DECLARATIONS OF INTEREST

There were no declarations of interest.

55. MINUTES

The minutes of the meeting on 13 February 2019 were confirmed and signed as a correct record.

56. NOTIFICATION OF LOBBYING

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

57. DEVELOPMENT CONTROL

57.1 18/00737/FUL

Change of use from a public house (Class A4) to a house in multiple occupation comprising of three flats (total 18 bedrooms) including side extension above flat roof, dormers to front and rear and external alterations
Queens Hotel, 189 Queens Road, Beeston, NG9 2FE

Councillor P Lally had asked that this application be determined by the Committee and the item had been deferred by the Committee on 13 February

2019 to allow for discussions with applicant about the provision of more parking on site and reduction in the intensity of the development.

There were a number of late items for the Committee to take note of including two letters of objection from neighbours and a correction to the report at paragraph 2.1 which should have stated that the report went to Committee on 13 February and not 9 January 2019.

Dr Amy Labbate, on behalf of the applicant, Mrs Elizabeth Rodrigues, objecting and Councillor L A Lally, Ward Member, made representations to the Committee prior to the general debate.

The debate started with concern over the quality of the development, the lack of facilities for inhabitants and the perceived lack of consideration that the applicant had given to the Committee's suggestions for revisions to the plans.

The Committee also discussed the impact on the local community including night time disturbance from students living at the property and that the number of dwellings would have a negative effect on parking in the area and neighbour amenity.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Chair of the Planning Committee and the Head of Neighbourhoods and Prosperity.

Reason

The proposed development, by virtue of the intensity of occupation, would have a detrimental impact on neighbour amenity in terms of noise and disturbance and loss of privacy, and would result in unacceptable parking problems due to the insufficient provision of on-site parking, contrary to Policies E34, H4 and T11 of the Broxtowe Local Plan, Policy 10 of the Broxtowe Aligned Core Strategy and Policy 17 of the Draft Part 2 Local Plan.

57.2 18/00516/FUL

Erect 10 one bed apartments

147 – 151 Queens Road, Beeston, Nottinghamshire, NG9 2FE

This planning application was first brought before Committee on 9 January 2019 at the request of Councillor P Lally. The item was deferred to allow further consideration to be given to increasing the provision of car parking spaces on site and to reducing the size of the building.

The Committee noted that there were two late items, both letters from neighbours.

Mrs Heather Blackwell, objecting, and Councillor L A Lally, Ward Member, made representation to the Committee prior to the general debate.

The Committee noted that there had been a slight reduction in the height of the building and the addition of one car parking space. It was felt that given the size of the plot, the number of flats and potential residents represented over intensive development and that it would impact negatively on neighbouring properties through loss of privacy. Member's also considered census data suggesting that Beeston had a lower than average level of car ownership to be out of date and irrelevant to the proposal, given that parking was known to be a problem in the area.

There was concern that the development was not of a decent quality because some of the proposed dwellings were below the size stipulated in the government's recommendations for housing standards, it was out of character with the rest of the area, there was no outside space and only one parking space to be shared by all of the residents.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Chair of the Planning Committee and the Head of Neighbourhoods and Prosperity.

Reasons

The proposed building by virtue of its size and scale represents an over intensive development of the site which would be out of keeping with the character of the area. Insufficient parking has been provided on site which would result in parking problems in the immediate area. Accordingly, the proposal is contrary to the aims of Policies H7 and T11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 of the Draft Part 2 Local Plan (2018).

57.3 18/00628/FUL

Construct seven dwellings, including associated access road, garaging, parking and landscaping
Southfields Farm, Common Lane, Bramcote, Nottinghamshire, NG9 3DT

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

The Committee gave due consideration to the late items, which included two emails from the applicant with pictures, one email from the applicant which was copied to members of the Committee, and an email from Bramcote Conservation Society.

Mr Frank Taylor, the applicant, addressed the Committee prior to the general debate.

In debating the item, the Committee discussed the preservation of the Green Belt, whether the existing buildings would be suitable for conversion for residential use, the poor state of the roads to the site and the pleasing landscape in which the site was set. The Committee also compared the proposed scheme to a scheme that had already been granted planning permission. It was considered that the proposal

that had been given planning permission offered most protection to the character the Green Belt.

RESOLVED that planning permission be refused, in accordance with the recommendation, for the following reasons.

- 1. The application site lies within the Nottinghamshire Green Belt and the proposal of seven dwellings would constitute inappropriate development and therefore by definition would be harmful to the Green Belt. Furthermore, it is concluded there would be an unacceptable impact on openness which is the essential characteristic of the Green Belt. It is considered that very special circumstances have not been demonstrated and there are no other considerations which would clearly outweigh the policy conflict and by definition, the harm to the Green Belt. Accordingly, the proposal is contrary to the aims of Policy E8 of the Broxtowe Local Plan 2004, Policy 10 of the Broxtowe Aligned Core Strategy 2014, Policy 8 of the Draft Part 2 Local Plan (2018) and Section 13 of the National Planning Policy Framework (NPPF) 2018.**
- 2. The proposed dwellings represent a suburban character which is out of keeping with the rural character of the surrounding area. Accordingly, the proposal is contrary to the aims of Policy E8 of the Broxtowe Local Plan 2004, Policy 10 of the Broxtowe Aligned Core Strategy 2014, Policies 8 and 17 of the Draft Part 2 Local Plan (2018) and Section 13 of the NPPF 2018.**

Note to applicant

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

57.4 18/00849/FUL

**Construct two storey side extension and single storey front and rear extensions
4 Muriel Road, Beeston, Nottingham, NG9 2HH**

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

There were no late items for the Committee to consider.

Mr Laborde, the applicant, Mr Colin Failles, objecting and Councillor S J Carr, Ward Member, addressed the Committee prior to the general debate.

It was noted that a number of neighbouring properties had benefited from similar, if not larger extensions. There was also concern that it would be unfair to allow one householder's decision to extend their property to impact on their neighbour's ability to build on their own property.

RESOLVED that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 14 December 2018 and Proposed Block Plan (1:500) and Proposed Elevations and Ground/First Floor Plans received by the Local Planning Authority on 21 February 2019.**
- 3. The walls shall be finished in a matching render and the roofs constructed with tiles of a type, texture and colour so as to match those of the existing house.**
- 4. The ground floor window in the south west (side) elevation and roof light in the south west roof slope shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the life time of the development.**

Reasons

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

Note to applicant

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

57.5 18/00662/FUL

Retain two storey rear/side and single storey rear extensions, including rear dormer (revised scheme)

84 Boundary Road, Beeston, Nottingham, NG9 2QZ

A request had been made by Councillor S J Carr that this application be determined by Committee.

There were no late items and no public speakers.

Debate centred on concerns that the quality of the building of the extension was not high, that the appearance was incongruous and that it would not have been given planning permission be built in this way had the applicant gone through the correct process. It was noted that because of the difference in brick colour and roof height at the front of the building was such that it made the extension appear to be a different building. The appearance at the rear of the property was also considered to be out of keeping with its surroundings, in particular the dormer window.

RESOLVED that planning permission be refused and enforcement action be taken, with the precise wording of the refusal to be delegated to the Chair of the Planning Committee and the Head of Neighbourhoods and Prosperity.

Reasons

1. The side extension is considered to be out of keeping with the materials of the existing house and to have an adverse impact on the character and appearance of the area by virtue of the use of non-matching bricks, the irregular roof design, the use of the white uPVC strip and the lack of a set down in the ridge height.
2. The rear dormer is considered to be of poor design and unduly dominates the roof due to its size, flat roof and non-centralised window. It is therefore out of keeping with the style and proportion of the original building, to the detriment of the appearance of the property.

Accordingly, the proposed development would be contrary to the aims of Policy H9 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018)58.

58. INFORMATION ITEMS

58.1 Appeal Statistics

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

58.2 Delegated Decisions

The Committee noted the decisions determined under delegated powers between 19 January to 22 February 2019.

Report of the Chief Executive**PROPOSED STOPPING UP OF UNREGISTERED PUBLIC RIGHT OF WAY – LAND SOUTH EAST OF B&M STYRING STREET AND STATION ROAD, BEESTON**1. Purpose of report

This item is brought to Committee to make a Stopping Up Order under the Town and Country Planning Act 1990 following an application received by the Council for a public path diversion order to stop up the footpath adjoining the building currently occupied by B&M Stores running from Styring Street to Station Road at the side of the former bus station.

2. Details

The application to stop up the footpath has been submitted in order to enable development to take place on land shown edged red on the attached plan. This encompasses phase 2 of the Beeston Square Re-development.

Full planning permission was granted on 13 September 2018 (planning reference:18/00360/FUL) for the construction of a cinema and commercial units (detailed scheme) and outline permission for mixed use development to include residential dwellings, car parking, commercial units and assembly and leisure units with ancillary areas (plant and bin stores etc).

The existing footpath to be stopped up is approximately 75m in length and 1.5 metres wide forming an uneven bricked 'pavement' which runs along the side of the B&M Stores building from Styring Street to Station Road forming a 'cut-through' for pedestrians from the tram stop to the Tesco Store. This 'pavement' lies directly beneath the footprint of the proposed development.

It is proposed that the new cinema complex, bars and restaurant directly adjoin the existing building and over the land currently forming the 'footpath'. If the footpath is not stopped up the existing footpath would lie directly between the current B&M building and the newly built cinema complex forming a dark 'tunnel like' passageway lacking natural surveillance which would pose health and safety risks to users, particularly late at night and potentially attract antisocial behaviour because of the sheltered nature of path making it highly undesirable.

As part of the new development there are plans to create an outdoor open area which would provide direct access from Styring Street to Station Road, re-linking the bus and tram interchange with the Tesco store.

3. Planning Considerations

Section 257 of the Town and Country Planning Act 1990 states that a competent Authority may by Order authorise the stopping up or diversion of

any footpath if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission. The procedure for doing so is set out in Schedule 14 of the Town and Country Planning Act 1990.

S7.15 of the Rights of Way Circular (1/09) advises that in the making of an order for the diversion of a Public Right of Way to enable approved development:

‘The local planning authority should not question the merits of planning permission when considering whether to make or confirm an order, but nor should they make an order purely on the grounds that planning permission has been granted. That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an order.

The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order.’

S7.8 of the Rights of Way Circular (1/09) states:

‘In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estates paths through landscaped or open space areas away from vehicular traffic’.

The main planning considerations in the determination of this application are that the existing footpath would cause safety issues for users with the potential increase of anti-social behaviour if the footpath were not stopped up.

There are alternative routes to the proposed path closure which run through The Square and along Middle Street.

Once the development is complete, users will be able to use the newly created public realm which is proposed to run through the centre of the development and will provide access already referred to above. This route will be much wider and more attractive than the present route which will provide a safe, well lit, even route which will be wider than the footpath to be stopped up and so more accessible and useable for those with impaired mobility.

Legal Considerations

Following pre-order consultations carried out by the developer, s257 of the Town and Country Planning Act 1990 gives the Council (as the local planning authority), a discretionary power to make an Order for the stopping up or

diversion of a footpath which is necessary to enable development to be carried out in accordance with planning permission. On making the Order, a public Notice describing the Order must be advertised in the press and the Order placed on deposit for public inspection. This public notice and Order map must also be placed at each end of the length of public footpath to be diverted. Owners of the land affected by the Order and various statutory consultees must be contacted and served with the Order and Notice and allowed the opportunity to make objections within 28 days from the making of the Order. If no objections are made the Order may then be recommended for confirmation as an unopposed order. The Order does not become effective until it has been confirmed. Any opposed Orders are sent to the Secretary of State for determination.

On confirmation of the Order similar steps to those outlined above must be repeated enclosing a copy of the Confirmed Order. Objectors may challenge the confirmation in the High Court within six weeks after Notice of the Confirmation is published on the grounds that the Confirmation is outside the Council's powers or that there has been a procedural defect. The Stopping Up Order does not come into effect until the Council certifies that the provisions of the Order have been complied with.

In these circumstances, a footpath Stopping Up Order is necessary to allow an authorised development to be carried out.

Recommendation

The committee is asked to RESOLVE that the Stopping Up Order be made.

Background papers

Nil

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TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

THE BROXTOWE COUNCIL PUBLIC PATH
(UNMARKED FOOTPATH LAND SOUTH EAST OF B&M STORE STYRING
STREET AND STATION ROAD, BEESTON)
STOPPING UP ORDER 2019

This Order is made by Broxtowe Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted on 13 September 2018 under Part III of the Town and Country Planning Act 1990, for the construction of a cinema and commercial units with ancillary uses (plant, bin stores etc) and public realm (planning application reference 18.00360/FUL) .

BY THIS ORDER:

1. The unmarked footpath south east of the land immediately adjoining the building currently occupied by B&M stores from Styring Street to Station Road, shown between points 'A' and 'B' on the attached plan and described in Part I of the schedule hereto shall be stopped up as provided by this Order.
2. The stopping up of the footpath shall have effect on the date on which it is confirmed by Broxtowe Borough Council.
3. Where immediately before the date on which the footpath is stopped up there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
4. This Order may be cited as the Broxtowe Borough Council Public Path (Unmarked Footpath Land South East of B&M Store Styring Street and Station Road) Stopping Up Order 2019.

Dated: 24 April 2019

THE COMMON SEAL of the)
BROXTOWE BOROUGH COUNCIL)
was hereunto affixed)
)

DULY AUTHORISED OFFICER

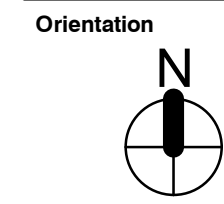
SCHEDULE

PART I

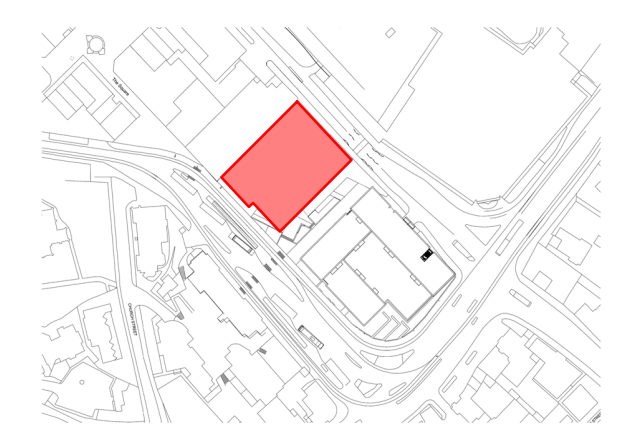
Description of Site of Existing Path

That part of the footpath from grid reference SK5286 3677 to SK5290 3681 as shown on the attached plan commencing from Styring Street at the point marked 'A' on the plan to Station Road at the Point marked 'B' for a length of approximately 75 metres.

Dimensions to be verified on site. Use figured dimensions only. Do not work from reduced scale drawings. Please refer to scale and sheet size as indicated.
 This drawing is the property of LEONARD DESIGN ARCHITECTS LTD.
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DO NOT SCALE

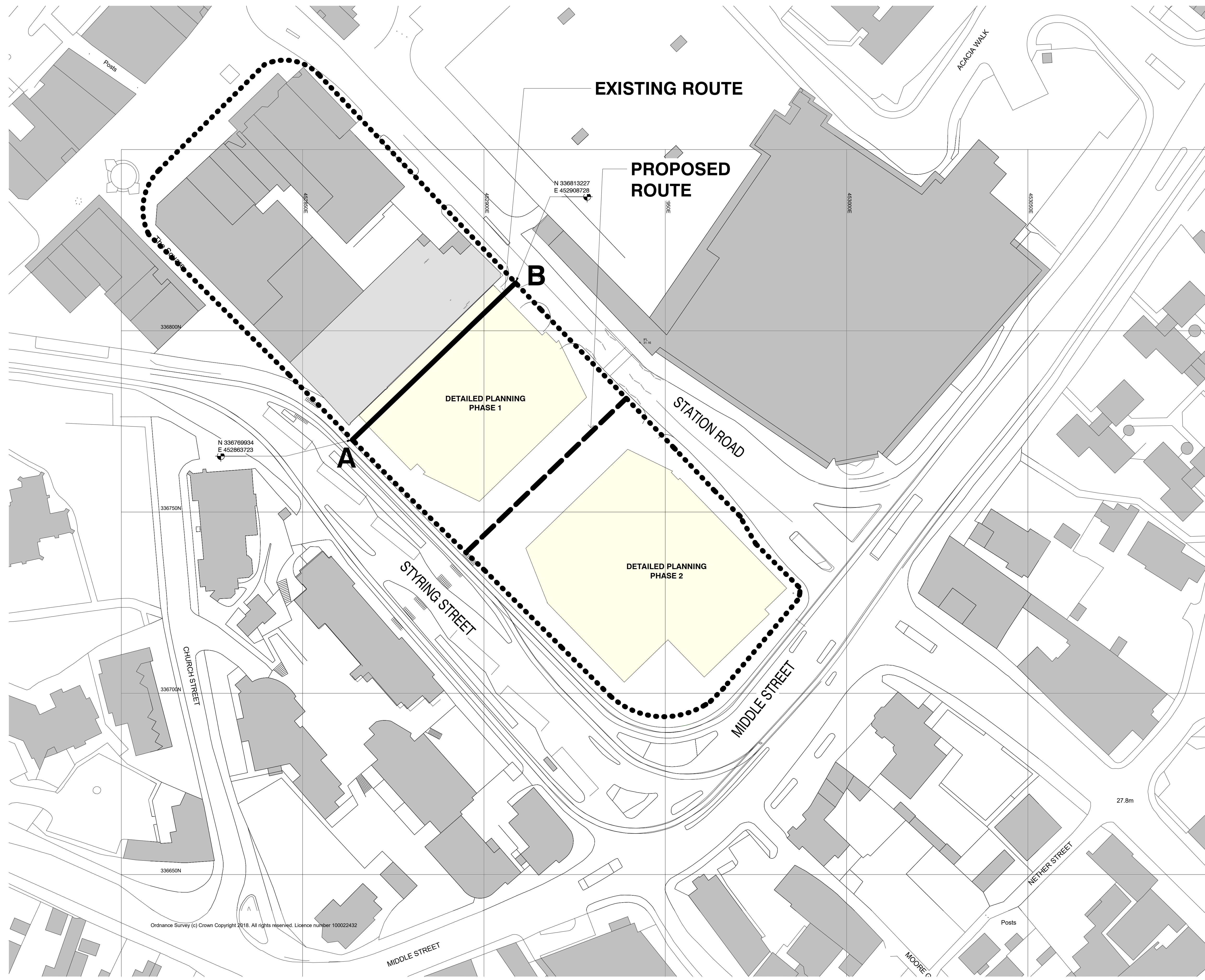


Location Plan



KEY:

- EXISTING PATH TO BE STOPPED UP**
- PROPOSED ROUTE THROUGH NEW PUBLIC REALM AREA**
- UNAFFECTED PATH**



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Rev. Date	Revision	By	Checked
PO 18.03.19	For information	OT	EN

leonard design architects
 4th floor, Albion House
 5-13 Canal Street
 Nottingham, NG1 7EG, United Kingdom
 t. +44 (0) 115 945 0080
 e. office@leonarddesignarchitects.com



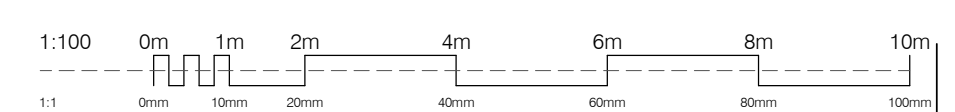
Project
 Beeston Town Centre - Regeneration

Drawing Title
 Beeston Footpath Closure and Proposed Diversion

Project Number 0576	Suitability S3
Drawn by OT	Checked by EN
Scale @A1 As indicated	Date 18.03.19
File Identifier 0576 - LDA - XX - 00 - DR - A - 07 101	Revision P0

Purpose of Issue
 PLANNING

Project Status
 STAGE 4



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Report of the Chief Executive

**18/00763/FUL
CONSTRUCT APARTMENT BLOCK CONSISTING OF 4 FLATS
FOLLOWING DEMOLITION OF EXISTING BUNGALOW (REVISED
SCHEME)
2A LILY GROVE BEESTON NOTTINGHAMSHIRE NG9 1QL**

Councillor T A Cullen requested this application be determined by the Committee.

1 Details of the Application

- 1.1 The application proposes a two storey building accommodating four apartments, following the demolition of the existing bungalow, with five off street parking spaces to the front. Each apartment would have two bedrooms. The building would have a staggered flat roof, with a minimum height of 6.8m to a maximum of 7.3m, and proposes a mix of render and brick to the elevations, with dark grey uPVC window and door frames.
- 1.2 A three storey detached building, accommodating seven apartments, was initially proposed but the scheme was amended following concerns raised in regard to the impact on the amenities of the occupiers of neighbouring property.

2 Site and Surroundings

- 2.1 The application site is currently occupied by a detached bungalow, known as 2A Lily Grove. The bungalow is set back from the road with a paved area to the front, enclosed by a feature stone wall of approximately 1.3m high. There is a drive to the north east which leads through a gated access to a detached garage in the rear garden.
- 2.2 The site is located to the south east side of Lily Grove. To the north east there is a detached bungalow, 2 Lily Grove, which has a covered area to the side adjacent to the common boundary. To the south east and directly behind the site there is a two storey detached dwelling, 1 Lavender Grove. To the north east of this is 3 Lavender Grove, a detached bungalow. To the south east of the site, and located to the junction with Meadow Road, is 19 Meadow Road, which is a three storey semi-detached building currently in use as a hotel (Fairhaven). The attached semi, 21 Meadow Road, and 23 Meadow Road, which is linked to 21, also share a common boundary with the site. These two properties are in use as a residential care home known as Meadow Lodge.
- 2.3 19 and 21 Meadow Road both have windows in their rear elevations which face onto the site. These windows are within 3m of the boundary and are at ground, first and second floor levels. 19 also has an external escape stair to the rear elevation.
- 2.4 On the opposite side of the road, to the north west, and facing the site, there is a residential care home known as Beeston Lodge Nursing Home. This building is two storey in height and occupies a corner plot. It has been extended at two

storey to the rear. To the north east of this there is a two storey building, occupied by Turner Violins.

2.5 Aside from the hotel, care homes and the commercial use, Lily Grove and Lavender Grove, which run parallel to each other, are residential in character with a mix of semi-detached and detached single and two storey dwellings.

2.6 The site is within Flood Zones 2 and 3.



Front elevation



Rear of hotel (19 Meadow Road) in context with 2A



Rear looking towards 2 Lily Grove



Rear of hotel and 21 Meadow Road



2 Lily Grove towards the left



Boundary between site and 2 Lily Grove (looking towards 2A Lily Grove)

3 Relevant Planning History

- 3.1 In 2007, planning permission was sought for the erection of two semi-detached two storey dwellings. This application was refused as the proposal failed the sequential test for site selection as the applicant failed to demonstrate that there were no other preferred sites with less flood risk in the area. Notwithstanding this, the scale, massing and design of the dwellings were considered acceptable (reference 07/00918/FUL).
- 3.2 The most relevant application was submitted in 2017 (reference 17/00154/FUL). This application sought to construct a three storey detached apartment block of 8 units following the demolition of the bungalow. The application was refused planning permission at Planning Committee on 8.11.17 for the following reason: *The eight flats proposed are considered to be over intensive development, resulting in an adverse impact on neighbouring amenity through overlooking and overbearing impacts on residential properties to the side and rear of the site. In addition, the significantly substandard parking provision will lead to on-street parking and harm to highway safety. Accordingly, the proposal is contrary to Policy 10 of the Broxtowe Core Strategy (2014), Policies H7 and T11 of the Broxtowe Local Plan (2004), Policy 17 of the Draft Part 2 Local Plan (2017) and the National Planning Policy Framework (2012).*
- 3.3 A subsequent appeal was dismissed as the Inspector considered that the proposal would have an unacceptable impact on the occupiers of nearby residential properties (including the hotel) in terms of outlook, privacy and an overbearing form of development. The Inspector agreed that the principle of residential development would be acceptable, and also concluded that the proposal, which included provision of four parking spaces within the site, would not create a significant increase in demand for on street parking, or harm highway safety.
- 3.4 Planning permission has recently been granted (January 2019) for the conversion of 21 Meadow Road, which is currently part of the Meadow Lodge Care Home, to eight residential apartments (reference 18/00714/FUL). This development has not yet been carried out.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.
- 4.1.2 Weight may be given to emerging plan policies according to the stage of plan preparation, the extent to which there are unresolved objections to the policies, and the degree of consistency of the emerging policies to the NPPF.

- 4.1.3 Planning conditions and obligations should only be used where they meet the requirements set out in paragraphs 54-56.
- 4.1.4 The document outlines that the government's key housing objective is to significantly boost the supply of homes and states that there should be a sufficient number and range of homes within safe and well-designed environments. It advises that the needs of groups with specific housing requirements should be addressed.
- 4.1.5 Paragraph 59 states that a sufficient amount and variety of land should come forward where needed, and that land with permission is developed without unnecessary delay.
- 4.1.6 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraph 109).
- 4.1.7 Section 11 outlines the need to make effective use of land, particularly previously-developed land. To achieve appropriate development density, consideration should be given to the identified need for different housing types, local market conditions, viability, the availability and capacity of infrastructure and services, promotion of sustainable transport, desirability of maintaining an area's character and setting or promoting regeneration and change and the importance of securing well-designed, attractive and healthy places. Where there is an existing or anticipated shortage of housing land, low density housing schemes should be avoided.
- 4.1.8 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users. Design should take into account the views of the community and where early, proactive and effective engagement with the community has occurred, such schemes should be looked on more favourably.
- 4.1.9 Paragraph 127 states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible.
- 4.1.10 Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

4.2 Broxtowe Aligned Core Strategy

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 'Policy 1: Climate Change' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings.
- 4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6150 in the Broxtowe Borough part of GN, of which 3800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.
- 4.2.5 'Policy 8: Housing Size, Mix and Choice'. Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space.
- 4.2.6 'Policy 10: Design and Enhancing Local Identity'. Aims to ensure that all new development should aspire to the highest standards of design, including construction methods and materials, and consideration of residential amenity should be integrated in the design.
- 4.2.7 'Policy 11: The Historic Environment'. Development will be supported where the historic environment and heritage assets and their settings are conserved and / or enhanced in line with their interest and significance.
- 4.2.8 'Policy 14: Managing Travel Demand' makes it a priority to select sites which are accessible by the most sustainable means of transport. It sets out measures to encourage a switch to sustainable forms of transport first before major highway capacity improvements are considered.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy H6: Housing Density. Seeks to ensure an appropriate density of housing for sites, which should be higher where close to frequent public transport services.
- 4.3.3 Policy H7: Land not allocated for Housing Purposes. Residential development will be permitted subject to a satisfactory degree of privacy for the future occupiers being achieved; the development not resulting in an undesirable change in the character or appearance of the area or being piecemeal in character; satisfactory access and parking being provided; privacy and amenity of the occupiers of

nearby property being safeguarded; and the site not being of significant value to nature conservation or required to be retained for another purpose in the Local Plan.

4.3.4 Policy T11 'Guidance for Parking Provision' and Appendix 4 of the Local Plan require satisfactory provision of vehicle parking and servicing in accordance with the latest standards.

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

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 7 representations in relation to Policy 1, 11 representations in relation to Policies 17 and 23, and 12 representations in relation to Policy 15. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1, 17 and 23, however suggested amendments have been made in regard to Policy 15. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1, 17 and 23 can now be afforded moderate weight, whilst Policy 15 being afforded minimum weight.

4.4.2 Policy 1 'Flood Risk'. Development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included.

4.4.3 Policy 15 'Housing Size, Mix and Choice' seeks to ensure that housing developments provide a mix of house type, size, tenure and density to ensure the needs of the residents of all parts of the borough are met.

4.4.4 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria including that it should integrate into its surroundings, have good access to public transport and ensure a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

4.4.5 Policy 23 'Proposals affecting Designated and Non-designated Heritage Assets'. Proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

5 Consultations

5.1 The County Council as Highway Authority have no objections to the development subject to conditions requiring the parking spaces to be provided prior to occupation of the building.

5.2 The Waste and Recycling Officer makes recommendations in regard to the size of refuse containers and the location of the storage area in relation to the collection

point. Subject to the bins being made accessible on collection day, and to the provision of an adequate amount of bin storage, there are no objections to the proposal.

- 5.3 The Private Sector Housing Officer has no objections.
- 5.4 The Environment Agency has no objection subject to the development being carried out in accordance with the submitted Flood Risk Assessment.
- 5.5 The Environmental Health Technical Officer raises no objections.
- 5.6 7 neighbouring properties were consulted. 40 letters of objection have been received in regard to the proposal.
- 5.7 The objections to the scheme (for seven apartments, as originally proposed) raised concerns in regard to:
- Design and size of proposal not in keeping with the character of the area
 - Adverse impact on amenities of occupiers of neighbouring property in terms of loss of light, privacy, overlooking and sense of enclosure
 - Insufficient parking on site will lead to pressure for on street parking, which is already stretched due to properties having no on-street parking and commuter / business parking
 - Parking space not sufficient width
 - Scale and massing of the proposal overbearing and inappropriate for the area
 - Site too small for a large building, there are more suitable sites nearby e.g. opposite the former 'Plessey' site
 - Visuals misleading in that don't show the three storey element on the rear visual and also shows large expanse of lawn
 - Rear elevation looks like a farm barn
 - Materials not in keeping with the area
 - No provision for cycle storage
 - A two storey dwelling better suited for the site
 - Existing speed of traffic on Meadow Road
 - Loss of business both through lack of on street parking and also during construction
 - Waste provision insufficient and also not well sited, leading to noise and smells for adjacent properties
 - Public transport provision in the locality is limited and infrequent
 - Planning application for change of use of 21 Meadow Road (part of Meadow Lodge) to nine apartments would further impact on on-street parking
 - Noise and disturbance from future occupiers (due to intensity of occupation) and during construction works
 - Potential for occupiers to use the flat roof as a balcony
 - Impact on sewerage system
 - Small size of some of the apartments
 - The proposal would make a minimal contribution to housing delivery and doesn't offset harm to the amenity of the neighbouring properties

- Changes compared to the 2017 refused scheme do not fully address the issues raised in the appeal decision
- Concerns over the obscure glazing and non-opening windows – how will this be protected if future occupiers decide to change?
- There should be a policy to restrict amount of dwellings changing to HMO's which are currently taking place in the Beeston area
- Flats are more appropriate in a town centre location
- Intensity of occupancy, which could be as high as 20
- No details of boundary enclosures or landscaping
- Flood risk is an issue, so questionable whether development should be permitted
- The agent should provide a shading diagram to show impact on neighbouring properties
- Impact on a heritage asset, which is on the HER register (anti-aircraft battery) should be assessed
- Shed (garage) may contain asbestos and should be removed with care
- Site notice not posted directly outside the site, but on opposite side of the road.

5.8 Re-consultation letters were sent to all those who responded on the original scheme.

6 Appraisal

6.1 The main considerations relate to the principle of residential accommodation in this location, impact on neighbouring amenity, impact on highway safety, and the design and appearance of the proposed building.

6.2 **Principle**

6.2.1 The site is currently occupied by a residential property, and is in an established residential area. Subject to the design and an assessment of the proposal in terms of its impact on the amenities of neighbouring uses, the principle of residential on this site is acceptable. The Planning Inspector confirmed that the principle of development was acceptable. The proposal is considered to make a positive contribution to housing delivery.

6.3 **Amenity**

6.3.1 In the appeal decision for the 2017 application (reference 17/00154/FUL), the Planning Inspector concluded that the proposal would be materially harmful to the living conditions of the occupiers of nearby residential properties in terms of outlook, privacy and an overbearing form of development.

6.3.2 Considering each neighbouring property in turn, the impact on the occupiers of 2 Lily Grove, the bungalow to the north east, the Inspector considered the 2017 scheme would have appeared visually dominant, overbearing and oppressive, and would have resulted in a reduction in light to the existing roof lights in that property. The amended two storey scheme now sees a reduction in the height of the building by 2.6m. Whilst the building has not been pulled away from the boundary compared to the superseded scheme, it has been reduced in length,

being less than 2m beyond the rear elevation of 2 Lily Grove at ground floor level, with the first floor shown to be level with this property, and these amendments, along with the reduction in height, are considered to have an acceptable impact on the amenities of the occupiers of this property.

- 6.3.3 1 Lavender Grove is a two storey property directly to the rear of the site. In the Inspector's report, it was considered that the proposed (refused) building would appear unacceptably overbearing and would dominate the outlook from the rear facing windows and garden of No. 1, and that even with obscurely glazed windows to the second floor, this would not reduce the overbearing impact or prevent overlooking from windows in the two lower storeys. The building now proposed has been reduced in length by 2.2m at ground floor, giving a minimum distance of 17.5m (at ground floor level) and a maximum of 20m (at first floor level) between the rear elevation of 1 Lavender Grove and the rear elevation of the proposed building. There is a distance of 7.6m between the rear elevation of 1 Lavender Grove and the common boundary to the site. The building is now proposed to be two storeys in height, with a flat roof. Whilst windows are still proposed in the rear elevation to both floors, it is considered that the proposal for four apartments, which has now been reduced to two storeys in height, is acceptable and would not have a significant impact on the amenities of the occupiers of 1 Lavender Grove.
- 6.3.4 In regard to Fairhaven Hotel on Meadow Road, to the south west of the site, the Inspector noted that due to the presence of two bedroom windows on the rear elevation facing the application site, the 2017 scheme would result in an unacceptable outlook from these windows, being oppressive due to the distance between. It is also noted that 21 Meadow Road, currently part of Meadow Lodge, has windows in the rear elevation overlooking the site. Two of these windows serve habitable rooms. The building height has been reduced from three storeys to two, and the building reduced in length by 2.2m at ground floor level, from the rear. It is considered this now allows for a reasonable view and access to light for the windows in the rear elevation of both Fairhaven Hotel and the adjacent Meadow Lodge.
- 6.3.5 Bin storage would now be located to the rear of the building, away from the residential property to the north east and adjacent to the rear elevation of the care home. This would minimise any noise and odour arising for neighbours. Details of boundary treatments would be secured by condition, as would the requirement for obscure glazing to all windows in the side elevations.
- 6.3.6 As the proposed scheme has been reduced to four apartments, it is considered that this would result in an acceptable level of noise arising from the use as a residential development.
- 6.3.7 In regard to the comment that a shading diagram should be provided, it is considered that enough information was submitted in the drawings to enable an assessment of the proposal in terms of its impact of loss of light to the neighbouring properties.

6.3.8 It is considered that the proposal would provide a satisfactory level of internal living space in regard to the internal dimensions, for the intended occupiers, with adequate access to an outlook, and to natural light.

6.3.9 It is considered that the proposal, as amended, satisfactorily addresses the concerns raised both in the Planning Inspector's report, and by the occupiers of neighbouring property, in regard to residential amenity.

6.4 Design and scale

6.4.1 A flat roofed, contemporary design is proposed for the building. The proposed materials are indicated to be a mix of brick and render to the elevations.

6.4.2 Whilst the proposed building, at two storeys, would replace a single storey building and as such could appear prominent in the street scene, it is considered that, in principle, a development of two storeys in height and of a contemporary appearance is acceptable, given the presence of other two storey properties in the immediate surrounds. The building roof line would step down from south west to north east and would therefore be seen as a transition between the higher buildings along Meadow Road and the residential buildings to the north east, along Lily Grove.

6.4.3 Whilst the use of render to the elevations would be acceptable in principle, it is considered important that high quality materials are used and therefore the submission of material samples will be conditioned.

6.4.4 Based on the above, whilst it is accepted that this would be a prominent development and is a significant increase in footprint and size compared to the existing bungalow, it is considered that an acceptable standard of design has been achieved, which accords with Policy 10 of the Aligned Core Strategy, Policy 17 of the Draft Local Plan Part 2 and the NPPF.

6.5 Parking and Impact on Highway Safety

6.5.1 It is clear from the consultation responses that there is significant concern that the development does not include sufficient parking provision within the site and that this would lead to increased demand for on-street parking. Concerns are also expressed in regard to existing congestion along the road.

6.5.2 In regard to assessing the highway impacts of a proposal, paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.

6.5.3 The site lies within close proximity to Beeston Railway Station, and the number 18 bus service, providing access to Beeston town centre and to Nottingham, is accessible from Meadow Road. Beeston town centre is 1km to the north west and

is therefore within walking distance. Lily Grove is a relatively quiet residential street with low traffic volumes and on-street parking is available without detriment to the free flow of traffic. An extension to the parking provision at Beeston Railway Station has recently become available, which should help to minimise any overflow parking by commuters from outside the area. The proposal has also been amended, with five off-street parking spaces for the four apartments, as well providing an external area for cycle storage. The parking spaces are of sufficient dimensions. It is accepted that there may be additional parking demand from the development and this may lead to on-street parking along Lily Grove. However, it is considered that there would not be a severe highways impact and residents would have the opportunity to use more sustainable transport options. Furthermore, the Highways Authority states no objection and it considered that a pragmatic approach also needs to be taken in respect of developing sites within existing urban areas. The Planning Inspectorate also dismissed this concern in the appeal decision when assessing the refused 2017 application, which saw five parking spaces proposed for eight apartments. Based on the above, it is considered that there would not be sufficient policy justification for refusing the application on transport or parking grounds.

6.5.4 A condition is required to ensure the dropped kerb is extended and the parking area suitably surfaced and drained, and available for use prior to the occupation of the apartments.

6.6 Other Matters

6.6.1 The site falls within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been submitted and the contents are considered acceptable, subject to the development being carried out in accordance with the FRA and this will be conditioned.

6.6.2 There are some non-material matters raised as a result of consultation. These are:

- there are more suitable sites nearby e.g. former Plessey site – it is understood that a reserved matters application has been received and is currently being considered, which will bring forward this nearby site for a range of housing
- The Council should have a policy for restricting HMO's – planning permission is required for any large HMO over six occupiers and as such this type of application can be controlled and assessed under existing adopted planning policy, and, in any case, the apartments are two bed units and as such are not classified as HMO's
- Concerns regarding impact on the sewerage system – all new developments need to comply with the current building regulations, which cover appropriate connection to the sewerage system
- Flats are better suited to a town centre location – whilst flats are more commonly found in town centres, it is considered that a mix of housing sizes, types and tenancies contribute to the creation of a balanced community and furthermore, planning applications for apartments would be assessed on a site by site basis
- Care should be taken during removal of the garage as asbestos may be present – this is not a material planning matter and the developer will need to carry out their own risk assessment in this regard

- Site notice not posted directly outside the site, but opposite – a site notice was posted within sight of the application site boundary, and consultation carried out with the immediate neighbouring properties. It is considered that the council carried out their statutory obligations in regard to consultation
- Misleading visuals - the visuals submitted as part of the original proposal are intended to be a visual representation of the development and are not intended to be an accurate reflection of the scheme, which has been assessed through the scaled plans and drawings
- There is the possibility of a heritage asset in the immediate area – the planning agent is aware and has carried out a desktop study that concludes that there is little information in regard to the exact location and that there is no evidence that there are any heritage assets within or adjacent to the site that would be affected by the proposal.
- Noise during construction. Development should be carried out during reasonable working hours in the week. Any excessive noise arising and / or outside of reasonable working hours, can be reported to the Environmental Health team at Broxtowe Borough Council.

7. Conclusion

7.1 It is concluded that the proposal to construct four apartments within a two storey building is acceptable and will not have an adverse effect on neighbouring amenity or on highway safety. The proposal therefore accords with Policies H6, H7 and T11 of the Broxtowe Local Plan, with Policies 1, 2, 8, 10, 11 and 14 of the Aligned Core Strategy, and with Policies 1, 15, 17 and 23 of the Draft Part 2 Local Plan.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawing numbers 327 002 rev I and 327 003 rev J received by the Local Planning Authority on 01.04.19.**
- 3. No above ground works shall be carried out until samples and details of the manufacturer, type and colour of all external materials to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**
- 4. No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**

- (b) numbers, types, sizes and positions of proposed trees and shrubs
- (c) proposed boundary treatments
- (d) planting, seeding/turfing of other soft landscape areas

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

5. No part of the development hereby permitted shall be brought into use until:
- a) the dropped vehicular footway crossing is available for use and has been constructed in accordance with the Highway Authority specification.
 - b) the parking area has been surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 327 002 I.
 - c) the parking area has been constructed with provision to prevent the unregulated discharge of surface water from the parking area to the public highway.

The parking area shall be maintained in the bound material with drainage for the life of the development and shall not be used for any purpose other than the parking of vehicles.

6. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.
7. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by SCC, submitted in November 2018, and finished floor levels shall be set no lower than 27.76m above Ordnance Datum (AOD), as stated in section 3a of the FRA. The floor levels detailed above shall be retained for the lifetime of the development.
8. The first floor windows in the north east and south west side elevations shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing, which shall first have been agreed in writing by the Local Planning Authority) before the respective apartments are first occupied and thereafter retained in this form for the lifetime of the development.
9. No flat roof area above ground floor level shall be used as a balcony, roof garden, or similar amenity area, for the lifetime of the development.

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2. For the avoidance of doubt.

3. Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
4. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014)
5. In the interests of highway safety in accordance with Policy 10 of the Broxtowe Aligned Core Strategy 2014.
6. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H4 of the Broxtowe Local Plan (2004).
7. To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Broxtowe Aligned Core Strategy 2014.
- 8 & 9. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Note to applicant

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

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

3. The developer should contact the Waste and Refuse team at Broxtowe Borough Council (0115 9177777) with regard to requirements for waste storage and collection.
4. The development makes it necessary to construct a vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

Background papers
Application case file



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Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2

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Report of the Chief Executive

**18/00377/FUL
CONSTRUCT 14 HOUSES, GARAGES AND ASSOCIATED ACCESS
ROAD FOLLOWING DEMOLITION OF DWELLING
LAND TO THE REAR OF 13 MIDDLETON CRESCENT, BEESTON,
NOTTINGHAMSHIRE**

Councillor S Carr has requested this application be determined by Planning Committee.

1 Details of the Application

- 1.1 This is a major planning application to construct 14 new dwellings with garages and an associated access road following the demolition of one dwelling, no. 13 Middleton Crescent. A new access road will be created from Middleton Crescent. The application includes a Design and Access Statement, Flood Risk Assessment, Drainage Statement, Ecology Survey, Foul Sewerage Assessment, Highway Impact Statement and Tree Survey.
- 1.2 Each house will be two or three storeys high, between 8.7m – 11.1m in height, have hipped/gable roofs, between four and six bedrooms and a minimum of three car parking spaces on a driveway and in garages. A bin store serving plots 7A, 10 and 11 is positioned in front of the garage on plot 11. A gabion wall is proposed along the northern boundary of the site to support the land sloping down towards the Tottle Brook.
- 1.3 Amended plans were received during the course of the application and the main changes include a reduction in height of house type A by 1.2m, removal of the second floor and reduction in the height of house type B by 1.5m. House type E was reduced in height by 0.6m and an additional house type was included, house type F. Plot 1 has been moved approximately 1m further away from the boundary with no. 165 Appledore Avenue and the footprint of the property has been handed so the longest part of the property will align with the boundary of plot 2. Plots 1 – 4 have been moved further south and the garden sizes increased to a length of 10-12m. The detached garages were changed from gable to hipped roofs and reduced in height by 0.6m (reduced by 0.8m for plot 1). The front dormer of plot 1 will have a recessed window surrounded by boarding. A mixture of trees will be planted along Tottle Brook following the removal of the existing trees. The gradient of the road entering the site has been lowered and a retaining wall ranging from 0.5m – 1m in height has been included along the west side of the road wrapping around the southern boundary of plot 13. Several amendments were made in relation to the design.

2 Site and Surroundings



View of site to the north west and view of rear of no. 165 Appledore Avenue



View of site to the north



View of site facing south east and view of no. 7A Middleton Crescent from no. 165 Appledore Avenue



View of site facing east from no. 165 Appledore Avenue



View of site facing south west from rear garden of no. 55 Wollaton Vale



View of site facing south west from rear garden of no. 15 Middleton Crescent



View of site facing southern boundary and view of access into site

East elevation of no. 7A Middleton Crescent

- 2.1 The site lies between Middleton Crescent, Wollaton Vale and Appledore Avenue in a residential area. The site is approximately 1.2 hectares in size and is vacant land. The existing house on the site, no. 7A Middleton Crescent, is currently accessed by a single track road from Middleton Crescent. The site slopes steeply from south west to north east. It slopes down approximately 12.5m from the highest point in the south west corner down to the north east adjoining Wollaton Vale.
- 2.2 There are a number of mature trees along the boundary with Tottle Brook and no. 15 Middleton Crescent. Tottle Brook runs along the north boundary of the site and separates the site with the properties along Wollaton Vale. Wollaton Vale is located within the Nottingham City Council boundary. A 2m high fence extends across the western boundary of the site. Mature trees, a hedge and vegetation extend across the boundary with no. 15 Middleton Crescent. The properties surrounding the site along Wollaton Vale and Middleton Crescent are large detached houses, nos. 165, 167 and 169 Appledore Avenue are link detached houses and no. 40A Derby Road is a detached dwelling.

3 Relevant Planning History

- 3.1 in 2007, following the publication of a Committee report recommending refusal, an application (07/00856/FUL) to demolish 7A Middleton Crescent and 61 Wollaton Vale and construct 10 houses, 17 apartments and access from Wollaton Vale was withdrawn.
- 3.2 A revised application to demolish no .7A Middleton Crescent and no. 61 Wollaton Vale and construct 10 houses and 11 apartments, with a new access road from Wollaton Vale (09/00289/FUL) was dismissed on appeal following non-determination. The Inspector dismissed the appeal because he considered a cramped and over intensive form of development was proposed, which would be harmful to the spacious character of the area, that the proposed three storey apartments would have a detrimental impact on outlook from the rear garden of

Wollaton Vale and cause potential for overlooking and the proposed dwellings would be harmful to neighbour amenity.

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Paragraphs 56 – 57 advise that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and are fairly and reasonably related in scale and kind to the development. Furthermore, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable.

4.1.3 Paragraph 59 states that a sufficient amount and variety of land should come forward where needed, and that land with permission is developed without unnecessary delay.

4.1.4 Paragraph 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 105 states if setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

4.1.5 Paragraph 127 states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible.

4.1.6 Paragraph 155 outlines how inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

4.1.7 Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the

natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

4.2 Broxtowe Aligned Core Strategy

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

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

4.2.3 'Policy 1: Climate Change' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings.

4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

4.2.5 'Policy 8: Housing Size, Mix and Choice'. Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space. It sets out the approach to affordable housing and establishes a 30 per cent target for Broxtowe Borough.

4.2.6 'Policy 10: Design and Enhancing Local Identity'. Aims to ensure that all new development should aspire to the highest standards of design, including construction methods and materials, and consideration of residential amenity should be integrated in the design.

4.2.7 'Policy 14: Managing Travel Demand' aims to reduce the need to travel by private car. It states that the priority should be to select sites which are already accessible by walking, cycling and public transport.

4.2.8 'Policy 16: Green Infrastructure, Parks and Open Space' states that a strategic approach to the delivery, protection and enhancement of Green Infrastructure will be taken.

4.2.9 'Policy 18: Infrastructure' seeks to ensure new development is provided with the necessary infrastructure.

4.2.10 'Policy 19: Developer Contributions' confirms the current use of section 106 agreements.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy E24 'Trees, hedgerows and Tree Preservation Orders': Development that would adversely affect these will not be permitted.
- 4.3.3 Policy E27 'Protection of Groundwater' states planning permission will not be granted for development which would be liable to result in the infiltration of contaminants into groundwater resources unless mitigation measures are proposed.
- 4.3.4 Policy E34 'Control of Noise Nuisance' suggests planning permission should not be granted for housing if the occupants, even with appropriate mitigation measures, would experience significant noise disturbance.
- 4.3.5 Policy H5 'Affordable housing' states that on housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25% of dwellings built will be affordable or, exceptionally, that a financial contribution is made to facilitate off-site provision.
- 4.3.6 Policy H6 'Density of Housing Development' provides density requirements for residential development: where development is within 400m walking distance of frequent public transport services, a minimum density of 40 dwellings per hectare is required and if the distance is beyond 400m, 35 dwellings per hectare.
- 4.3.7 Policy H7 'Land Not Allocated for Housing Purposes' states that residential development on sites within existing built-up areas will be permitted provided the amenity of existing and proposed occupiers is not adversely affected; the development would not result in an undesirable change in the character or appearance of the area; the development of a larger area is not prejudiced; satisfactory provision is made for access and parking; the site is not of significant nature conservation value and the site is not required to be retained for another purpose in the local plan.
- 4.3.8 Policy RC6 'Open space: requirements for New Developments' provision should be made for public open space and children's play areas on residential development sites which exceed 0.5 hectares. The design of any open space provision should take into account the possible provision of features beneficial to wildlife.
- 4.3.9 Policy T1 'Developers' Contributions to Integrated Transport Measures' planning permission for developments which generate a demand for travel will not be granted until a contribution towards transport infrastructure has been negotiated.
- 4.3.10 Policy T11 'Guidance for Parking Provision' planning permission will not be granted for new development unless appropriate provision is made for vehicle parking and servicing.

4.4 Part 2 Local Plan (Draft)

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 7 representations in relation to Policy 1, 12 representations in relation to Policy 15, 11 representations in relation to Policy 17, 7 representations in relation to Policy 26 and 11 representations in relation to Policy 32. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1, 17, 26 and 32. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1, 17, 26 and 32 can now be afforded moderate weight. As further modifications have been requested for Policy 15, this can only be afforded limited weight. It is also relevant that the Inspector's comments on this policy do not relate to the proposed approach to affordable housing contributions.
- 4.4.2 Policy 1 'Flood Risk' states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included.
- 4.4.3 Policy 15 'Housing Size, Mix and Choice' states that 30% or more of housing should be affordable within the Beeston sub-market area if more than 10 dwellings are proposed. If less than this is proposed, a viability assessment must accompany the application. Affordable housing provision should be made on site, unless there are exceptional circumstances. Developments should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the borough are met. At least 10% of the dwellings should comply with requirement M4(2) of the Building Regulations regarding 'accessible and adaptable dwellings'.
- 4.4.4 Policy 17 'Place-making, Design and Amenity' states that permission will be granted for development which meets a number of criteria (where relevant) including that it integrates into its surroundings; provides, or is close to, community facilities; has good access to public transport; creates a place with a locally inspired or otherwise distinctive character; takes advantage of existing topography and buildings; provides sufficient, well-integrated parking; ensures satisfactory standards of amenity for existing and proposed residents; enables convenient use by people with limited mobility; incorporates ecologically sensitive design, with a high standard of planting (makes use of native species) and features for biodiversity (including bat/bird boxes) and does not prejudice the development of a larger site. An assessment in relation to 'Building for Life' criteria will be required to be submitted within the Design and Access Statement.
- 4.4.5 Policy 26 'Travel Plans' states that a Travel Plan will be expected to be submitted for developments of 10 or more dwellings or 1000 sqm or more gross floor space.

- 4.4.6 Policy 32 'Developer contributions' financial contributions may be sought from developments of 10 or more dwellings or 1000 sqm or more gross floorspace for provision, improvement or maintenance, where relevant, of: affordable housing; health; community facilities; green space; biodiversity; education and highways.

5 Consultations

- 5.1 The County Council as Highways Authority initially advised that the proposed roads were not to an adoptable standard. On receipt of amended plans the Highways Authority were satisfied that the outstanding issues had been resolved but have requested conditions in respect of the submission of details of the new access roads (e.g. visibility splays, gradients and construction specification). Further conditions were advised in relation to the driveways being surfaced in a hard, bound material that are appropriately drained, the existing site access being made redundant and wheel washing facilities being installed on site. An advisory to contact the Highways Authority in relation to the redundant access has been advised.
- 5.2 The Council's Waste and Recycling Officer has advised on the requirements for waste and recycling.
- 5.3 The Tree Officer has stated that none of the trees along the Tottle Brook are worthy of protection with most of them being in a state of decline or decay due to erosion from the bank. Tree T15 has been recommended for retention.
- 5.4 The Nottinghamshire Wildlife Trust have stated that they are satisfied with the information provided in relation to the gabion wall and the Ecology Survey and have advised a condition that works are carried out in accordance with this.
- 5.5 The Environment Agency (EA) raise no objection subject to the inclusion of a condition requiring that finished floor levels are set no lower than 37.1m above Ordnance Datum and there is no development within 8m of the Tottle Brook. No objection has been raised by the EA in relation to the gabion wall but a flood risk activity permit will be required. A pre-commencement condition has been advised in relation to tree planting along the Tottle Brook. The EA have commented that the Flood Risk Assessment would be required to be updated due to receiving amended plans and that this should include information on the gabion wall.
- 5.6 The County Council as Lead Local Flood Authority (LLFA) initially objected to this application in the absence of a drainage strategy. Further information has been provided and the LLFA have no objection subject to the inclusion of a condition requiring the submission of a surface water drainage scheme based on the submitted Drainage Statement.
- 5.7 The Housing Strategy and Development Officer has objected to the application as the site meets the threshold for an affordable housing contribution but this has not been provided. Furthermore, it has been identified there is a high need for social and affordable home ownership, particularly within the Beeston sub-area. The provision of an on-site or off-site contribution would help achieve a key outcome identified in Broxtowe Borough Council's Housing Strategy 2015 – 2020.

- 5.8 The Business and Projects Manager (Environment) has requested a financial contribution of £18,589.35 towards Beeston Fields Recreational Park for path and play area surfacing.
- 5.9 The County Council Planning Policy team have requested an education contribution of £40,968.
- 5.10 The Environmental Health Officer raises no objection subject to an advisory in respect of working hours and no bonfires taking place on the site.
- 5.11 Natural England were consulted but stated the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.
- 5.12 Severn Trent Water Ltd, NHS Nottingham West Clinical Commissioning Group and the Nottingham Police Crime Prevention Design Officer Advisor were consulted but have not provided comments.
- 5.13 Nottingham City Council's Planning Department was consulted but was consulted but stated they had no comments to make in relation to the application.
- 5.14 A site notice and amended site notice were posted on Middleton Crescent and Appledore Avenue. 121 neighbours were consulted and 37 representations were received. One in support of the development, one raising no objection, six raising observations, 29 objecting (with one letter including 16 neighbours addresses supporting an objection). Comments received can be summarised as follows:
- Three storey houses are not appropriate due to the steep ground level of the site and should be reduced to two storeys unless they are set back from boundaries of neighbouring properties
 - Six properties facing Wollaton Vale will create an overbearing continuous line of development due to raised ground level
 - Laurel hedge may be destroyed which retains privacy
 - No cross sections provided in order to assess the impact of the properties on existing properties adjoining site
 - Sense of enclosure
 - Loss of daylight/sunlight due to large, tall properties and proximity to neighbouring properties due to short garden lengths
 - Previous application was refused as properties were 13m from property and these properties are 4-6m which is even closer
 - No direct sunlight into dining rooms on plots 2 – 4 as the houses are so close to each other
 - Overlooking from houses and patios to adjoining neighbours due to close proximity
 - Overlooking from balconies
 - Increase in noise due to proximity of properties and construction of properties
 - Increase in air pollution
 - Properties are too large, six bedrooms with very small gardens
 - Does not follow character of properties on Middleton Crescent and Wollaton Vale
 - Follows building line of Appledore Avenue despite the fact these are smaller houses

- Not in keeping with unique 1920's existing properties
- Plot 14 out of character with properties on Middleton Crescent as it appears to be 'squeezed in' and projects beyond the building line of no. 15
- Overdeveloped and too intensive
- New access from Middleton Crescent interrupts the crescent
- Destruction of character of historical crescent
- Risk of emergency vehicles not being able to reach existing properties on Middleton Crescent
- Access should be created from Appledore Avenue as Middleton Crescent becomes congested from traffic from A52
- The Flood Risk Assessment states that an "8m standoff from the top of the bank is required where no planting can take place to ensure the Environment Agency can carry out maintenance." This means the proposed houses will be within this area as the bank is 3.5m back from the Brook in places and new residents will not be able to plant anything in this area
- 50% of each plot will be covered by hardstanding meaning there will be substantial surface water-run off and will run into the Tottle Brook and cause flooding
- The 09/00289/FUL application included a balancing pond but no such provision has been made for this application.
- Concern raised in regards Tottle Brook being diverted to enable the amount of houses to be built
- Drainage and flooding issues from sewers on Appledore Avenue meaning a survey should be undertaken if the intention is to connect to these
- Recommendation of this application should reflect the Inspector's findings from the appeal which was dismissed in relation to application 09/00289/FUL. The Inspector concluded the nature of the site due to its relationship with adjoining areas, matters of overlooking and intensity supported the reasons of members to refuse the application
- No planting shown between plots 1 – 4
- No screening provided as trees will be removed
- All remaining vegetation forming a Green Corridor turned into residential gardens
- The Green Corridor is the remains of the original hedge and trees that ran along the field boundary, additional planting and enhancement of this should be incorporated and trees marked blue and green on the Tree Survey should have TPO's attached
- Removal of Green Corridor is contrary to the Regional Biodiversity Strategy Policy 29 which requires Local Planning Authorities to take responsibility in creating, protecting and enhancing networks of semi-natural green spaces in urban areas
- No encouragement for people to walk as no pavements
- No guidance on how many car parking spaces required but future residents will most likely have three or four cars
- Width of road not adequate for additional traffic and not enough room for additional people to park if residents have visitors
- Gabion walls to reinforce the bank wall would destroy the only natural corridor left
- Traffic will be increased from Middleton Crescent which is a quiet road
- Increase in chance of serious accidents from additional traffic
- Middleton Crescent is not a suitable access road for this number of houses

- Repositioning of the garage for plot 14 is sited directly on the road and will have no proper sight lines for vehicles
- Swept path analysis shows a structure in the garden of plot 6 which is an error
- Tree survey suggest T7 and T8 are of no value but are young healthy oaks which provide a screening to the site
- Concerns trees and vegetation will be removed from southern boundary of site
- Incomplete tree survey as it does not show two semi-mature oak trees on the bank opposite rear of property between T7 and T8 which is a significant screening
- Disturbance of local flora and fauna
- Possible contamination of the Tottle Brook from excess surface water not being pumped up to Middleton Crescent
- Restrictions should be put in place to prevent the disturbance of wildlife
- Raise no objection as long as the access road will not go through Wollaton Vale
- Highway safety survey should be conducted
- Private access road serving no. 7A Middleton Crescent will become redundant and should be regenerated with the removal of the concrete boarded fencing
- Restrictive covenants on Middleton Crescent to prevent any through roads being developed on property land.

6 Appraisal

6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking, the relationship with neighbouring properties and if satisfactory Section 106 financial contributions have been agreed.

6.2 **Principle**

6.2.1 The site is currently overgrown and is within an existing residential area which provides an opportunity to provide additional housing outside of the Nottinghamshire Green Belt. There is also a significant need to boost housing supply which sites such as this can help deliver. The Council currently does not have a five year housing land supply and this can only be rectified with the allocation of sites currently in the Nottinghamshire Green Belt in the Broxtowe Part 2 Local Plan. The provision of 13 houses on this site (14 new houses proposed but 13 Middleton Crescent is to be demolished) is considered to be a benefit in terms of five year supply and provision of homes.

6.2.2 The density of the development falls below the threshold to comply with Local Plan Policy H6. However, if the Council is satisfied that the proposed density not meeting this threshold is not detrimental to the character and appearance of the area, a lower density can be agreed. In this case, it is acknowledged the properties along Appledore Avenue are on modest sized plots but the properties along Wollaton Vale and Middleton Crescent which mainly border the site are substantial sized properties with spacious plots that the principle of 14 dwellings on this sized plot would be in keeping with the surrounding area.

6.2.3 Whilst it is acknowledged a Green Corridor runs along the centre of the site, it is clear this hasn't been maintained for an extended period of time. The need for housing carries weight and the retention of this unmaintained Green Corridor is

considered to be of less weight than the in principle benefits of redeveloping this site for housing in an urban location.

6.3 Flood Risk, Drainage and Foul Sewerage

- 6.3.1 The site is located within Flood Zone 1 which is land with a low probability (between 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application and the Environment Agency (EA) was consulted on the application. The EA raised no objection to the application subject to a pre-commencement condition requiring information in relation to tree planting along the Tottle Brook. The EA have advised that a permit is required by the developer in order to construct the gabion wall along the Tottle Brook.
- 6.3.2 Paragraphs 155 – 158 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere.
- 6.3.3 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. A number of mitigation measures are proposed within the FRA which include floor levels being set at least 2.1m above the Tottle Brook, finished floor levels being set 0.2m above surrounding ground levels of the houses and finished floor levels being set 37.1m above Ordnance Datum. An appropriate drainage strategy, in addition to the Drainage Statement, for discharging surface water has been advised to ensure flood risk off site is not increased as a result of the development. Due to the plans being amended, it is acknowledged the FRA will not be wholly accurate, in particular, section 4.3 states that an 8m standoff area from the top of the bank should be retained where no development, construction or planting can take place in order for the EA to carry out maintenance. However, the EA have clearly stated that a standoff of 8m from the Tottle Brook itself is acceptable as the site is located within Flood Zone 1, there are no formal flood defence structures within 8m of the brook and this part of the site is not used for direct management of the brook. It is considered a pre-commencement condition would be necessary to require an updated FRA which reflects the finalised plans if the development were approved. To conclude, it is considered the development is acceptable in terms of dealing with the issues of flooding.
- 6.3.4 The Lead Local Flooding Authority initially objected due to the absence of a Drainage Strategy. Further information has been provided to overcome this objection and a condition has been advised that a surface water drainage scheme is submitted.
- 6.3.5 A letter has been provided from Severn Trent Water which has been included within the Drainage Statement and referenced in the Foul Sewerage Assessment. It has been confirmed that a foul discharge for a maximum of 18 new dwellings could be accommodated if connected to the existing sewers along Middleton Crescent. Furthermore, Severn Trent Water confirms that the Tottle Brook is sufficient to accommodate surface water run-off from the development should this be required. Whilst the Drainage Statement states that discussions have taken place in relation to connecting to the sewers on Appledore Avenue, it recognises

that this is through third party land and would be subject to the agreement of that particular homeowner.

6.3.6 Whilst it is acknowledged there is concern raised in relation to flood risk, the amount of hardstanding proposed and drainage and foul sewerage, it is considered these issues have been satisfactorily addressed with appropriate mitigation measures within the FRA, Drainage Statement, discussions with Severn Trent Water and appropriate pre-commencement conditions. Subject to the 8m buffer zone with the Tottle Brook, permitted development rights should be removed for extensions and outbuildings for plots 1 - 5 to ensure that the area remains open for the lifetime of the development. To conclude, it is considered the development complies with the NPPF (2019) in flood risk terms, the Drainage Statement addresses the concerns raised by the LLFA and there is sufficient capacity to support the site in regards to foul sewerage.

6.4 Amenity

6.4.1 A number of amendments have been incorporated within the design and it is considered the application is acceptable in relation to the impact on surrounding neighbours. The properties that will be mostly affected by the scheme are those which directly adjoin the site on Appledore Avenue, Wollaton Vale and Middleton Crescent.

6.4.2 Nos. 165, 167 and 169 are link detached houses positioned to the west of the site. Plots 1 and 8 will be closest to the western boundary with these properties. The footprint of plot 1 has been handed so the longest projection of the property is set away from no. 165's boundary, the height of this property has been lowered by 1.2m and the front dormer window has been recessed in order to restrict views to the west. The land slopes down significantly and plot 1 will be positioned 0.2m lower than no. 165 (not including the proposed chimney). Plot 1 will not directly face no. 165 and the west (side) elevation of the proposed house will be blank and extend 8.2m. The detached garage on plot 1 will have a height to eaves of 2.9m and height to ridge of 5.6m and has been moved a further 2m from the boundary so the separation distance is 3.5m. It is considered the impact of the plot 1 on the amenity of no. 165 will be acceptable. To conclude no. 165 benefits from a sizeable garden which is approximately 28m in width and 16m in depth (measured at widest points). As no. 165 is positioned to the west of the site the loss of sunlight caused by plot 1 will not be detrimental. Taking the above into consideration, it is considered that plot 1 will not have a detrimental impact on the amenity of no. 165.

6.4.3 It is acknowledged that no. 167 Appledore Avenue has a garden that is approximately 12m in length. However, plots 1 and 8 are positioned to the north east and south east of no. 167 and therefore are not directly positioned to the rear of this garden. It is therefore considered there will not be a detrimental impact on no. 167 from plots 1 and 8.

6.4.4 No. 169 Appledore Avenue has a garden length which is approximately 14m in length and width. Whilst it is acknowledged plot 8 is beyond the rear garden of no. 169, the separation distance between these two properties is 20m which is considered an acceptable separation distance. Plot 8 will have a first floor

window in the west (side) elevation but due to the separation distance and orientation of the properties not directly aligning with each other, it is considered this will not cause an unacceptable amount of overlooking.

- 6.4.5 The land slopes up significantly so plots 1 – 5 will be at a higher level than the properties along Wollaton Vale. However, the separation distances range from a minimum of 30m to a maximum of 43m which is considered a sufficient distance to ensure no significant harm to amenity. Due to the condition of the trees along the north of the site on Tottle Brook, these will be removed and replaced with a mixture of trees as advised by the Tree Officer in order to provide a level of screening for the proposed houses. It is acknowledged that the removal of mature trees and replacement with younger trees will mean a period of time must be allowed in order for this boundary treatment to provide such a dense coverage which improves over time. Furthermore, the properties respond to the land level by being cut into it and there will be a visual break between each property which is considered to reduce the dominance of the properties along this boundary. It is therefore concluded that due to the separation distance between the properties and the reduction in size of the proposed houses, it is considered the impact from these properties will still be acceptable due to the substantial sized gardens of nos. 43, 45, 55, 57, 59 and 61 Wollaton Vale. A landscaping condition would provide control over the specification of future trees.
- 6.4.6 No. 13 Middleton Crescent will be demolished and replaced with a new house. Plot 14, house type E, has been reduced in height by 0.6m so that it will be lower than the existing property, no. 13. plot 14 will extend beyond the front elevation of no. 15 Middleton Crescent by 4m and will be relatively in line with the rear elevation of no. 15. The east (side) elevation of plot 14 will have three first floor windows serving an en-suite, bathroom and stairs. The bathroom windows have been annotated as obscurely glazed and along with the stairs window, would be conditioned as such to ensure overlooking is reduced to an acceptable level. Whilst it is acknowledged plot 14 would extend 4m beyond the front elevation of no. 15, it is considered this is acceptable given no. 15 has a 13m length driveway, there are no side facing windows in this projection and this is not a primary amenity area. No. 15 benefits from a sizeable rear garden which is 27m in length. No. 13 is currently vacant and the site is overgrown with vegetation and large conifers meaning no. 13 is obscured from view from the rear garden of no. 15. Whilst it is acknowledged a number of trees will be removed in order to demolish no. 13 and construct plot 14, the resultant impact of a replacement dwelling will not be dissimilar to the impact that would have been experienced by this dwelling before the site became overgrown. It is therefore concluded that plot 14 will not have a detrimental impact on the amenity of the occupants of no. 15.
- 6.4.7 No. 7A Middleton Crescent (included within the blue line on the site plan to denote the land under the control of the applicant) is positioned to the west and south of the site. Plot 10 will extend beyond the rear elevation of no. 7A by approximately 5m but this projection will be a blank elevation. There will be a separation distance between the two properties of 5m. No. 7A is a large property which benefits from a sizeable garden which is 32m in width and 14m in length. As plot 10 is positioned to the east of no. 7A, it is considered the loss of light experienced by no. 7A and the 5m rear projection will not be detrimental to the occupants of no. 7A. As no. 7A is at a higher level than plots 8 and 9 and due to

no. 7A's sizeable front driveway, it is considered the impact of these adjoining properties will be minimal.

6.4.8 Plots 6, 7, 9, 10, 11, 12 and 13 are a minimum of 25m from neighbouring properties adjoining the site which is considered a sufficient distance that there will not be a detrimental impact on their amenity. There are a number of trees and vegetation that extend across parts of the southern boundary (in the rear gardens of adjoining properties to the site) which will provide a level of obscurity from plots 10, 11, 12 and 13.

6.4.9 The proposed houses are relatively large and have adequate sized plots. They will have between four and six bedrooms, a garage and rear private garden with a patio. It is considered each plot is a sufficient size for future occupants and the design and layout has been considered that there is a sufficient separation distance from each property without an unacceptable amount of overlooking caused to each property. Furthermore, side facing windows would be conditioned to be obscurely glazed where necessary.

6.4.10 To conclude, it is acknowledged the topography of the site means the proposed houses will be more prominent in some locations than others. However, it is considered sufficient amendments such as reducing heights, removing second floors and amending the layout of the most prominently located houses are sufficient that the impact on the amenity of surrounding properties will be acceptable and will not cause a sense of enclosure or significant loss of daylight or sunlight.

6.5 Design and Layout

6.5.1 The majority of the site is enclosed by houses which have a variety of different sizes and styles meaning there is not a prevalent character within the area. The most prominent house from the development will be the replacement house of no. 13 Middleton Crescent. Middleton Crescent has a varying style of properties with some including double height bay windows, forward projections, dormers, chimneys and attached garages. It is considered house type E (plot 14) incorporates these design features and due to the varying character will not appear out of keeping with the street scene of Middleton Crescent.

6.5.2 Each house will have a mixture of hipped roofs with gable features, double height bay windows in the front elevations and chimneys. Some properties will have lean-to roofs and dormers. It is considered this mix of features breaks up the appearance of each property and reflects a traditional appearance which is mainly seen along Wollaton Vale and Middleton Crescent. A condition would be advised to ensure the appropriate external materials area used.

6.5.3 The end of each road has been amended to include 12m of hardstanding in line with Highway specifications for maintenance vehicles (see Parking and Highways section). A landscaping condition is considered sufficient to appropriately manage these areas in terms of their visual appearance.

6.5.4 Concerns have been raised in the representations that the new access road interrupts the layout of properties along Middleton Crescent. However, no. 13

Middleton Crescent will be replaced with a new dwelling and the new access road will be approximately 12m at its widest point with appropriate landscaping. It is considered a new access road will not appear out of keeping with the surrounding residential area.

- 6.5.5 To conclude, it is considered the proposed houses achieve an acceptable level of design, are positioned on adequate sized plots which respond to the plot sizes along Appledore Avenue and address the street scene appropriately along the new access road into the site. It is considered the proposal of 14 houses on this infill site makes a good use of a currently vacant site.

6.6 Parking and Highways

- 6.6.1 Each property will have a minimum of three car parking spaces which is considered sufficient for these sized houses. A number of concerns have been raised within the consultation responses in relation to the amount of traffic increasing along Middleton Crescent. Whilst it is acknowledged traffic will increase along this road, it is considered the proposal of 13 additional houses would not result in a detrimental amount of traffic. The Highways Authority have raised no concern over the amount of traffic that would be associated with this site.
- 6.6.2 The Highway Impact Statement demonstrates pre-application discussions have taken place with the Highways Authority. The statement confirms that appropriate visibility splays can be achieved when entering and exiting the site from Middleton Crescent, that an appropriate amount of parking has been provided for each property and that the site can be developed to an adoptable highway standard.
- 6.6.3 The plans were amended during the course of the application in line with the Highway Authority's comments and the main changes included changing the gradient of the road and including a pavement. Due to the change in the road level, a retaining wall between 0.5m – 1m high would extend across part of the west boundary of the road when entering the site and across part of the southern boundary of plot 13. To reduce the turning heads in line with the Highway specification for service vehicle manoeuvres, approximately 12m of the road has been replaced by hardstanding at each of the end points. This means that no. 10 and 11 would be served by a private road and a bin store has been positioned beyond the garage of no. 11.
- 6.6.4 The Highways Authority have recommended a pre-commencement condition in relation to a number of details including hardsurfacing driveways, drainage, the existing site access being made redundant, wheel washing facilities on site and information in relation to a number of details including visibility splays, gradients and a construction specification. An advisory to contact the Highways Authority in relation to the redundant access has been advised.
- 6.6.5 To conclude, it is considered that sufficient information has been submitted in relation to parking and highways and with the use of an appropriately worded condition for further information requested by the Highways Authority, the proposed development is acceptable in relation to parking and highways.

6.7 Financial Contributions

- 6.7.1 A residential development of this scale generates the need for financial contributions towards affordable housing, education, open space and integrated transport measures.
- 6.7.2 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

- 6.7.3 The Business and Projects Manager has requested a contribution of £18,589.35 towards Beeston Fields Recreational Park for path and play area surfacing.
- 6.7.4 Nottinghamshire County Council has stated that the proposed development would yield an additional three primary school places within the Beeston Primary Planning Area which would necessitate a contribution of £40,968.
- 6.7.5 An integrated transport measures contribution of £36,000 has been requested by the Council in accordance with Appendix A of the Broxtowe Local Plan (2004).
- 6.7.6 An affordable housing contribution of £180,000 has been requested by the Council in accordance with Policy H5 of the Broxtowe Local Plan (2004) and Policy 8 of the Broxtowe Aligned Core Strategy (2014).
- 6.7.7 The applicant has agreed to the education, open space and integrated transport measures financial contributions. However, the applicant considers the request for an affordable housing contribution is unjustified as they have stated the site area is below 1ha.
- 6.7.8 The applicant has stated the site area has been calculated as being 0.98 hectares. However, it is clear the area of land surrounding no. 7A Middleton Crescent is demonstrably part of the 'developable area' of the site which has been omitted to avoid paying an affordable housing contribution and when this dwelling is included, the site area measures at 1.2 hectares and therefore meets the threshold for an affordable housing contribution.
- 6.7.9 In relation to the above, the term 'developable area' has been established in recent case law when assessing the size of the site in relation to an affordable housing contribution. In the case of *Crane v Wycombe District Council* [2018] (ref: APP/K0425/W/17/3192287), the appeal related to an outline application which proposed the demolition of five flats and alterations to access and erection of 14, one bedroom apartments. Wycombe District Council argued that a contribution was appropriate as the appeal site and the neighbouring site formed a "single developable area." The Inspector dismissed the appeal based on the physical links between both sites, the shared ownership and shared access arrangement and the revised NPPF (2018) highlighting the importance of the delivery of affordable housing.
- 6.7.10 Policy H5 of the Broxtowe Local Plan 2004 states that on housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25 per cent of dwellings built will be affordable or, exceptionally, that a financial contribution is made to facilitate off-site provision. Policy 8 of the Aligned Core Strategy (2014) establishes a 30 per cent target for affordable housing in Broxtowe Borough. Policy 15 of the draft Part 2 Local Plan establishes a 30 per cent affordable housing contribution is required on sites of more than 10 dwellings within the Beeston sub-market area. However, Policy 15 of the Part 2 Local Plan was subject to further consideration by the Inspector in a 'Post Hearing Advice Note' issued on 15 March 2019 and whilst the part of the policy that refers to the threshold of 10 units or more generating an affordable housing contribution of 30% or more in the Beeston submarket area wasn't queried, this policy can only

be afforded limited weight. The draft Part 2 Local Plan has been subject to a Viability Assessment which shows that affordable housing delivery is viable across the Borough subject to differential approaches to delivery in different sub-market areas. For the Beeston submarket, the delivery level is set at 30% as it is a strong market.

6.7.11 The Housing Strategy and Development Officer has objected to the application as the site meets the threshold for an affordable housing contribution but has not been provided. It has been identified there is a high need for social and affordable home ownership particularly within the Beeston submarket area. The provision of an onsite or off-site contribution would help achieve a key outcome identified in Broxtowe Borough Council's Housing Strategy 2015 – 2020.

6.7.12 To conclude, in line with the NPPF (2019) and the information as stated above, there is a specific importance attached to the delivery of affordable housing. The draft Part 2 Local Plan has been subject to a Viability Assessment which shows that affordable housing delivery is viable across the Borough subject to differential approaches to delivery in different sub-market areas. For the Beeston submarket, the delivery level is set at 30%. It is therefore considered justifiable that the Council has requested a financial contribution of £180,000 for affordable housing based on the site measuring 1.2 hectares, due to the location of the scheme being within the most profitable area of Broxtowe Borough and no viability assessment being submitted. The application is therefore recommended for refusal on this basis.

6.8 Other Issues

6.8.1 Whilst it is acknowledged there will be a number of trees removed along the Tottle Brook, the Tree Officer has not recommended that any trees are worthy of a TPO (Tree Preservation Order). The plans have been annotated to retain T15 which is an oak tree. The agent has confirmed an intention to retain T19 which is an oak tree. A landscaping condition and condition required by the EA would ensure that appropriate species of trees are planted along this boundary.

6.8.2 The Nottinghamshire Wildlife Trust has stated that they are satisfied with the information provided in relation to the gabion wall and Ecology Survey and have advised a condition that works are carried out in accordance with this.

6.8.3 A laurel hedge extends across the boundaries separating nos. 13 and 15 Middleton Crescent and the agent has confirmed the intention is for this to be retained.

6.8.4 Cross sections were provided during the course of the application in order to enable an assessment of the proposed houses in relation to neighbours adjoining the site.

6.8.5 Although a balancing pond was proposed within the 09/00289/FUL application, this was for a higher density of housing (10 houses and 11 apartments). The Environment Agency have not requested a balancing pond for this application.

- 6.8.6 Whilst the previous application has been considered in line with this application, it should be noted that this scheme is different and policies have changed since this application was determined.
- 6.8.7 Concerns have been raised in regards to the removal of the Green Corridor which has been highlighted as being contrary to policy 29 of Regional Biodiversity Strategy. Whilst it is unclear which exact document is being referred to, the Biodiversity Strategy for the East Midlands is a document that is no longer in use and therefore carries no weight in decision making.
- 6.8.8 The Highways Authority has not raised any concerns in relation to the amount of parking proposed and the justification for the parking requirements for these sized properties is provided in the Highway Impact Statement.
- 6.8.9 The Highways Authority has advised the existing access to the site is made redundant subject to the new access being constructed. As this is private land, it would not be possible to request for the concrete fence to be removed.
- 6.8.10 Restrictive covenants are not a planning matter that can be taken into consideration with this application.

7 Conclusion

- 7.1 To conclude, it is considered that sufficient amendments have been sought so the proposed development has an acceptable impact on the amenity of the surrounding neighbours, the design is acceptable and will not appear out of keeping with the surrounding area and an acceptable standard of amenity has been provided for future occupants. The information provided in relation to flooding, drainage and highways has satisfied concerns raised and is considered to be acceptable. However, as the applicant has not agreed to provide any affordable housing contribution, the application is contrary to Policy H5 of the Broxtowe Local Plan (2004), Policy 8 of the Aligned Core Strategy (2014), Policy 15 of the draft Part 2 Local Plan and paragraphs 56 – 57 of the National Planning Policy Framework (2019) and should be refused.

Recommendation

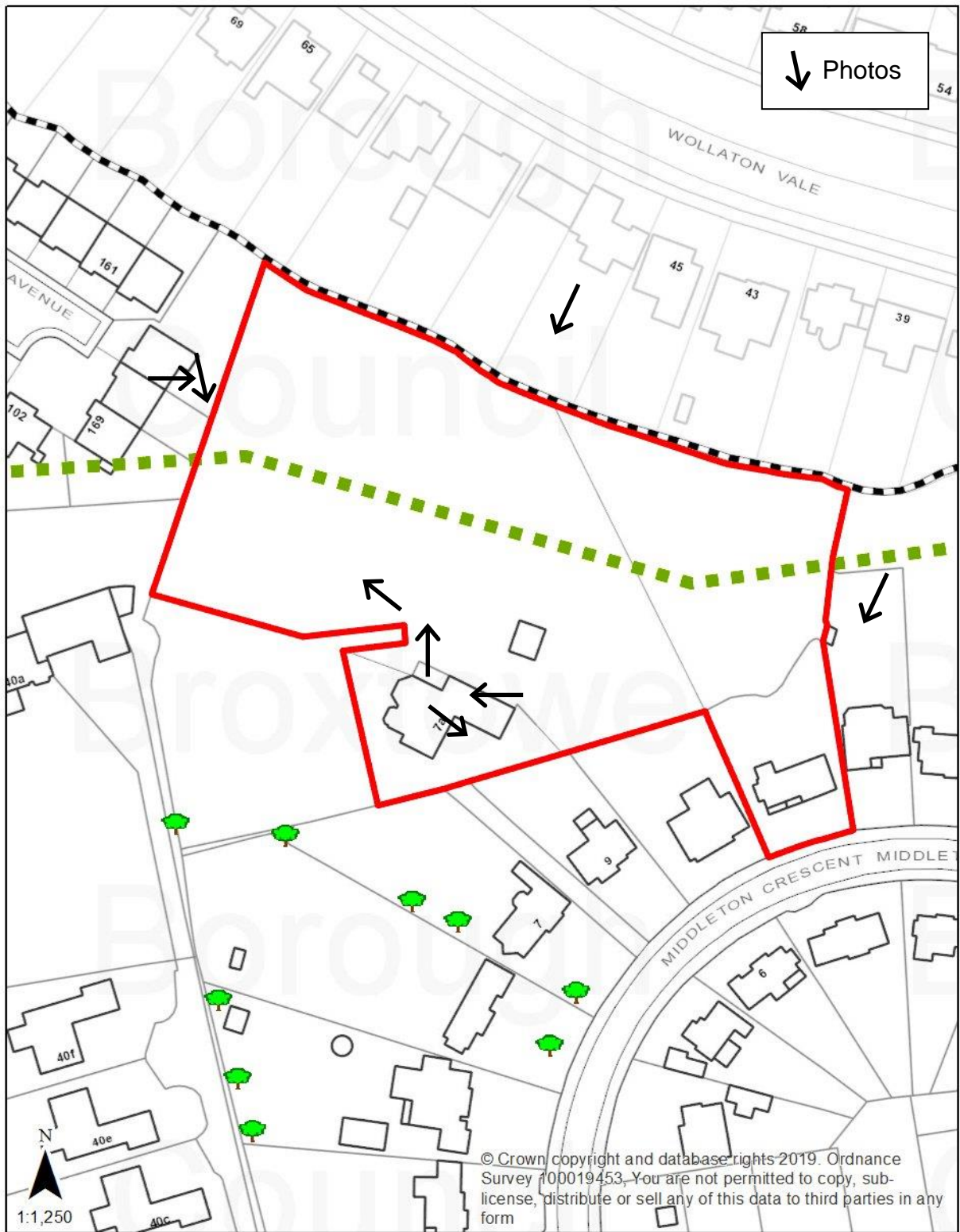
The Committee is asked to RESOLVE that planning permission be refused for the following reason:

The applicant has not agreed to provide any affordable housing contribution and the development is therefore contrary to Policy H5 of the Broxtowe Local Plan (2004), Policy 8 of the Aligned Core Strategy (2014), Policy 15 of the draft Part 2 Local Plan and paragraphs 56 – 57 of the National Planning Policy Framework (2019).




Note to applicant

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

Background papers
Application case file



Legend

-  Site
-  Single TPO
-  Green Infrastructure Corridor

Report of the Chief Executive

18/00798/FUL**CONSTRUCT 15 HOUSES AND 4 APARTMENTS, ASSOCIATED ACCESS AND DRAINAGE INFRASTRUCTURE AND DEMOLITION OF EXISTING BUILDINGS****HILLTOP HOUSE NOTTINGHAM ROAD EASTWOOD NOTTINGHAMSHIRE NG16 3GN**

This application is to be determined by the Committee as it would not provide the full policy compliant S106 contributions.

1 Details of the Application

1.1 This is a major planning application seeking permission for the demolition of the existing vacant buildings on the site and the construction of 15 houses and 4 apartments, along with associated access and drainage.

1.2 The existing access situated off Nottingham Road will be removed and a single point of access off Plumptre Way will be created, which will lead into a central parking area for the residential development.

1.3 The frontage onto Nottingham Road is made up of a terrace of three dwellings. A further block of three dwellings and an apartment block will also front onto Nottingham Road, with a further dwelling fronting onto Plumptre Way. A further eight dwellings will be sited to the rear of the site made up of a terrace block, with one fronting onto Plumptre Way and the remainder backing onto Coronation Park.

1.4 The dwellings types will be made up of the following:

- 13 x 2 bed, 4 person houses;
- 2 x 3 bed, 5 person house;
- 4 x 1 bed, 2 person flats.

1.5 The applicant proposes that the development would consist of a 100% affordable housing scheme, 11 of which will be for affordable rent (subject to rent controls that require a rent of no more than 80 per cent of the local market rent) and 8 for shared ownership. This will be secured by a S106 Agreement to ensure that the housing is made available at affordable levels.

1.6 In addition to the drawings showing the proposed site layout and housing types, the following supporting documents have been submitted with the application:

- Design and Access Statement
- Planning Statement
- Arboricultural Report
- Bat Activity Survey
- Noise Impact Assessment
- Drainage Strategy Report
- Viability Assessment

2 Site and Surroundings

- 2.1 The site is located in a prominent location on the corner of both Nottingham Road and Plumptre Way. There are currently two vacant former office buildings within the site. The site has an area of 0.25 hectares.
- 2.2 Directly opposite the site on Nottingham Road there are residential properties. To the west there is a landscaped corridor serving Plumptre Way, with residential properties beyond. To the south there is Coronation Park which has an entrance directly off Plumptre Way. To the east there is a fire station and offices. To the north west there is a Grade II listed WWI war memorial.
- 2.3 The site is within an urban location on the edge of Eastwood Town Centre with many facilities including open space, shops and frequent bus routes within walking distance. The land slopes down from the north to the south.

Views from Nottingham Road.



Views from Plumptre Way.



Views from Coronation Park.



3 Relevant Planning History

3.1 There is no relevant planning history relating to the site.

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.2 **Broxtowe Aligned Core Strategy**

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

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

4.2.3 Policy 1: Climate Change sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings. It states that development should demonstrate how carbon dioxide emissions have been minimised. The policy goes on to set out the approach to renewable energy, flood risk and sustainable drainage. It replicates the approach to development in flood zones outlined in the NPPF and seeks the inclusion of Sustainable Urban Drainage systems within new development where viable and technically feasible.

4.2.3 Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

- 4.2.4 Policy 8: Housing Mix and Choice sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes and tenures. It sets out the approach to affordable housing and establishes a 30 per cent target for Broxtowe Borough.
- 4.2.5 Policy 10: Design and Enhancing Local Identity sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.
- 4.2.6 Policy 14: Managing Travel Demand sets out the priority for new development is in firstly selecting sites already accessible by walking, cycling and public transport.
- 4.2.7 Policy 16: Green Infrastructure, Parks and Open Spaces sets out a strategic approach to the provision of new Green Infrastructure. It states that existing Green Infrastructure corridors will be protected and enhanced. Criteria for development impacting on existing open space are provided.
- 4.2.8 Policy 19: Developer Contributions states that all developments will be expected to meet the reasonable cost of new infrastructure required as a consequence of the proposal. The supporting justification text states that contributions from a particular development will be fairly and reasonably related in scale and kind to the relevant scheme and directly related to the development.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy H5: On housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25% of dwellings built will be affordable or, exceptionally, that a financial contribution will be made to enable the provision of an equivalent amount of affordable housing off site.
- 4.3.3 Policy H6: Provides density requirements for residential development: where development is within 400m walking distance of frequent public transport services a minimum density of 40 dwellings per hectare is required and if the distance is beyond 400m, 35 dwellings per hectare.
- 4.3.4 Policy H7: Residential development in built up areas will be permitted providing there is no significant impact on the amenity of nearby residents and that the occupiers of the new dwellings would have a satisfactory degree of privacy and amenity. The development should not have an adverse impact on the character or appearance of the area and satisfactory arrangements for parking and access need to be made.
- 4.3.5 Policy T1: Planning permission for developments which generate a demand for travel will not be granted until a contribution towards transport infrastructure has been negotiated.

- 4.3.6 Policy T11 and appendix 4 require satisfactory provision of vehicle parking and servicing in accordance with the latest standards.
- 4.3.7 Policy RC6: Provision should be made for public open space and children's play areas on residential development sites which exceed 0.5 hectares. The design of any open space provision should take into account the possible provision of features beneficial to wildlife.
- 4.3.8 Policy RC14: The Council will protect, maintain and where appropriate seek to extend the network of footpaths, bridleways and cycle routes in the borough.

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

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 12 representations in relation to Policy 15 and 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. Whilst the note requested modifications to Policy 15 which means this policy should be afforded limited weight, the note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight.
- 4.4.2 Policy 15 – Housing Size, mix and choice states that developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough, and all age groups (including the elderly) are met.
- 4.4.3 Policy 17 - Place-making, design and amenity states permission will be granted for development which meets a number of criteria including: that it integrates into its surroundings; provides or is close to community facilities; has good access to public transport; creates a place with a locally-inspired or otherwise distinctive character; provides sufficient, well-integrated parking; provides adequate external storage and amenity space and ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

5 Consultations

- 5.1 The County Council as Highway Authority originally requested amendments as the proposed layout failed to comply with standards set out in the 6 Council's Design Guide. Amended plans were submitted and the Highway Authority offers no objections to the proposed development subject to conditions.
- 5.2 The County Council as Lead Local Flood Authority originally requested further information in respect of the proposed drainage of the site and drainage strategy was subsequently submitted.
- 5.3 Nottinghamshire County Council has requested contributions via a S106 Agreement for bus stop improvements. They confirm that there will be no public

rights of way affected by the proposed development. They also highlight that consideration should be given to the potential impact on the setting of the listed war memorial.

- 5.4 Nottinghamshire Wildlife Trust raise no objections following the submission of a bat survey.
- 5.5 Severn Trent Water raise no objections to the proposal subject to a condition regarding details for the disposal of surface water and foul sewage to be submitted and approved.
- 5.6 The Coal Authority raise no objections to the development.
- 5.7 The Council's Waste and Environment Manager has provided information regarding refuse requirement serving the development.
- 5.8 The Council's Environmental Health Officer raises no objections with the development subject to a condition relating to noise mitigation measures.
- 5.9 The Council's Tree Officer offers no objections to the removal of the trees and advises none of the trees are protected by preservation orders and the site is not within a conservation area.
- 5.10 The Council's Parks and Environment Manager have confirmed that full developer contributions would be sought for open space.
- 5.11 The Council's Strategy and Development Officer advises the housing department fully support the application to build 11 affordable rented and 8 shared ownership properties in Eastwood. Analysis in Broxtowe's recently commissioned social and affordable housing needs study shows a need for affordable rented housing in Eastwood.
- 5.12 21 neighbours were consulted on the application along with the posting of three site notices around the site. During the course of the application, 1 letter in support of the proposal and 4 letters have been received objecting on the following grounds:
 - Noise;
 - Parking;
 - Crime;
 - Dirt, dust, noise and traffic during building works;
 - Loss of trees;
 - Increase in traffic.

6 Appraisal

- 6.1 The main issues relating to this application are the principle of development, design and the impact upon visual amenity of the area, residential amenity, highway safety and viability. These are discussed in turn as follows:

6.2 Principle of Development

6.2.1 The application site is located in a prominent location on the corner of Nottingham Road and Plumptre Way and currently consists of two buildings which have been unused for a long period of time. The site has been marketed for development for a long period of time with no take up. It is not considered that the site amounts to a good quality employment site, and the lack of success of the marketing of the site is a good indication that it is not viable for an employment re-use. The principle of development of the site for residential purposes is considered acceptable, subject to the consideration of other material planning considerations.

6.3 Design and Visual Amenity

6.3.1 Policy 10 'Design and Enhancing Local Identity' of the Broxtowe Aligned Core Strategy sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.

6.3.2 The housing stock in Eastwood is generally mixed in character with the older housing stock largely being terraced properties and newer developments consisting of semi – detached and detached properties. Directly opposite the site on Nottingham Road there is a mix of detached single storey and two storey dwellings. On the opposite corner of Nottingham Road and Plumptre Way fronting onto Nottingham Road there is a row of two storey terraced properties, with two storey detached properties fronting onto Plumptre Way.

6.3.3 The scheme layout has been designed with plots addressing the frontage to both Nottingham Road and Plumptre Way. The frontage onto Nottingham Road is made up of a terrace of three two storey dwellings, along with a further block of three two storey dwellings and a two storey apartment block. The apartment block is located on the corner of Nottingham Road and Plumptre Way, with a further two storey dwelling proposed attached to the apartment block fronting onto Plumptre Way. To the front of the block of three terraced properties, a new retaining wall is proposed. To the front of the remaining properties the existing retaining wall is to remain, with the provision of 1m high railings on top. The dwellings will be served by entrance doors fronting onto Nottingham Road and Plumptre Way with small canopies above. The dwellings will be served by garden areas to the rear, with a small service yard located to the rear of the apartment block.

6.3.4 To the rear of the site a block of eight two storey terraced dwellings is proposed backing onto Coronation Park, with garden areas to the rear. Along the rear boundary of these plots a 1.8m high powder coated steel wire fence is proposed, with planting behind to help simulate the boundary treatment with the locality. The fence will be in keeping with the boundary treatment to the adjacent former Health Centre.

6.3.5 Within the centre of the site a central access driveway is proposed with parking provision for each of the dwellings. To the rear gardens of plots 1 to 11 backing onto the parking area a 1.8m high close boarded fence is proposed. Within the parking area, bin stores are proposed along with pergolas to the parking spaces. Bin enclosures are also proposed to the front of the proposed apartment block,

which will be set at a lower level than the pavement serving Nottingham Road/Plumtre Way, reducing any visual impact.

- 6.3.6 Whilst there were a variety of trees formerly within the site, the Council's Tree Officer advises that there are no trees that are of a substantial form or merit to be worthy of a Tree Preservation Order. It is acknowledged by the Tree Officer that the site does need developing and the loss of the trees could be mitigated by replacement planting within the development. A Landscaping scheme has been submitted and the Council's Parks and Environment Manager raises no objections. A variety of shrubs are proposed to be planted to the rear of the retaining walls fronting onto Nottingham Road and Plumtre Way, along with a variety of planting/trees within the central parking area.
- 6.3.7 The house types are relatively simple and modest in their form and massing, with gable ends and the use of different materials to help break up the brickwork and add interest to the different elevations of the properties.
- 6.3.8 Having regard to the mixture of properties within this part of Eastwood specifically, it is thought the buildings represent an acceptable addition to the streetscene, due to the land levels within the site being approximately 1m lower than Nottingham Road and the sloping nature of the site.
- 6.3.9 The proposal will remove the existing vacant and derelict flat roof buildings within the centre of the site, and overall it is considered that the scheme layout, design and massing of the built form would add to the character and appearance of the streetscene, which would have a positive effect on the wider pattern of development and character in the area. It is not considered that the proposal will have a significant detrimental impact upon the visual amenity of the area or the character of the street scene.
- 6.3.10 It is considered that the setting of the war memorial, which is Grade II listed, will not be harmed as a result of the development as the memorial is separated from the site by part of Plumtre Way, the immediate surrounding of the memorial will not be altered and as the application site was previously occupied by buildings.

6.4. Residential Amenity

- 6.4.1 The application site is bound to the east by a former vacant Health Centre building and fire station and public open space to the south in the form of Coronation Park. Although there are residential properties situated opposite on both Nottingham Road to the north and Plumtre Way to the west, these are sited a distance of 25m and 45m away respectively. Due to this relationship, the proposal is not considered to have an adverse impact upon the residential amenity of the neighbouring properties in respect of overlooking, overbearing or noise impacts due to the separation distances.
- 6.4.2 In support of the application a Noise Impact Assessment (NIA) has been submitted for consideration. The Council's Environmental Health Officer advises that the NIA fully assesses the noise impact from road traffic on the proposed new development and is in agreement with the recommendations of the report to install suitable glazing and ventilation at a specification required to protect future

occupiers from adverse noise impacts. A condition is recommended for all noise mitigation measures to be designed and installed in accordance with the approved mitigation scheme as detailed in the submitted Noise Impact Assessment.

- 6.4.3 Plots 1 – 3 will be served by gardens with depths of 6m, plots 4 – 6 with garden depths of 7m and plot 11 with a depth of 4m. To the rear of the site plots 12 – 17 are served with garden depths of 5m and plots 18 – 19 with depths of 17m. Having regard to the existing pattern of development in the surrounding area and the proximity of Coronation Park it is considered that the gardens provide sufficient outdoor amenity space for future residents. The gardens will also be sited to the rear of the properties situated away from the busy main road of Nottingham Road.
- 6.4.4 Usable outdoor amenity space is also proposed to the rear of the apartments which will provide a cycle store. Bin storage is proposed to the front of the apartments. By the very nature of these types of dwellings they are not usually associated with large private gardens and the outdoor amenity space is considered acceptable for future occupiers of the apartments.
- 6.4.5 Due to the layout of the site and the majority of garden depths being shorter than the Council would generally consider to be appropriate to allow property owners to alter and extend their dwellings over time, it is recommended that a condition be placed on any permission to remove permitted development rights for extensions to the rear of the new properties. This is to ensure that the impact of new additions to these properties is considered in full to help protect the amenity of existing and future residents.

6.5 Highway Safety

- 6.5.1 Vehicular access into the site is to be provided off Plumpton Way, with the existing access off Nottingham Road being made redundant and permanently closed to allow for the building of the dwellings to the front of the site. Within the site, a total of 21 allocated parking spaces are proposed. This is considered acceptable given the location of the site and its proximity to Eastwood Town centre and public transport services.
- 6.5.2 The Highways Authority initially objected to the proposed development due to the design of the internal road not being to adoptable standards and issues relating to the requirement for a swept path analysis for large vehicles, radius kerbs, bin store locations and a maintenance agreement for the private driveway. Following the receipt of amended plans incorporating the required changes, the Highway Authority is satisfied with the layout subject to conditions. The applicant has agreed to enter into a Section 106 Agreement for the proposed arrangements to be detailed for the future management and maintenance of the private road including associated drainage. There are no highway safety issues relating to this application

6.6 Other Issues

- 6.6.1 As part of the consultation process, Nottinghamshire Wildlife Trust was consulted following the submission of a bat survey. In summary, it is advised that the Wildlife Trust are satisfied with the methodology employed and support the general recommendations for measures to avoid impact.
- 6.6.2 The site lies outside an area at risk of flooding and is located within flood zone 1, which is an area of land least likely to flood. However, as the application is classed as a major development with over 10 dwellings proposed the applicants have submitted a drainage strategy to identify how any increase in surface water will be managed to ensure the risk of flooding is not increased.

6.7 Developer Contributions

- 6.7.1 The application constitutes a major scheme and Policy 19 from the Aligned Core Strategy requires that a planning obligation is sought from the developer. In line with the NPPF any planning obligation should meet the tests of being necessary in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 6.7.2 Full open space contributions of £27,169.05 have been requested for the provision of capital and maintenance contributions at the nearby Coronation Park.
- 6.7.3 Nottinghamshire County Council have requested contributions of £12,200.00 towards bus stop improvements.
- 6.7.4 The proposed scheme would not exceed 25 dwellings and as a result there is no policy requirement to provide affordable housing units either on-site or financial contributions to enable any provision off-site. However, the application is for a scheme that would provide 19 affordable units, through a shared ownership scheme for eight units along with 11 units available at affordable rental values.
- 6.7.5 A viability appraisal has been submitted during the course of the application which concludes that the inclusion of any Section 106 policy requirements will seriously hinder the financial viability of the development and prevent delivery of the development. The developers therefore conclude that they cannot afford to make any financial contributions to either fund open space or bus stop improvements. They are however willing to enter into a Section 106 Agreement to ensure that the levels of affordable housing proposed are delivered on the site.
- 6.7.6 The housing market in the Eastwood area has been found to be weak through work undertaken in the preparation of the Aligned Core Strategy. Having regard to the need to provide, not only additional housing, but housing which is affordable, it is considered that on balance the delivery of affordable housing on this site outweighs the need for the contributions which the development would normally yield.

6.8 Conclusion

- 6.8.1 The scheme would provide 19 affordable dwellings on this highly sustainable brownfield site. Having regard to the surrounding character of the area, the mix of dwelling types proposed and the sites location in close proximity to Eastwood Town Centre, it is considered that the layout would not result in an unacceptable impact upon the character or visual amenity of the area, residential amenity for existing neighbouring properties and future occupiers of the dwellings and there are no highway safety issues relating to the proposal.
- 6.8.2 Whilst the scheme is unable to make any financial contribution towards open space provision and bus stop improvements within the Borough, having regard to the market conditions within this area and the fact that the scheme will provide 100% affordable housing, which can be secured through a Section 106 Agreement, it is considered that on balance the benefit of bringing forward the site for housing demonstrably outweighs the harm of receiving no financial contributions.
- 6.8.3 Having regard to all material considerations, the proposed development is required to assist in meeting the borough's overall housing requirement as the Council does not have a five year housing land supply. As the site is located in the urban area of Eastwood, this carries significant weight as the location is sustainable. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this. It is recommended that the application be approved subject to conditions and the signing of a S106 agreement to secure the delivery of the affordable housing and the arrangements for the private highway.

Recommendation

The Committee is asked to RESOLVE that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

- (i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the conditions set out below.**
- (ii) the following conditions:**
 - 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
 - 2. The development hereby permitted shall be carried out in accordance with drawing numbers Existing Site Plan, 2525/P101, Site Sections, 2525/P400, Street Views, 2525/P401, Plot 1 – 3 Proposed Floor Plans, 2525/P200, Plot 4 – 11 Proposed Floor Plans, 2525/P201, Plot 12 – 19, 2525/P202 received by the Local Planning Authority on 27 November 2018, Location Plan, 2525/P100A, Plot 1 – 3 Proposed Elevations, 2525/P300A, Plot 4 – 11 Proposed Elevations, 2525/P301A, Plot 12 – 19 Proposed Elevations, 2525/P302A received by the Local Planning Authority on 29 November 2019, Materials Pallett received by**

the Local Planning Authority on 07 January 2019, Proposed Boundary Treatments, 2525/P500, Pergola and Bin Storage, 2525/P501 received by the Local Planning Authority on 19 February 2019, Proposed Site Plan, 2525/P102E, Proposed Drainage Plan, 18-210C01B received by the Local Planning Authority on 15 March 2019 and Soft Landscape Proposals, GL1090 01A received by the Local Planning Authority 01 April 2019.

3. All noise mitigation measures shall be designed and installed in accordance with the approved mitigation scheme as detailed in Apex Acoustics report (re 7353.1, dated 7th February 2019 Revision A). No part of the development shall be occupied until all mitigation measures have been completed to the satisfaction of the Local Planning Authority.
4. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway access has been constructed and is available for use and constructed in accordance with the Highway Authority specification and the existing site access on Nottingham Road that has been made redundant and are permanently closed and the access crossings are reinstated as full height kerbs in accordance with drawing number 18/210/C01B.
5. No part of the development hereby permitted shall be brought into use until the access driveway to the site/parking/turning areas have been constructed with the provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water shall be retained for the life of the development.
6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with parking bays clearly delineated in accordance with drawing number 18/210/C01B. The parking, turning and servicing 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, turning and loading/unloading of vehicles.
7. No part of the development hereby permitted shall be brought into use until the lighting column has been relocated at the applicant's expense in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority and the bin store locations have been installed and made available for use in accordance with drawing number Proposed Site Plan, 2525/P102.
8. No part of the development hereby permitted shall be brought into use until the footpath facing the site has been redirected and tactile paving relocated with a suitable barrier and one-way sign constructed in accordance with drawing number 18/210/C01B.
9. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or

occupation of the buildings, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting this order, no rear extensions shall be carried out to the dwellings hereby approved which falls within Class A of Schedule 2 Part 1 of the Order without prior written permission of the Local Planning Authority by way of a formal planning permission.

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 protect future occupiers from excessive road traffic noise.
4. In the interests of highway safety.
5. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
6. 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.
7. To facilitate the dropped kerb access to be installed and to ensure bins can be pulled onto the public highway on bin collection day.
8. In the interests of highway safety.
9. To ensure the development presents a more pleasant appearance in the locality.
10. In the interests of residential amenity.

Note to applicant

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

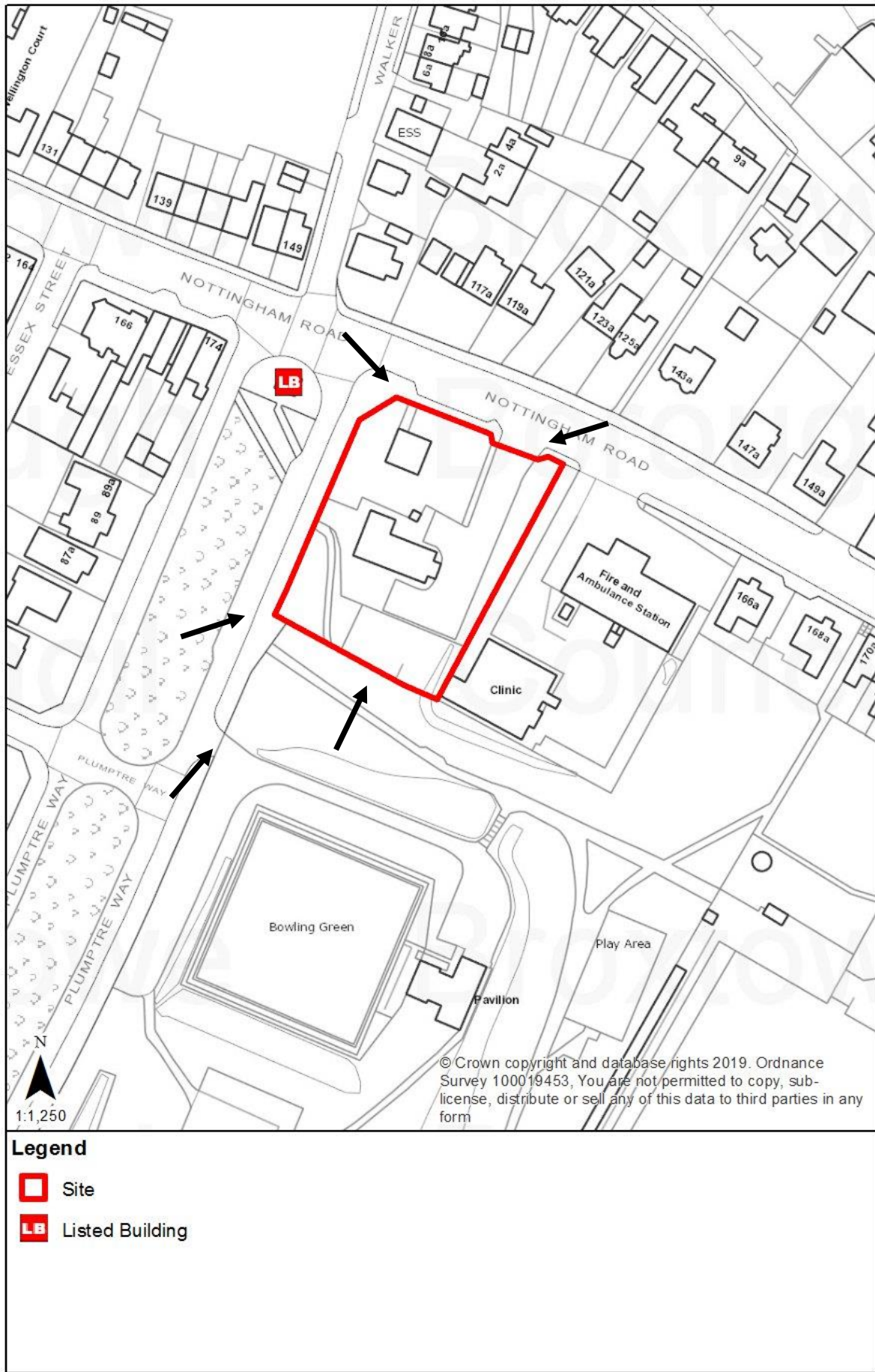
3. The development makes it necessary to construct a vehicular access crossing over a footway of the public highway, to reinstate the redundant vehicular crossing on Nottingham Road over a footway of the public highway, to direct the footway opposite the site, tactile relocation, barrier and one-way sign to be installed, on/over the footway of the public highway and to relocate the lighting column on the footway of the public highway.

These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities> or by contacting the County Council's Customer Services to arrange for these works on telephone 0300 5008080 to arrange for these works to be carried out.

4. Notice will be served on the developer to purchase the first time provision of bins. The residents will need to place bins at the curtilage of the property for collection. For more information please contact Paul Wolverson on 0115 9173189 or email recycling @broxtowe.gov.uk
5. The recommendations outlined within the Bat Activity Survey should be followed to reduce the potential for disturbing bats.

Background papers

Application case file



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Report of the Chief Executive

18/00490/FUL**NON-MATERIAL AMENDMENT TO CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION AND HIP TO GABLE LOFT EXTENSION WITH REAR DORMER (REVISED SCHEME)
60 BRAMCOTE ROAD BEESTON NOTTINGHAMSHIRE NG9 1DW**

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

1 Details of the application

- 1.1 A non-material amendment application has been submitted to retain the repositioning of a flat roof rear dormer that has not been constructed in accordance with the approved plans.
- 1.2 A non-material amendment is an application by where a change to a previously approved planning application is requested in which a determination is made by the Council as to whether the proposed change is considered 'materially' different. Whilst there is no statutory definition of a non-material amendment, it could be suggested that this would constitute a change that does not vary significantly from what was approved. Examples could include: the development does not significantly increase the footprint or height of a roof, does not introduce or move windows or other openings that could affect other properties or does not result in a noticeable change in the appearance of the development. A non-material amendment to a scheme, should not significantly alter the original planning approval, otherwise by definition it would not be considered 'non-material'.
- 1.3 The flat roof rear dormer extends from the ridge of the main roof and is set up from the eaves by 0.2m. It projects 4.1m from the rear roof slope and is 2.7m in height and extends 4.5m in width. The north east and south west (side) elevations are blank and the south east (rear) elevation has two windows. The smaller window is obscurely glazed and the larger window is clear glazed.
- 1.4 The dormer has been constructed 0.3m closer to the properties along Hope Street which adjoin the site to the south west (side).

2 Site and Surroundings

- South east (rear) elevation showing dormer South east (rear) elevation showing dormer
- 2.1 The application property is a semi-detached dwelling with gable roof, two storey side extension and single storey rear extension with lean-to roof. The property is finished in a white rough render, red bricks and clay tiles. The dormer is constructed from black UPVC hollow cladding. The rear garden is enclosed by 1.5m to 2.2m high fencing. The single storey rear extension adjoins the single storey rear extension belonging to no. 58.
- 2.2 Bramcote Road is a street formed of flats, bungalows, detached and semi-detached dwellings. No. 58 is the adjoining semi-detached dwelling with a two storey side extension and single storey rear extension, positioned to the south east. No. 62 is a semi-detached dwelling positioned to the west.
- 3 Relevant Planning History
- 3.1 An application (18/00490/FUL) for a single storey rear extension, two storey side extension, a hip to gable loft extension and rear dormer received permission in September 2018. The works have been substantially completed.
- 4 Policy Context
- 4.1 **National policy**
- 4.1.1 The National Planning Policy Framework (NPPF) February 2019, 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.
- 4.2 **Broxtowe Aligned Core Strategy**
- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 Policy A 'Presumption in Favour of Sustainable Development' - reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 Policy 10 'Design and Enhancing Local Identity' - states that development should be assessed in relation to its massing, scale, materials, design and impact on the amenity of nearby residents.
- 4.3 **Saved Policies of the Broxtowe Local Plan**
- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Policy H9 'Domestic Extensions' - states that extensions will be permitted provided that they are in keeping with the original building in terms of style, proportion and materials, are in keeping with the appearance of the street scene and do not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties.

4.3.3 Policy T11 'Guidance for parking provision' - new development will not be permitted unless appropriate provision is made for vehicle parking and servicing.

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

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight.

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

5 Consultations

5.1 Six neighbours were consulted and one letter of objection was received which included photos of the dormer and a sketch plan showing the application site in relation to properties along Hope Street. The objection can be summarised as follows:

- Imposing and invasive
- Properties along Hope Street have north facing gardens meaning the rear of the garden receives the most light which is overlooked by the dormer
- The bottom panes of glass in the window should be obscurely glazed to restore privacy.

6 Appraisal

6.1 The main issues to consider with this application are the repositioning of the dormer and its impact on surrounding neighbours.

6.2 The dormer has been constructed 0.3m closer to the properties on Hope Street that adjoin the site to the south west. Whilst this may increase the presence and visibility of the dormer to the neighbours on Hope Street, it is considered the dormer being 0.3m closer is a relatively minor difference in relation to the overall size of the dormer. Furthermore, the window closest to the boundary with Hope Street would not significantly increase the amount of overlooking due to it being obscurely glazed.

6.3 If the committee disagrees with this officer advice, it is possible to impose conditions on a non-material amendment decision, including that all the windows in the rear elevation of the dormer shall be obscure glazed. As with other conditions there are rights of appeal against this.

7. Conclusion

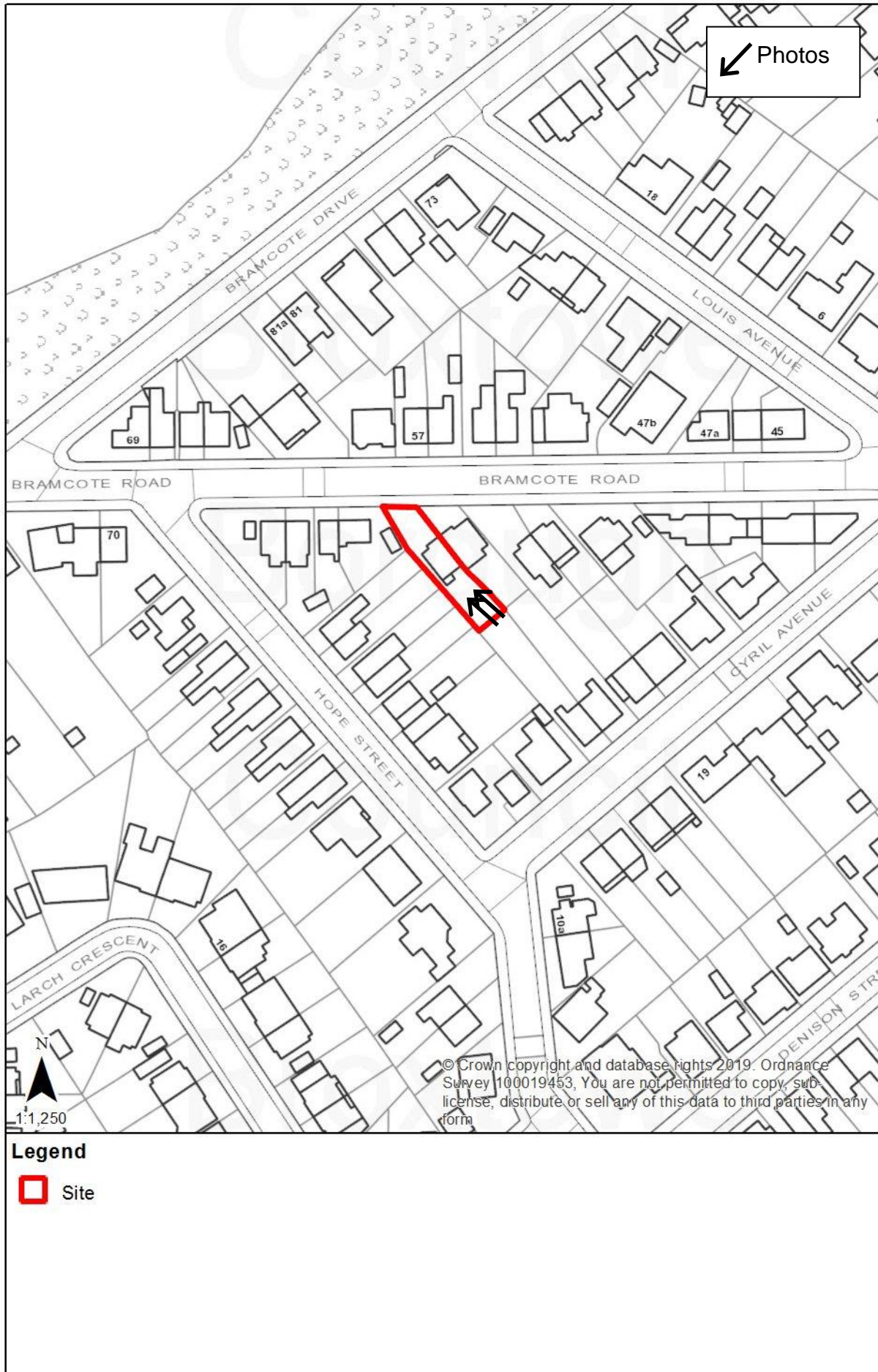
- 7.1 In conclusion, it is considered that the repositioning of the dormer by 0.3m closer to the properties on Hope Street is considered a non-material amendment to planning reference 18/00490/FUL and therefore a revised planning application is not recommended.

Recommendation

The Committee is asked to RESOLVE that the non-material amendment be granted subject to the following condition:

The 'repositioning of dormer by 0.3m closer to the south west boundary of the site' as shown on the amended plan 'proposed plans and elevations - resituated dormer Rev 01' received by the Local Planning Authority on 12 March 2019 to planning reference 18/00490/FUL, is a non-material amendment and a revised planning application is not required.

Background papers
Application case file



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Report of the Chief Executive

**19/00045/FUL
 CONSTRUCT GLAZED ROOF ENCLOSURE OVER NEW METAL
 ACCESS STAIRCASE (REVISED SCHEME)
 THE QUEENS HEAD 34 MAIN STREET KIMBERLEY
 NOTTINGHAMSHIRE**

Councillor S Easom requested this application be determined by the Committee.

1 Details of the Application

1.1 This application seeks permission to erect a glass enclosure over the existing courtyard at The Queens Head. The proposed glass enclosure will have a dual pitched roof covering the courtyard with a glass elevation extending to ground level on the south east elevation, effectively enclosing the courtyard.

2 Site and Surroundings

2.1 The application property is a two storey public house wrapping around the corner of Main Street and James Street with an inner courtyard. The building is set centrally within the Kimberley Conservation Area and is highlighted in the conservation area appraisal as being a positive building of local interest.

2.2 The building has cream painted brick elevations fronting onto James Street and Main Street, with red facing brickwork in the inner courtyard. It has a tiled roof and timber framed windows and doors.



Access to inner courtyard via James Street.



Main Street elevation.



Inner courtyard.



James Street elevation.

3 Relevant Planning History

- 3.1 In 2017, planning application 17/00098/FUL was refused permission for various proposals, including the construction of a glazed enclosure above the inner courtyard. The application was refused on the grounds that the proposed enclosure of the internal courtyard would affect the character of the building and would lead to substantial harm to the historic integrity and character of the Local Interest Building and to Kimberley Conservation Area.
- 3.2 In 2017, planning permission 17/00757/FUL was granted to construct an external staircase, flue and metal gates to the inner courtyard. These proposals were amongst those in the previous application that was refused permission, although these aspects were deemed acceptable. This application did not include any proposals to enclose the inner courtyard.
- 3.3 in 2018 planning application 18/00559/FUL was refused permission for the same glazed roof enclosure that is being applied for with this application. The application was refused on the grounds that the proposed glazed enclosure would be an uncoordinated feature and the enclosure of the inner courtyard would result in substantial harm to the Local Interest Building and Kimberley Conservation Area. It was not demonstrated that the substantial harm that would be caused to the Conservation Area is necessary to achieve substantial public health benefits that outweigh that harm.
- 3.4 All of these applications were determined under delegated powers.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.2 Broxtowe Aligned Core Strategy

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 4.2.3 Policy 10 'Design and Enhancing Local Identity' sets out key design criteria that all development should look to achieve. This policy includes the requirement for all new development to make a positive contribution to the public realm and sense of place, reinforce valued local characteristics, and to have regard to the local context including valued landscape/townscape characteristics and be designed in a way that conserves locally and nationally important heritage assets and preserves or enhances their settings.
- 4.2.4 Policy 11 'The Historic Environment' states that proposals will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. There are no relevant saved policies in respect of this application.

4.4 Part 2 Local Plan (Draft)

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 11 representations in relation to Policy 17 and 11 representations in relation to Policy 23. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 17 and 23. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 and Policy 23 can now be afforded moderate weight.
- 4.4.2 Policy 17 'Place-making, design and amenity' sets out further design criteria that all new development must meet. Included within this criteria is the requirement that all new development must integrate into its surroundings.
- 4.4.3 Policy 23 'Proposals affecting Designated and Non-Designated Heritage Assets' states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

5 Consultations

- 5.1 The Conservation Adviser has raised objections on the following grounds:

He remains unconvinced that there would not be less than substantial harm to the character of the Conservation Area given the shape of the proposed glazed roof, the fact it covers part of the courtyard would affect the character of the Conservation Area and the materials would not preserve the appearance of this part of the Conservation Area. He is also not convinced the reasons for the proposal are justified and it does not seem other alternative solutions have been considered given noise mitigation was a reason given by the applicant for the roof.

- 5.2 Consultation letters have been sent out to 15 neighbouring properties and a site notice was posted at the site on 11 February 2019. No objections from any members of the public have been raised in respect of this application.

6 Appraisal

- 6.1 The main consideration for this proposal is the design and appearance of the enclosure and its impact on the Conservation Area.
- 6.2 The proposed glazed enclosure is very similar to the previously refused scheme under application 17/00098/FUL and the same as the most recently refused scheme under application reference 18/00559/FUL. Both of these applications were refused on the grounds of the roof being an uncoordinated feature that would be harmful to the character of the Conservation Area. Taking into account the similarity of the new proposal to these the Conservation Adviser is unconvinced that the previous grounds for refusal have been overcome.
- 6.3 The ridge height of the proposed enclosure will not project above the existing ridge height of the surrounding buildings. The glazing is proposed to extend down to ground floor level, creating a physical barrier to the courtyard. Whilst the roof of the enclosure will not be clearly visible from the public realm, the glazing at ground floor level will be visible from James Street.
- 6.4 Notwithstanding the extent to which the enclosure will be visible, the Conservation Adviser considers that there would be harm to the character of the Conservation Area given the shape of the proposed glazed roof and the fact that it covers part of the inner courtyard. Proposed materials have not been clearly identified on the plans, although the heritage statement suggests the frame of the enclosure would be exposed steel. This is inconsistent with the appearance of the enclosure in the drawings submitted with the wide white framing around the glazed panels indicating that the frame will be UPVC, which would not preserve the appearance of this part of the Conservation Area. It is considered that the enclosure would be an uncoordinated feature and the enclosure of the inner courtyard would result in substantial harm to the local interest building and Kimberley Conservation Area.
- 6.5 The applicant states that the enclosure is required to create a blockage to the noise generated by the extraction system located on the adjacent property, adding that it would also create a wind barrier stopping street debris coming from James Street through the undercroft, making for a more pleasant access to the newly constructed staircase leading to the first floor. The inner courtyard area primarily acts as a service yard to The Queens Head, as well as the neighbouring restaurant on James Street. It is also used for storage of vehicles. The principal

access to The Queens Head is taken through the main door which is located on the corner of Main Street and James Street. Whilst the cleanliness of the inner courtyard is important, this is already within the control of the owner, which considering the historic nature of the premises has been the case for many years with the cleanliness of the inner courtyard never having been formally raised as a concern in relation to the successful running of the business. Considering the main entrance to the premises is not taken through the courtyard the enclosure of the courtyard to improve cleanliness is not considered essential to improve the efficiency of operating the business.

7 Conclusion

7.1 Overall it is considered that the harm the proposed enclosure poses to the character of the Conservation Area is not justified by any potential benefits of the scheme and therefore it is recommended that this application should be refused permission.

Recommendation

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

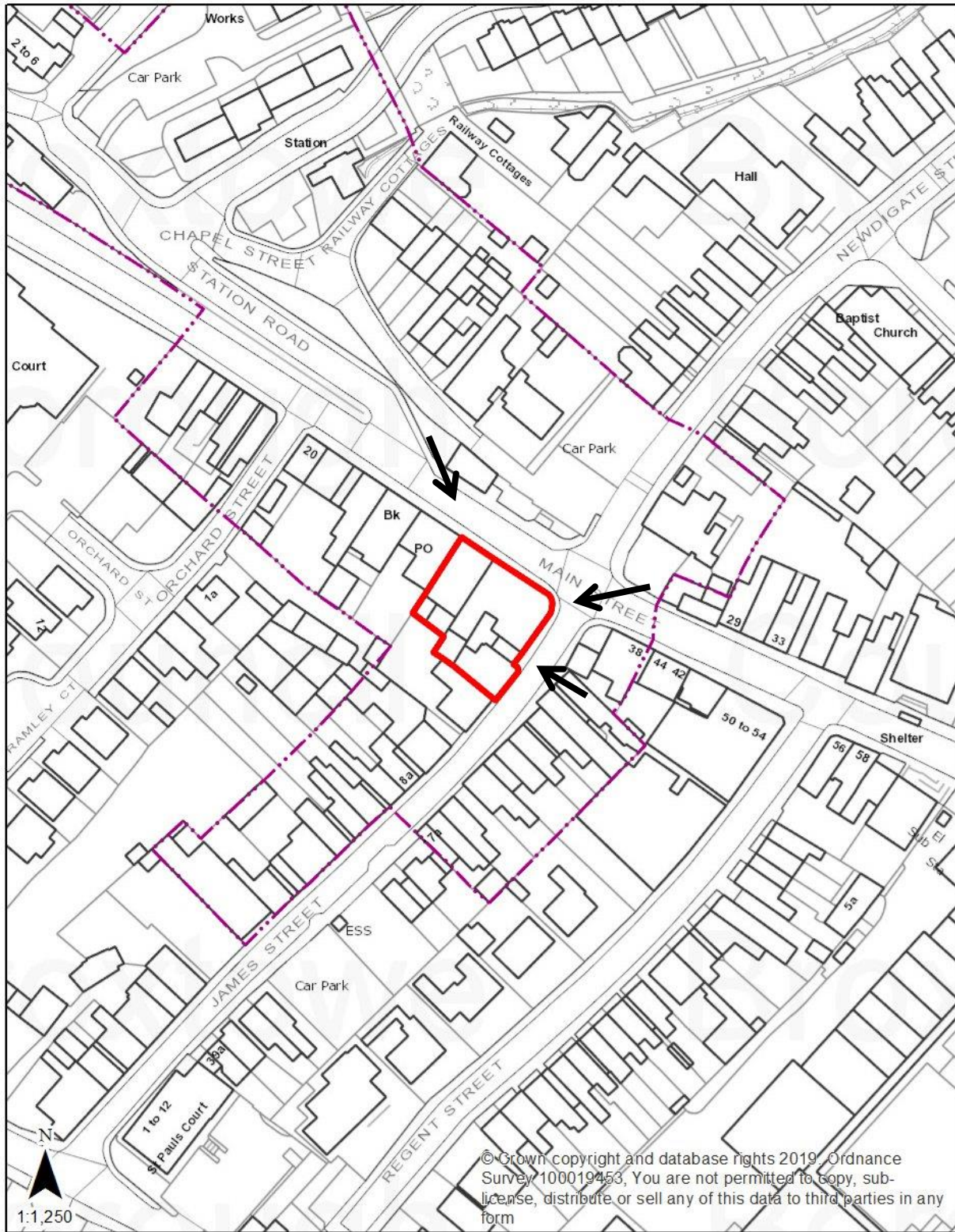
The proposed glazed enclosure would be an uncoordinated feature and the enclosure of the inner courtyard would result in substantial harm to the Local Interest Building and Kimberley Conservation Area. It has not been demonstrated that the substantial harm that would be caused to the Conservation Area is necessary to achieve substantial public benefits that outweigh that harm. It is therefore considered that the proposal is contrary to Policy 11 of the Aligned Core Strategy (2014) and Draft Part 2 Local Plan (2018) Policy 23, and the NPPF.

Note to applicant

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

Background papers

Application case file



Legend

-  Site
-  Conservation Areas (Local Plan)

Report of the Chief Executive

18/00865/FUL**CONSTRUCT 4 DWELLINGS COMPRISING 3 CONVERSIONS OF AGRICULTURAL BUILDINGS AND 1 CONVERSION AND EXTENSION OF AN AGRICULTURAL BUILDING TOGETHER WITH GARAGING AND VISITOR CAR PARKING SPACES
FIELD HOUSE FARM COSSALL ROAD TROWELL NOTTINGHAMSHIRE**

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

1 Details of the Application

- 1.1 This application seeks permission to create 4 dwellings through the conversion of 3 existing agricultural units and the conversion and extension of a further agricultural building. As part of this application a detached residential garage will be constructed for use in accordance with one of the proposed units and visitor car parking spaces will also be provided.
- 1.2 The make-up of the 4 proposed units includes 3 units with 3 bedrooms and 1 unit with 2 bedrooms. The proposed units labelled House 2, House 3 and House 5 will largely follow the existing footprint of the respective barns with various alterations to elevations proposed notably to create additional openings to enable their conversion to residential dwellings. A small extension is proposed on House 2 to create a porch. The porch will adjoin the south side elevation, projecting out 1.885m with a depth of 2.615m. It will have a dual pitched roof with a ridge height of 4.05m and height to eaves of 2.4m. Similarly a small extension is proposed on the south side elevation of House 5 to create a porch. This will project out 1.182m, with a depth of 2.611m and will have a flat roof with a height of 2.5m. Alterations are also proposed to the roof of both the east and west wing of this existing building.
- 1.3 House 4 will include an extension to the south elevation with a width of 4.332m and a depth running the full length of the existing building (18.453m). The proposed extension will have a ridge height of 4.75m and height to eaves of 2.645m. There is also a proposed extension to the north elevation to create a garage for House 4 which will project out 5.275m, with a ridge height of 4.525m and height to eaves 2.555m. A detached garage is proposed to the east of the site, to be associated with House 2. The garage will have dimensions of 9m by 6.675m with a ridge height of 4.6m and height to eaves of 2.555m.
- 1.4 As part of the proposal a number of existing steel framed agricultural buildings will be demolished, none of which are original to the site. No alterations to the farm house are proposed as part of this application.
- 1.5 Following the submission of the original proposal a number of discussions have taken place with the applicant to achieve a scheme that is considered acceptable. The original scheme proposed to demolish the farm house and replace it with a new dwelling. The applicant has withdrawn this part of the proposal and has

made a number of alterations to the design of the proposed conversions in line with comments made by the Conservation Adviser.

2 Site and Surroundings

2.1 The proposed application site is positioned to the north of the village of Trowell and accessed from Cossall Road, being located on the east side of the road. The application site is set within the Nottinghamshire Green Belt. There is a single residential unit neighbouring the site to the south, with the remainder of the site being surrounded by open countryside and agricultural fields.

2.2 The application site is currently in agricultural use and consists of the farm house, a range of traditional brick built agricultural buildings and a number of more modern steel framed agricultural buildings. The farm house is a building of local interest which is a non-designated heritage asset. The principal reason for its interest is the historic nature of the building, highlighted by its inclusion on George Sanderson’s 1835 map of ‘The country 20 miles around Mansfield’.



Farm house.



Existing access to the site facing towards Cossall Road.



Access from Cossall Road towards site.



View north along Cossall Road from site access.



Front elevation of barn to be House 2.



Rear elevation of barn to be House 2.



Front elevation of barn to be House 3.



Barn to be House 4 including parts of building to be demolished.



Front elevation of barn to be House 5.



Side elevation of barn to be House 5.



Rear elevation of barn to be House 5.



Dutch barn to be demolished. Garage for House 2 to be built in this position.

3 Relevant Planning History

- 3.1 In 1974 planning application 74/00285/FUL was refused permission to convert the detached dwellinghouse into two dwellings on the grounds that it would be inappropriate development in the Green Belt.
- 3.2 In 1989, planning application 89/00019/FUL was refused permission to construct a new dwelling due to the position of the site within the Nottinghamshire Green Belt. Furthermore the reason for refusal stated that the development would consolidate an isolated group of dwellings.
- 3.3 In 1990, planning application 90/00520/FUL was refused permission to construct an extension to the farm house to form a granny flat. The application was refused on the grounds that it would be inappropriate development in the Green Belt. The applicant appealed the decision and this appeal was dismissed by the Inspector.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.
- 4.1.2 Section 13 of the NPPF sets out criteria to ensure the protection of Green Belt land. Paragraph 143 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that a local planning authority should regard the construction of new dwellings as inappropriate, although states that there are a number of exceptions to this. Included within these exceptions is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building and the limited infilling or

the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development. Paragraph 146 identifies other forms of development that are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Included within this criteria is the re-use of buildings provided that the buildings are of permanent and substantial construction and materials changes in the use of land.

4.2 Broxtowe Aligned Core Strategy

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

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

4.2.3 Policy 8 'Housing Mix and Choice' sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes and tenures.

4.2.4 Policy 10 'Design and Enhancing Local Identity' states that all new developments should make a positive contribution, reinforce local characteristics and reduce the dominance of the motor vehicle. Developments will be assessed having regard to plot sizes and layouts, massing, scale and proportions and materials, architectural style and detailing.

4.2.5 Policy 11 'The Historic Environment' states that proposals and initiatives will be supported where the historic environment and their heritage assets are conserved and/or enhanced in line with their interest and significance.

4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 Local Plan Policy E8: Development in the Green Belt states that planning permission will not be permitted in the Green Belt except where it constitutes appropriate development.

4.3.3 Local Plan Policy H7 'Land not allocated for housing purposes' states that small scale residential development within existing built-up areas will be permitted providing the residents of the new dwelling would have a satisfactory degree of privacy and amenity, that satisfactory arrangements can be made for access and parking and that the development would not result in an undesirable change in the character or appearance of the area. The development should not prejudice the potential for future development of a larger area and the development should not have an unacceptable effect on the privacy and amenity of the occupiers of nearby properties.

4.3.4 Local Plan Policy T11 states that planning permission will be granted for new development where appropriate provision is made for vehicle parking and servicing.

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

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 10 representations in relation to Policy 8, 12 representations in relation to Policy 15, 11 representations in relation to Policy 17 and 11 representations in relation to Policy 23. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 17 and 23. Whilst this is not the inspector's final report, and the examination into the Local Plan has not been concluded, it does mean Policy 17 and Policy 23 can now be afforded moderate weight. The Inspector's note did request various amendments to Policies 8 and 15 and therefore these policies can only be afforded limited weight at the current time.

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

4.4.3 Policy 15 'Housing Size, Mix and Choice' states housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the borough are met.

4.4.4 Policy 17 'Place-making, Design and Amenity' refers to ensuring a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

4.4.5 Policy 23 'Policies affecting designated and non-designated heritage assets' states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

4.5 Trowell Design Guide

4.5.1 The Trowell Parish Design Statement 2006 states that all new developments including infill, extensions, modifications and street furniture should draw their architectural concepts and choice of materials from those common to the parish, with particular importance being attached to examples in surrounding buildings and landscape features. New buildings and extensions should also reflect the variations in form, mass, scale and styles of their surrounding areas.

5 Consultations

5.1 The Conservation Adviser provided initial comments on this proposal raising a number of concerns on heritage grounds in respect of the detailed design. Since these comments were provided a number of discussions have taken place with the applicants and amended plans provided to address these concerns. Based on the plans most recently submitted the Conservation Adviser has no objections on

Conservation grounds subject to a number of conditions being imposed requiring further large scale details of openings, roof lights, surface treatments, boundary treatments, materials and rain water goods.

- 5.2 The Nottinghamshire Wildlife Trust has provided comments on Bat and Barn Owl surveys provided by the applicant. They have accepted the findings of the report and therefore it is appropriate to condition that any development is carried out in accordance with the recommendations of the report.
- 5.3 The Tree Officer has not raised any objections with regards to the proposed trees being removed on the site. He notes that none of the trees on the site are TPO protected and it is not within a Conservation Area, so there is no contravention of TPO or Conservation Area Protection.
- 5.4 The Coal Authority has raised no objection to the proposal subject to a condition being applied to any permission granted to undertake an appropriate scheme of intrusive site investigations, the submission of a report of findings arising from intrusive site investigations, the submission of a scheme of remedial works for approval and the implementation of those remedial works.
- 5.5 Severn Trent has been consulted regarding sewerage and has recommended a condition be imposed on any permission granted to request drainage plans for the disposal of surface and foul sewerage prior to the commencement of development.
- 5.6 The Highways Authority has not raised any objection to the proposal.
- 5.7 The Waste and Recycling Officer has provided comments in relation to the bins required at the site and has advised the applicant of the type of vehicle that will need to access the site.
- 5.8 Nottinghamshire County Council has been consulted on this proposal and as the development is for less than 10 dwellings they have no comments to make.
- 5.9 The Environmental Health Officer has raised no objections subject to conditions requiring further information be submitted relating to contaminated land investigations prior to development.
- 5.10 One neighbouring property has been consulted in respect of this application and a site notice was posted at the site on 8 January 2019. One response has been received from the public objecting to the proposal. The grounds for these objections can be summarised as follows:
- Traffic generation
 - Loss of privacy
 - Loss of wildlife
 - Noise, smell and disturbance from the building works.
- 5.11 Trowell Parish Council raised no objection to the proposal although they have identified a number of items they would like to be taken into consideration:
- The use of Green Belt land

- Vehicular access arrangements
- The buildings should be in keeping with and sympathetic to properties on Cossall Road
- Construction materials should meet with all controls laid down by the Local Planning Authority
- If the entrance to the site is to be gated the gates used should be in line with all conditions laid down by the Local Planning Authority.

6 Appraisal

6.1 The main considerations for this proposal are whether or not it is appropriate development in the Green Belt, the design and appearance of the proposal including its impact on a non-designated heritage asset, the amenity of future occupiers of the site and the impact on amenity of the neighbouring property, and the impact on highways safety.

6.2 The Green Belt

6.2.1 The principle of the conversion of the agricultural buildings is supported by Paragraph 146 of the NPPF which identifies the re-use of buildings as being exempt from inappropriate development provided that the buildings are of permanent and substantial construction and that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. All of the buildings to be converted are of permanent and substantial construction with the conversions having no further impact on openness especially bearing in mind the number of buildings to be demolished as part of the proposal.

6.2.2 The proposed extension to the agricultural buildings to create House 4 is supported by Paragraph 145 of the NPPF which includes the extension of buildings as an exception to inappropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the existing building. A small extension is proposed to House 2 to create a porch, with a garage for House 2 proposed to replace the Dutch barn to the east of the site. A small extension and roof alterations are also proposed to House 5. The extensions to House 4 are the only significant extensions proposed to the agricultural buildings that fall outside the current footprint of the built form. When considered against the size of the original outbuildings to the farm house, all of which adjoin each other, the proposed additional development falls below the 50% limit as set out in Policy E8 of the Local Plan (2004). The creation of the gardens is considered to be acceptable in association with appropriate conversion works and provided permitted development rights are removed in order to prevent additional domestic buildings the open character of the Green Belt will be retained.

6.2.3 Overall the proposal satisfies the criteria as set out in Paragraphs 145 and 146 of the NPPF to be considered as acceptable on Green Belt policy grounds.

6.3 Design and Appearance

- 6.3.1 The proposal has largely been designed in a manner that respects the historical nature of the existing buildings both in terms of style and scale. A number of the more modern steel framed agricultural barns will be demolished as a result of the development, clearing the site of a lot of the visual clutter which accompanies its current lawful use as an agricultural site.
- 6.3.2 House 2 has the appearance of a former threshing barn with one large opening to each of the main elevations. The large opening to the front has already been bricked up, although it is still clearly identifiable, whilst the opening to the rear remains open. The number of openings on the front elevation has been kept to a minimum, ensuring an overly domestic appearance is not created. Where the larger of the openings have been created is where the building currently joins the more modern building that will be demolished with larger openings also having been included within the historically open archway. The new openings are generally of a consistent size and the plans clearly show the existing corbelling and arrow slit windows to be retained. Whilst the roof light on the front elevation is not ideal, it is accepted that it is required to offer light to the first floor rooms and it can be conditioned that this is a conservation roof light to ensure the character of the original building is preserved. The number of openings on the rear elevation has also been kept to a minimum with the larger openings having been contained to the original arch opening. Whilst the proposed porch adds a more domestic feature to the property it is acknowledged that this is a relatively minor addition and considering the number of buildings to be removed from the site this is considered to be acceptable. However, the details of the door should be conditioned to ensure it is of a robust nature and does not result in an overly domestic appearance.
- 6.3.3 The garage for House 2 will replace a large existing barn which itself is visually prominent. The proposed garage is of a relatively simple design and is of a size and scale that is not out of keeping with the character of the site. It is considered appropriate to condition the materials used in the construction of the garage including the bricks, tiles and doors to ensure it remains in keeping with the character of the area.
- 6.3.4 House 3 is a conversion of a robust 2 storey barn with a number of openings on the front elevation. On the front elevation the scheme will utilise the existing openings which is considered to be acceptable subject to a condition requesting further details on the fenestration. Additional openings are proposed on the rear elevation, which are of a consistent size and in keeping with the style of the original building. Again it is recommended to condition that conservation roof lights are used where they are proposed on this rear elevation.
- 6.3.5 The original barn for House 4 has been much altered and obscured by more modern additions which are proposed to be demolished. Whilst the proposed extension is a large addition to the existing barn the proposal to also remove a significant number of unsympathetic buildings to open this barn up on balance results in a visual gain. The number of openings on the outer elevation of the barn has been kept to a minimum to ensure the robust nature of the site is retained. The proposed garage to the north of House 4 is within an area currently covered

by large modern agricultural buildings. The proposed garage is significantly smaller and allows for the opening up of the internal courtyard within the site in a manner that would be more in keeping with its original appearance.

- 6.3.6 House 5 is a single storey barn situated adjacent to the farm house. The front elevation will have limited openings, utilising existing openings where possible. The limited openings on the existing front elevation reflect its subservient role to the farm house and this relationship is retained through the proposed alterations. Larger openings are proposed on the rear elevation, facing into the site which has less impact on its appearance in relation to the farm house. The alterations to the roof on the east and west wings of the barn enable additional floor space to be created without extending beyond the original footprint of the barn and this is therefore considered to be acceptable.
- 6.3.7 The site plan identifies how the respective plots will be divided. Whilst more information regarding the specific details of the boundary treatments to be used throughout the site is required it is considered appropriate to condition that this is provided prior to the commencement of development on the site.
- 6.3.8 Overall it is considered that the conversion and extension of the agricultural units adequately takes into account the historic nature of the site and the significance of the non-designated heritage asset. The proposed extensions are justified by the removal of a large number of unsympathetic modern agricultural buildings and they have been designed in a way that will not be out of keeping with the character of the original buildings.

6.4 Amenity

- 6.4.1 Objections have been raised on the grounds that the proposal will result in a loss of privacy and noise generation whilst works are undertaken. The Environmental Health Officer has recommended a condition requiring a management plan for the control of demolition and construction noise to protect the neighbouring residents from excessive operational impact. Furthermore the applicant will be advised by way of an informative note what the accepted considerate contractor operating times are and the Environmental Health department within the Council will be in a position to take action on any breaches of this. Taking these measures into account it is considered that whilst noise generated by development is inevitable this can be controlled to such an extent that it will not result in an unacceptable loss of amenity for any neighbouring residents.
- 6.4.2 In respect of neighbouring amenity the nearest neighbouring property is The Bungalow which is positioned to the south of the site. House 5 is approximately 9.2m from the boundary with The Bungalow with the proposed extension to House 4 coming to within approximately 12m of the boundary. Both House 4 and House 5 are proposed to be single storey dwellings and therefore only the ground floor openings will provide an outlook. It is generally accepted that ground floor openings will not result in a loss of privacy as any potential overlooking can be overcome by erecting a 2m high wall or fence which could be done without planning permission. It is noted that a substantial hedge already forms the north east boundary which provides a degree of privacy for the residents of The Bungalow. The proposed extension to House 4 will bring this building closer to the

existing neighbouring property; however, at 12m it is considered that a sufficient separation distance will exist to ensure it will not have an overbearing effect or result in a loss of light for this neighbouring property. Furthermore the height of the proposed extension is relatively limited, reducing any concerns of a potential overbearing impact.

- 6.4.3 The change of use of the site from agricultural use to a residential development will bring with it certain levels of noise associated with everyday residential use. However, the existing use is agricultural which brings with it its own potential for noise and it is not considered that noise from residential use would result in an unacceptable loss of amenity for the neighbouring property.
- 6.4.4 The proposed dwellings all provide a satisfactory amount of living space with an acceptable amount of natural light being available to the principal living spaces. The separation distance between House 3 and House 4 which are directly opposite each other is 20m which is considered an acceptable distance in terms of ensuring each dwelling will have an acceptable amount of privacy, with the distance between House 2 and House 4 exceeding this. Each of the units has an acceptable amount of outdoor amenity space which has sufficient levels of privacy and will be largely free from overlooking.
- 6.4.5 Overall it is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring property and that any future occupiers of the dwellings will have a satisfactory level of amenity.

6.5 Highways Safety

- 6.5.1 The proposed development will use the existing access which leads to the farm house and farm and The Bungalow. The area immediately adjoining the highway will be tarmacked with block paving being installed approximately 2.5m back from the highway. The road will be a private road off Cossall Road and will be laid with gravel beyond the block paving, which will start approximately 8m back from the highway.
- 6.5.2 The roads within the site are designed to enable the required emergency vehicles and refuse vehicles to access the site, turn around and exit the site in a forward facing gear. All of the units will have private parking for at least 2 vehicles, with two of the units also having garages. Furthermore designated visitor parking will be provided for at least 3 vehicles. The proposal therefore provides a satisfactory amount of parking and is in accordance with Policy T11 of the Local Plan (2004).
- 6.5.3 In terms of traffic generation the addition of 4 residential units will increase the flow of traffic into the site. However, the private road off Cossall Road is of a sufficient width to allow 2 vehicles to pass, therefore allowing for safe access and egress to the site. The existing access is used by the residents of 2 domestic dwellings and could be used by any number of agricultural vehicles were the farm buildings still being utilised for agricultural use. It is not considered that 4 additional residential units will result in an unacceptable level of traffic generation in comparison to the existing and potential use of the site.

6.6 Ecology

6.6.1 For proposals to convert traditional agricultural buildings such as this it is important to consider the ecological impacts of such works and the existing species that may inhabit the buildings. The applicant has submitted a Bat and Barn Owl Survey which has been reviewed by the Nottinghamshire Wildlife Trust. 3 species of bat have been identified on the site, with no evidence of Barn owls being recorded. The report sets out a number of findings and recommendations which The Wildlife Trust has commented that they are satisfied with. Therefore it is appropriate to condition that development is carried out in accordance with the recommendations of the report.

6.6.2 The Wildlife Trust recommended that to ensure the development could provide a net gain in biodiversity a condition is included that 1 additional bat box per property is installed within the fabric of the new and renovated buildings over and above the reported requirements as mitigation for identified roosts. The applicant amended their report to incorporate these measures and therefore the additional condition is not required.

7 Conclusion

7.1 Overall it is considered that the proposal represents appropriate development in the Green Belt, has achieved an acceptable standard of design that does not cause undue harm to the non-designated heritage asset within the site and does not result in an unacceptable loss of amenity or impact on highway safety. Therefore it is recommended that planning permission be granted for this proposal subject to conditions.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawing numbers A100 H (1:200), A20 B (1:100), A30 C (1:100), A40 D (1:100), A50 C (1:100); received by the Local Planning Authority on 28 February 2019.**
- 3. Prior to the commencement of any above ground works to construct the scheme the materials to be used in the construction of the extensions to House 2, House 4, House 5 and the garage for House 2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.**
- 4. Prior to the commencement of any above ground works to construct the approved scheme large scale details of all new windows, doors, roof lights, rain water goods, surface details and boundaries to be used for the subdivision of grounds shall be submitted to and approved in writing by the**

Local Planning Authority. The development shall be carried out only in accordance with the approved details.

- 5. No development hereby permitted shall take place until an appropriate scheme of intrusive site investigations has been undertaken to establish potential risks posed by historic coal mining, and a report of findings and proposed scheme of remedial works submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.**
- 6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.**
- 7. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.**
b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-
 - (i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and**
 - (ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.**
- 8. No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:**
 - i) all appropriate 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.**
- 9. No part of the development hereby approved shall be commenced until a management plan for the control of demolition and construction noise and the prevention of fugitive dust is provided to and approved in writing by the Local Planning Authority.**

10. The development hereby approved shall be carried out in accordance with the findings and recommendations of the ecologist as detailed in the Bat Surveys and Barn Owl Survey Rev B, received by the Local Planning Authority on 20 February 2019.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting this order, no extensions, enlargements, alterations or the erection of new buildings, including outbuildings, shall be carried out on the site without the written permission of the Local Planning Authority by way of a planning application.
12. Prior to the first use of the site the visibility splays as detailed on drawing number FHF-BWB-GEN-XX-DR-TR-100 S2 P1 (1:1250) shall be cleared from a point of 1m above ground level so far as the land falls within the application site. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility, and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted and to ensure the satisfactory standard of external appearance in accordance with the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 23 of the Broxtowe Draft Part 2 Local Plan (2018).
4. No such details were submitted and to ensure the satisfactory standard of external appearance in accordance with the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 23 of the Broxtowe Draft Part 2 Local Plan (2018).
5. In the interest of public health and safety.
6. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
7. In the interest of public health and safety.
8. In the interest of public health and safety.
9. To protect the immediate residential properties from excessive operational impact.

10. In the interest of the protection of protected species identified at the site and to ensure that the proposed development could provide a net gain in biodiversity.
11. In the interests of retaining spacious plots where occupiers have a satisfactory degree of amenity and to ensure the buildings remain of a suitable size and scale which is appropriate within the Green Belt. This condition is in accordance with Policies E8 and H7 of the Broxtowe Local Plan (2004) and Policies 8 and 17 of the Broxtowe Draft Part 2 Local Plan (2018).
12. In the interest of highway safety.

Note to applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. Where development is proposed over areas of coal and past coal workings at shallow depth, The Coal Authority is of the opinion that applicants should consider wherever possible removing the remnant shallow coal. This will enable the land to be stabilised and treated by a more sustainable method; rather than by attempting to grout fill any voids and consequently unnecessarily sterilising the nation's asset. Prior extraction of surface coal requires an Incidental Coal Agreement from The Coal Authority. Further information can be found at: <https://www.gov.uk/get-a-licence-for-coal-mining>

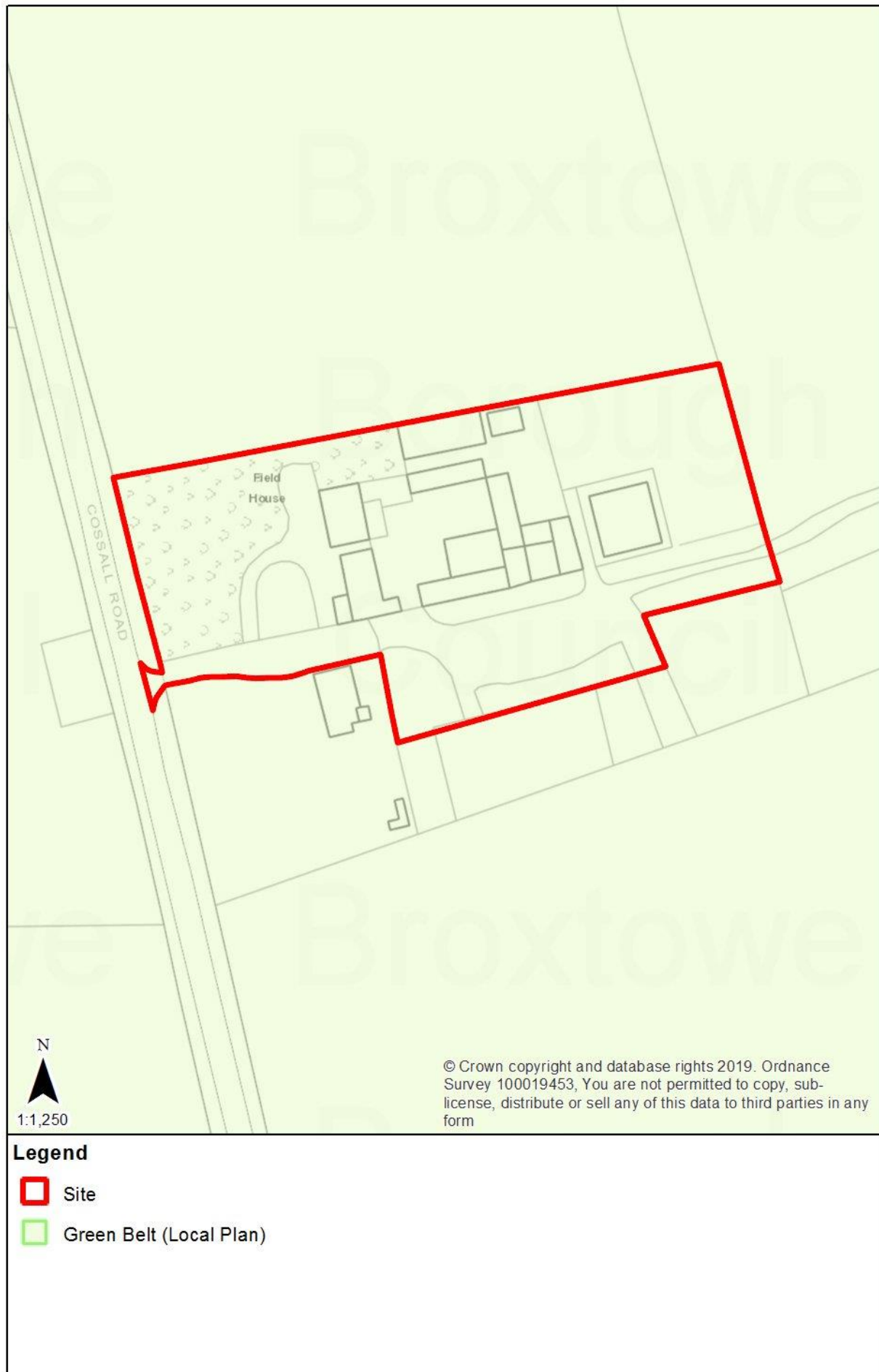
Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: <https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

3. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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4. The developer will be required to purchase the first time provision of bins and notice on this will be served in due course. Each property will be allocated 1 x 240 litre bin for residual waste, 1 x 240 litre bin for recycling waste, 1 x 37 litre bag for glass. As the current arrangements are to drive up the farm road to access the bins from the properties currently on site this practice would continue.
5. The Council's Environmental Health Department will require site of the Asbestos survey and documentation relating to its safe removal from site prior to commencement of demolition.
6. The applicant is advised that the accepted considerate contractor operating times for demolition and construction works are between 07.30-18.00 hours Monday to Friday, 08.00-13.30 hours Saturday and at no times Sundays and Bank Holidays.
7. No waste from the development shall be burnt on site at any time.

Background papers
Application case file



Report of the Chief Executive

**19/00182/FUL
 UPGRADE TO THE EXISTING COMMUNICATIONS APPARATUS
 CONSISTING OF A REPLACEMENT TOWER OF 25M IN HEIGHT,
 SUPPORTING NEW ANTENNA, DISHES AND ANCILLARY
 APPARATUS ALONG WITH NEW AND REPLACEMENT / RELOCATED
 CABINETS AT GROUND LEVEL WITHIN THE EXISTING COMPOUND
 FOOTPRINT, AS WELL AS INCORPORATING AN EXISTING SITE
 SHARERS APPARATUS.
 TELECOMMUNICATIONS MAST, MARKHAM ROAD, BRAMCOTE**

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

1 Details of the Application

1.1 The application proposes a replacement mast (25m tall) with twelve new antenna and dishes, and ancillary equipment, and eight new and replacement / relocated cabinets in place of the six existing cabinets, at ground level within the existing compound footprint, following the removal of the existing mast. The upgrade to the equipment is required in order for the operators to be capable of delivering the next generation of digital communications technology (5G). The existing tower is 20m tall.

2 Site and Surroundings

2.1 The site is located on Bramcote Ridge, and within the Sandy Lane Nature Reserve. The site is accessed via a footpath leading eastward from Markham Road, and is to the north of housing on Sandgate. There is a recreation ground and play area to the east of the site, also accessed from the footpath. The site is designated as being within Alexandria Plantation SINC (Site of Importance for Nature Conservation), allocated as a Local Green Space and a Protected Open Area, and identified as a Prominent Area for Special Protection, in the Local Plan. The site is located in a wooded area, surrounded by mature trees.



Mast in the distance, viewed from the east along the footpath.



View north, with mast in the tree cover, taken from Sandgate.



View north west from footpath across play area



View across the playing field, looking west



Distance view of the mast from Carwood Road, to the south, at its junction with Nicholas Road



Zoomed in view of previous photo

2.2 The site is owned and maintained by Broxtowe Borough Council.

3 Relevant Planning History

3.1 There is no relevant planning history for this site.

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Paragraph 112 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (e.g. 5G).

Paragraphs 113 to 116 build on this and seek to ensure that masts, and the sites for such installations, should be kept to a minimum, and existing masts, buildings and other structures should be utilised where possible. Evidence to support the justification of the development, including a statement that self-certifies that the cumulative exposure will not exceed International Commission guidelines on non-ionising radiation protection (an ICNIRP certificate) should be submitted, and the Local Planning Authority must determine applications on planning grounds only.

4.2 Broxtowe Aligned Core Strategy

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

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

4.2.3 'Policy 16: Green Infrastructure, Parks and Open Space' seeks to ensure that existing assets are protected and enhanced. Exceptions may be made if the development is a small part of the Green Infrastructure network and will not be detrimental to its function.

4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 Policy E12: Protected Open Areas. Development will not be permitted which would detract from the character or function of the protected open areas as shown on the proposals map (Bramcote Ridge is identified as a Protected Open Area).

4.3.3 Policy E13: Prominent Areas for Special Protection. Development which would adversely affect the character or appearance of the named prominent areas as shown on the proposals map will not be permitted (Bramcote Ridge is identified as a prominent area).

4.3.4 Policy E16: Sites of Importance for Nature Conservation. Planning permission would not be granted for development on or adjoining local nature reserves or Sites of Importance for Nature Conservation, which would damage or devalue their interest, unless there are special reasons which outweigh the recognised value of the sites. Where there are special reasons for development which outweigh the local value of the site, the applicant shall minimise harm to the site's features. Compensation for the loss of the site's features will be required, secured by planning conditions.

4.3.5 Policy E35: Telecommunications. Applications for provision of or extension to telecommunications equipment will be granted provided that; the potential for mast sharing and / or siting on existing structures has been fully explored; and the

detailed siting, design and appearance of the apparatus is acceptable in terms of its visual impact on its surroundings.

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

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 11 representations in relation to Policy 17 and 24 representations in relation to Policy 27. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17, although suggested amendments in regard to Policy 27. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight, with Policy 27 being afforded limited weight.

4.4.2 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria including that it should integrate into its surroundings, take advantage of existing topography, and ensure a satisfactory degree of amenity for occupiers of neighbouring properties.

4.4.3 Policy 27 'Local Green Space' seeks to ensure that development within sites designated as Local Green Space will not be permitted if harmful to the character or function of the Local Green Space, except in very special circumstances.

5 Consultations

5.1 The Business and Projects Manager (Environment) states that as the proposed new mast would be within the footprint of the existing fenced area, there would be little impact on the trees around the fenced area itself. The main impact on the trees would be as a result of accessing the site which will require some cutting back of vegetation and agreeing the most appropriate route in order to minimise the impact. It is considered that the existing tree cover effectively screens the compound and the fenced area.

5.2 Councillor Carr objects on the grounds its increase in height (which would be seen for a considerable distance) would be very imposing on nearby houses and the mast would be in close proximity to the Local Nature Reserve.

5.3 Letters were sent to 11 neighbouring properties. One letter of objection was received raising concerns in regard to the health and safety implications of the mast, considering its proximity to a children's play area, and being located in a densely populated area.

6 Appraisal

6.1 **Principle of development**

6.1.1 The site is currently being used to accommodate an existing mast and associated infrastructure. As such it is considered that the continued use for this purpose is acceptable in principle. The main issues to be considered are the impact on the

open space / local nature reserve; impact on the occupiers of neighbouring property; and impact on visual amenity.

- 6.1.2 Information submitted as part of the planning application states that the upgrade of facilities at the site is required in order to accommodate advances in digital communication, including increase in speed of connections through the next generation of technology (5G) and beyond, to the public benefit. An ICNIRP certificate has been submitted. The information also re-iterated that the proposal would make use of an existing site, which is and will continue to be shared by two operators, thereby removing the need to find an additional site, within the area. It is therefore considered that the proposal complies with NPPF guidance on telecommunications equipment.

6.2 Impact on the Open Space / Local Nature Reserve

- 6.2.1 The proposal will utilise the existing telecommunications site. Whilst the replacement mast would be 5m taller than the existing, and the antennae and dishes would result in a wider mass of equipment to the top of the mast, it would remain screened by the mature trees and as such would have no greater impact in terms of its' visual appearance on the setting of the Protected Open Area / Prominent Area for Special Protection / local nature reserve. The works necessary to install the mast and infrastructure would involve moving equipment from the public highway, and may involve the removal or cutting back of vegetation including trees and shrubs. A Tree Survey is to be submitted, as well as a landscaping scheme, which will be drawn up and agreed in partnership with the Environment team. Appropriate conditions in regard to tree surveys / landscaping, including tree protection, and any other enabling works will be imposed as part of the decision.

6.3 Impact on Amenity

- 6.3.1 As the mast and associated infrastructure would be located within a wooded area, and the closest property being in excess of 51m distant, it is considered that the mast and infrastructure would not have an impact on the amenities of the occupiers of nearby property in terms of loss of light, outlook or privacy. Furthermore, an ICNIRP certificate, which certifies that the cumulative exposure will not exceed International Commission guidelines on non-ionising radiation protection will safeguard the health of any nearby residents.

6.4 Impact on Visual Amenity

- 6.4.1 In the immediate area, views of the existing mast are screened by the mature trees and landscaping surrounding the area and as such are restricted. This would continue to be the case even with the increase in height. Views of the mast are possible from further afield, for example further south along Markham Road. However, both the existing and proposed mast, being tall, thin structures, would not appear overly prominent within the skyline, especially as the majority of the structure is below the tree line. Very limited glimpses of the mast are possible from within the wider area, e.g. Derby Road, Thoresby Road and Wollaton Vale.

7. Conclusion

- 7.1 It is considered that the proposal is acceptable, subject to conditions in regard to tree protection and landscaping, as it would have no significant impact on the character and appearance of the area, upon the Protected Open Area / Prominent Area for Special Protection / local nature reserve, or upon the amenities of the occupiers of nearby property.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the site location plan and drawings titled Proposed max config site plan and Proposed max config elevation, received by the Local Authority on 14 March 2019.**
- 3. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
 - (b) numbers, types, sizes and positions of proposed trees and shrubs**
 - (c) planting, seeding/turfing of other soft landscape areas**

The approved scheme shall be carried out strictly in accordance with the agreed details. The erection of fencing for the protection of the trees to be retained shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

- 4. The approved landscaping 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.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**

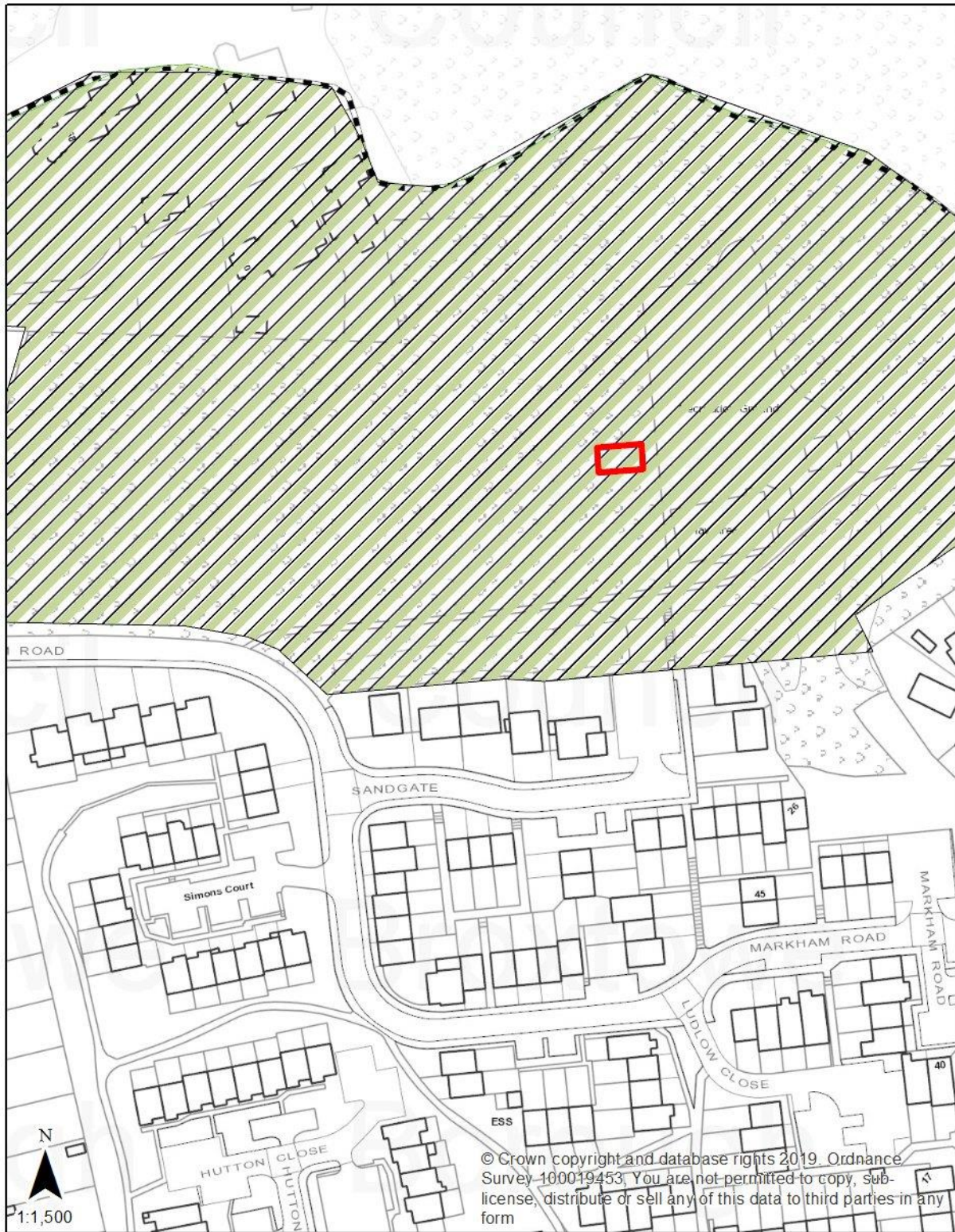
2. For the avoidance of doubt.
3. No such details were submitted, to ensure that the details are satisfactory in the interests of the appearance of the area and to ensure the existing trees are not adversely affected, in accordance with the aims of Policies E16 and E24 of the Broxtowe Local Plan (2004), and Policy 10 of the Aligned Core Strategy (2014).
4. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy E16 of the Broxtowe Local Plan (2004).

Note to applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. 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

Background papers
Application case file



Legend

-  Site
-  Sites of Importance for Nature Conservation (Local Plan)
-  Prominent Areas for Special Protection
-  Protected Open Areas

Report of the Chief Executive**APPEAL DECISION**

Reference number: 17/00802/ADV
Proposal: Retain 10 flagpoles

Site address: Evans Halshaw Nottingham Road Attenborough
NG9 6DQ

Applicant: Mr Nathan Sawbridge

APPEAL ALLOWED

The application was refused consent by the Planning Committee because the flags were considered to be visual clutter which would harm the visual amenity of the area and would be a distraction to motorists.

The Inspector considered the main issues to be the effect of the advertisements on the visual amenity of the area and public safety.

The Inspector considered the advertisements would not appear dominant in the context of a commercial area. Although there are other flagpole mounted advertisements on the opposite side of the street, Nottingham Road is wide and the flags would be well spaced apart and dispersed across the appeal site. The cumulative effect of advertisements would not therefore result in unacceptable visual clutter.

The residential properties along Ranson Road were considered to be some distance away from the site and therefore the flagpoles would not result in visual harm when viewed from these properties.

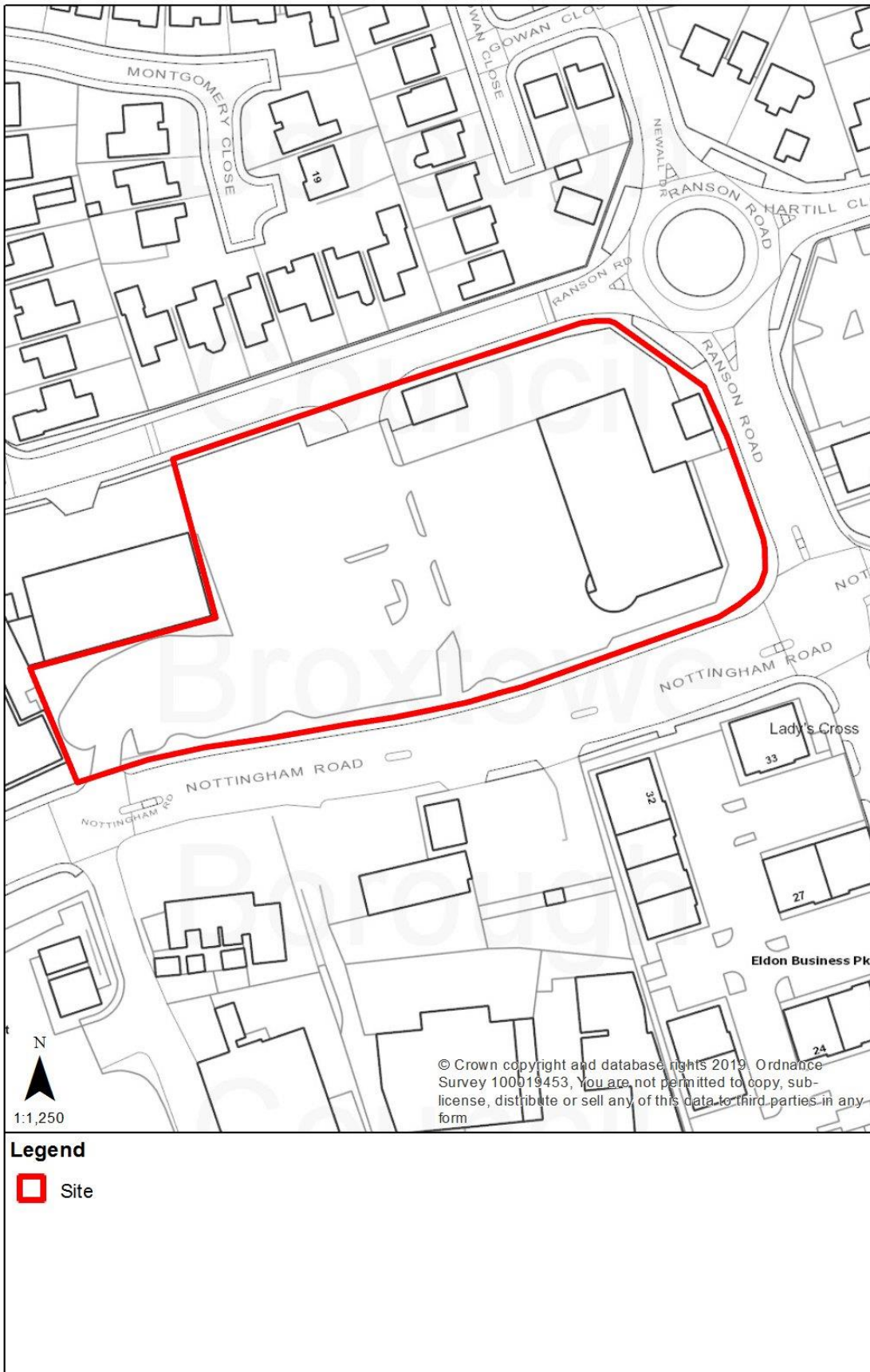
In regards to public safety, the advertisements are set in from the highway and are behind low-level planting. The Inspector considered that due to the relatively low height of the flagpoles, modest proportions and dispersed siting, the flags would not cause any significant distraction to road users and would not have a harmful effect on public safety.

COSTS REFUSED

The Inspector concluded that the reason for the refusal to grant consent was complete, precise, specific and relevant to the application.

Members placed weight upon the potential impact of the flagpoles on visual amenity. Minutes from the Committee meeting show visual amenity and public safety issues were considered and a site visit was held prior to the meeting. The Council properly evaluated the application and came to a balanced planning judgement on the merits of the scheme.

The Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense was not demonstrated, and an award of costs was not justified.



Reference Number : **17/00837/FUL**
Applicant/Agent : **Mr B Hayer**
Site Address : **72 Mansfield Road, Brinsley, NG16 5AE**
Proposal : **Proposed Dwelling**

APPEAL DISMISSED

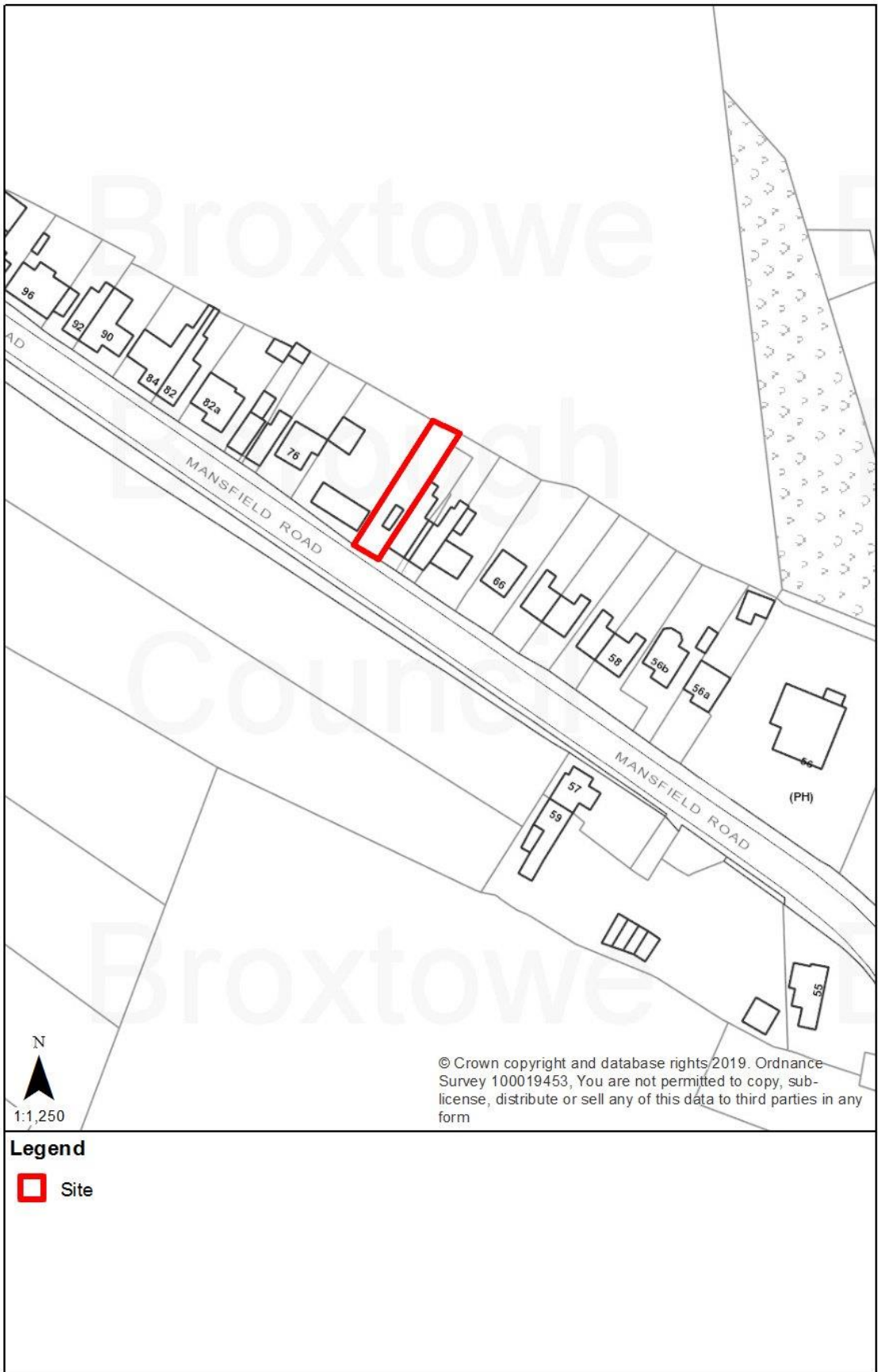
The application sought planning permission to construct a two bedroom house. The application was refused under delegated powers on 24 May 2017 for the following reasons:

1. The proposed dwelling by reason of its design, specifically its principal elevation and fenestration, would be out of keeping with the character and appearance of the street scene to the detriment of the visual amenity of the locality. The proposed scheme is therefore considered to be contrary to the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 of the Broxtowe Part 2 Local Plan (2017 Publication Version), and there are no other material considerations of compelling weight that would justify treating the proposal as an exception to these policies.

2. The proposed dwelling, due to its scale and siting of the built form and associated parking provision in close proximity to the boundary with 74 Mansfield Road, would result in an overbearing impact and unacceptable loss of amenity for the occupiers of this property. Accordingly, the proposal is considered to be contrary to the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 of the Broxtowe Part 2 Local Plan (2017 Publication Version), and there are no other material considerations of compelling weight that would justify treating the proposal as an exception to these policies.

The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the area and on the living conditions of neighbouring occupants at 74 Mansfield Road. He concluded that design would be in stark contrast to the simple, traditional form of the surrounding dwellings and that it would fail to reference any surrounding building in scale, shape or detailing. The proposed dwelling would therefore harm the character and appearance of the area. With regards to amenity, he considered the scale of development would form a significant and imposing presence when viewed both from within the property and the neighbouring rear garden. The sense of space and openness for the occupiers of number 74 would be seriously impaired, resulting in a harmful sense of enclosure for neighbouring occupants.

The Inspector concluded that the proposal would result in conflict with the development plan which is not outweighed by other material considerations and therefore the appeal was dismissed.



Reference Number : **18/00441/FUL**
Applicant/Agent : **Kerching Amusements**
Site Address : **62 Nottingham Road, Eastwood, Nottinghamshire**
Proposal : **Change of use from retail (Class A1) to an adult gaming centre (sui generis)**

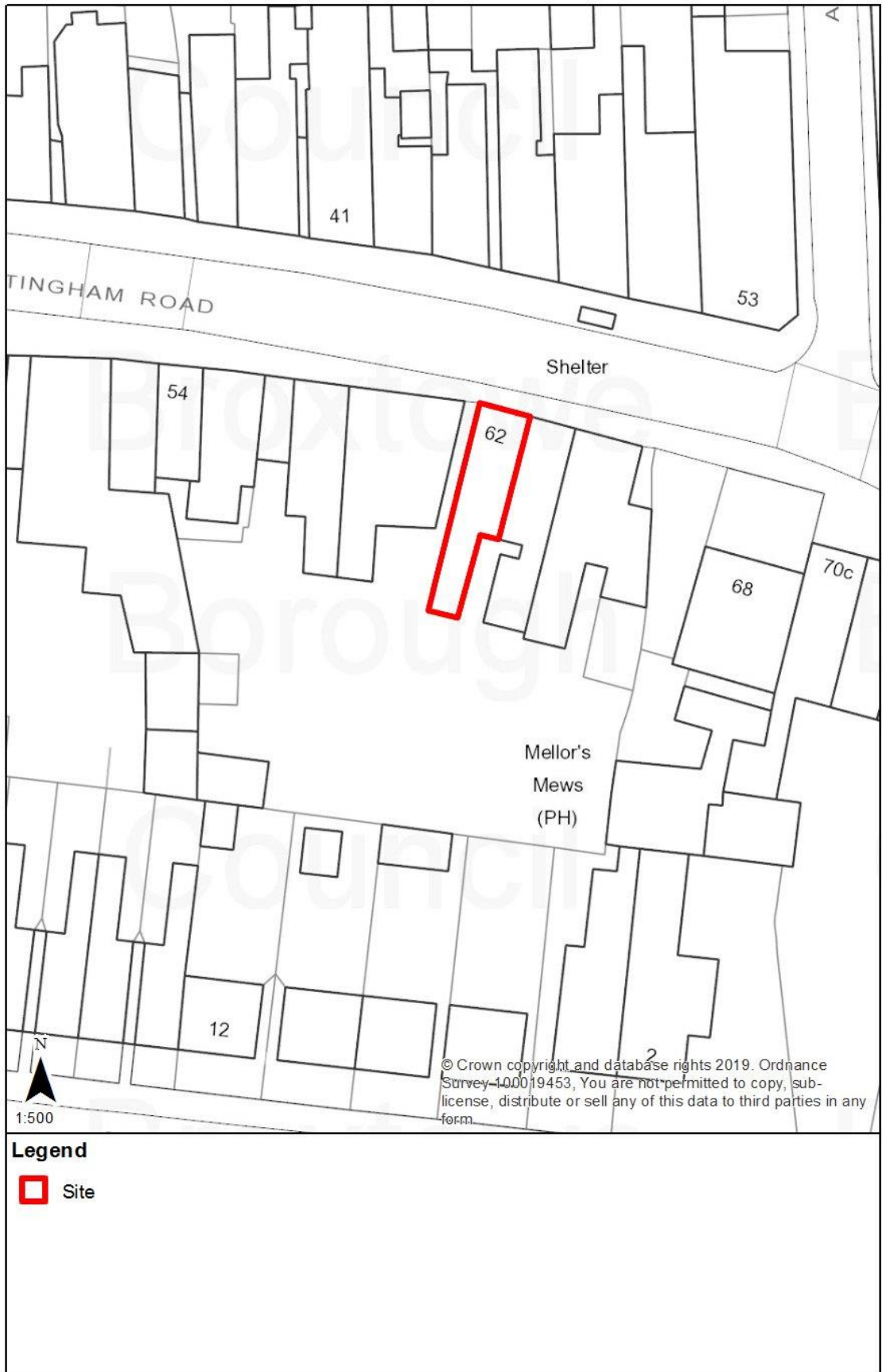
APPEAL ALLOWED

The application sought planning permission to change the use from a retail unit (A1) to an adult gaming centre (sui generis). The application was refused by Planning Committee on 12 September 2018 for the following reason:

The proposal by virtue of its nature, would add to the concentration of non-A1 retail uses in the Eastwood town centre Primary Shopping Frontages. Accordingly the loss of a further A1 use would have a detrimental impact upon the vitality and viability of Eastwood Town Centre. The proposed development therefore would be contrary to the aims of Saved Policy S4 of the Broxtowe Local Plan 2004 and Policy 6 of the Adopted Core Strategy 2014 and there are no material considerations that would justify taking a decision at variance to these policies.

The Inspector considered that the main issue in the determination of the appeal was the effect of the proposal on the vitality and viability of Eastwood Town Centre. The Inspector advised that it was observed during a site visit that Eastwood Town Centre was an established high street providing a full range of goods and services to the public and with retail uses spread along its whole length. It was acknowledged by the Inspector that the retail market has changed significantly in recent years with the introduction of internet shopping and, even in primary shopping areas, there has been a move toward a greater variety of operators catering to different needs. Whilst it is clearly legitimate for the Council to identify a level of retail provision below which harm to the shopping function of a street might take place, this also needs to be considered in the context of the current nature of retail activity.

The Inspector concluded that the proposed change of use would preserve the vitality and viability of Eastwood Town Centre, and would accord with the objectives of Policy 6 of the Aligned Core Strategy and the National Planning Policy Framework to promote growth and diversification of town centres. The appeal was allowed.



**BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY**

**PLANNING APPLICATIONS DEALT WITH FROM
23 February 2019 TO 31 March 2019**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Ms Christine Sawicka 18/00868/FUL
Site Address : 8 Allendale Avenue Attenborough Nottinghamshire NG9 6AN
Proposal : **Retain car port**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Jamie And Francis Twycross 19/00014/FUL
Site Address : 51 Woodland Grove Chilwell Nottinghamshire NG9 5BQ
Proposal : **Construct single/two storey side and single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr O Spray 19/00046/FUL
Site Address : 16 Hurts Croft Chilwell Nottinghamshire NG9 5DE
Proposal : **Construct single storey side and rear extension**
Decision : **Conditional Permission**

Applicant : Mrs C Ball Chilwell Memorial Institute 19/00087/FUL
Site Address : Chilwell Memorial Institute 129 High Road Chilwell Nottinghamshire NG9 4AT
Proposal : **Erect flood lights**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr Graham Pritchard 18/00804/FUL
Site Address : 98 Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **Construct two storey side extension (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Steve Watson 19/00035/FUL
Site Address : Swancar Farm Country House Swancar Farm Nottingham Road Trowell Moor Trowell NG9 3PQ
Proposal : **Site Portacabin and screening for storage for a temporary 3 years period (resubmission)**
Decision : **Refusal**

Applicant : Ms A Considine 19/00106/PNH
Site Address : 5 St Helens Crescent Trowell Nottinghamshire NG9 3PZ
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.5 metres, and an eaves height of 3 metres**
Decision : **Prior Approval Not Required**

BEESTON CENTRAL WARD

Applicant : Mr Atul Phakey 18/00717/FUL
Site Address : 65 Dovecote Lane Beeston Nottinghamshire NG9 1HU
Proposal : **Construct hip to gable roof extension, rear dormer, insert windows in the side elevation and convert dwelling to 3 apartments, construct cycle store (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Mozley 18/00870/FUL
Site Address : 150 Queens Road Beeston Nottinghamshire NG9 2FF
Proposal : **Construct two storey side and single storey rear extensions**
Decision : **Conditional Permission**

Applicant	: Mr J Family	19/00009/FUL
Site Address	: 90, 92, 94, 98 And 100 High Road Beeston Nottinghamshire NG9 2LF	
Proposal	: Change use of first floor offices (A2) to residential flats (C3) at 94, part 98 and 100 High Road including alterations to create separate first floor access at 90, 92 and 94 High Road	
Decision	: Conditional Permission	
Applicant	: Mr Hibbert	19/00048/FUL
Site Address	: 45 King Street Beeston Nottinghamshire NG9 2DL	
Proposal	: Retain front porch	
Decision	: Conditional Permission	
BEESTON NORTH WARD		
Applicant	: Mr M RASHID	18/00771/FUL
Site Address	: 10 Marlborough Road Beeston Nottingham NG9 2HG	
Proposal	: Construct single storey rear extension, hip to gable roof extension and rear dormer	
Decision	: Conditional Permission	
Applicant	: Mr And Mrs Twigg	18/00790/FUL
Site Address	: 232 Derby Road Beeston Nottinghamshire NG9 3AN	
Proposal	: Construct single storey side and rear extension	
Decision	: Conditional Permission	
Applicant	: Mrs Bitu Sasani	18/00822/FUL
Site Address	: 7 Derby Road Beeston Nottinghamshire NG9 2TA	
Proposal	: Change of use of ground floor from residential (Class C3) to dental surgery (Class D1)	
Decision	: Conditional Permission	
Applicant	: Mr U Ali	19/00066/PNH
Site Address	: 24 Burrows Avenue Beeston Nottinghamshire NG9 2QW	
Proposal	: Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves height of 3 metres	
Decision	: Prior Approval Granted	
Applicant	: Mr S Ahmed	19/00077/PNH
Site Address	: 116 Marlborough Road Beeston Nottinghamshire NG9 2HN	
Proposal	: Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.2 metres, with a maximum height of 2.7 metres, and an eaves height of 2.7 metres	
Decision	: Prior Approval Not Required	
BEESTON RYLANDS WARD		
Applicant	: Mr Phil Bellamy BCM Fareva	19/00044/ADV
Site Address	: D10 Building Main Road Boots Campus Beeston Nottinghamshire	
Proposal	: Erect 12m high flagpole and retain one flag and two, 12m high flagpoles	
Decision	: Conditional Permission	
BEESTON WEST WARD		
Applicant	: Professor Michael Heffernan	18/00643/FUL
Site Address	: 28 Cromwell Road Beeston Nottinghamshire NG9 1DE	
Proposal	: Construct wall and gates	
Decision	: Conditional Permission	
Applicant	: Mrs Jo Hiscox	18/00745/FUL
Site Address	: 9 Collin Street Beeston Nottingham NG9 1EW	
Proposal	: Construct rear dormer	
Decision	: Conditional Permission	
Applicant	: Ms K Simpson	18/00864/FUL
Site Address	: 14 Winchester Avenue Beeston Nottingham NG9 1AU	
Proposal	: Construct two storey front and side extensions and single storey side and rear extensions and render	
Decision	: Conditional Permission	

Applicant	: Mr Michael McManus	19/00005/FUL
Site Address	: 20 Bramcote Road Beeston Nottingham NG9 1AJ	
Proposal	: Insert second floor window in the north west side elevation	
Decision	: Conditional Permission	
Applicant	: Mr Kevin Ball	19/00041/FUL
Site Address	: 2 Holden Road Beeston Nottinghamshire NG9 1AP	
Proposal	: Construct single storey rear extension	
Decision	: Conditional Permission	
BRAMCOTE WARD		
Applicant	: Mr & Mrs Shah	18/00834/FUL
Site Address	: 9 Stanley Drive Bramcote Nottinghamshire NG9 3JY	
Proposal	: Construct single storey rear extension	
Decision	: Conditional Permission	
Applicant	: Mr & Mrs McBain	18/00860/FUL
Site Address	: 22 Moor Lane Bramcote Nottinghamshire NG9 3FH	
Proposal	: Construct two storey side and rear extensions, single storey rear extension, loft conversion, boundary wall and raised rear patio area with retaining wall	
Decision	: Conditional Permission	
Applicant	: Mrs Pamela Pindar	18/00861/FUL
Site Address	: 72 Hillside Road Beeston Nottinghamshire NG9 3AY	
Proposal	: Retain rear raised decking	
Decision	: Conditional Permission	
Applicant	: Mr Adrian Haynes BHA Architecture	19/00002/FUL
Site Address	: 14 Balmoral Drive Bramcote Nottingham NG9 3FU	
Proposal	: Construct single storey rear extension, detached garden room and rear patio	
Decision	: Conditional Permission	
Applicant	: Mr M Wilson	19/00030/FUL
Site Address	: 11 Sandringham Drive Bramcote Nottinghamshire NG9 3EA	
Proposal	: Construct two storey front and single storey rear extensions, pitched roof over garage and raised patio	
Decision	: Conditional Permission	
Applicant	: Mr & Mrs Gurdev & Sneh Bhatia c/o Agent	19/00050/FUL
Site Address	: Land Adjacent 22 Claremont Avenue Bramcote Nottinghamshire NG9 3DG	
Proposal	: Construct two storey detached dwelling	
Decision	: Conditional Permission	
Applicant	: Mrs Jinny Yang	19/00051/CLUP
Site Address	: 205 Derby Road Beeston Nottinghamshire NG9 3AP	
Proposal	: Certificate of lawful development to construct single storey rear extension	
Decision	: Approval - CLU	
Applicant	: Mr & Mrs Taylor-Wilson	19/00057/FUL
Site Address	: 71 Balmoral Drive Bramcote Nottinghamshire NG9 3FT	
Proposal	: Construct two storey front/side extension, first floor extension above garage and canopy to front elevation. Render first floor and insert first floor side window.	
Decision	: Conditional Permission	
Applicant	: Mr Hyde	19/00058/FUL
Site Address	: 77 Arundel Drive Bramcote Nottinghamshire NG9 3FN	
Proposal	: Construct single storey rear extension, convert garage to bathroom, construct new pitched roof to side (revised scheme)	
Decision	: Conditional Permission	
BRINSLEY WARD		
Applicant	: Mr & Mrs Kirk	19/00023/FUL
Site Address	: 1 Perry Gardens Brinsley Nottinghamshire NG16 5BF	
Proposal	: Construct single storey rear extension (revised scheme)	
Decision	: Conditional Permission	

Applicant : Mr Colin Bolam 19/00037/FUL
Site Address : 36 Church Walk Brinsley Nottinghamshire NG16 5AT
Proposal : **Retain climbing frame and construct raised decking**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Mr Gabor Rovnan 18/00747/FUL
Site Address : 19D Oak Acres Chilwell NG9 4HZ
Proposal : **Construct detached garage**
Decision : **Conditional Permission**

Applicant : Mr B Tennant 19/00010/FUL
Site Address : 27 Haddon Crescent Chilwell Nottinghamshire NG9 5JU
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mrs T Mann 19/00017/FUL
Site Address : 9 Meer Road Chilwell Nottinghamshire NG9 4JL
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Judge 19/00043/FUL
Site Address : 8 Baskin Lane Chilwell Nottinghamshire NG9 5GA
Proposal : **Construct first floor side extension**
Decision : **Conditional Permission**

Applicant : Mr Simon Hatch 19/00074/FUL
Site Address : 27 Greenland Crescent Chilwell Nottinghamshire NG9 5LD
Proposal : **Construct single storey front and rear and two storey side extension (revised scheme)**
Decision : **Conditional Permission**

EASTWOOD HALL WARD

Applicant : Mr Stewart Digweed 18/00831/FUL
Site Address : 17 Lindley Street Newthorpe Nottinghamshire NG16 3PW
Proposal : **Construct two storey side / rear extension, single storey rear extension and front canopy**
Decision : **Conditional Permission**

Applicant : Mr Rowley 19/00059/FUL
Site Address : 37 Coach Drive Eastwood Nottinghamshire NG16 3DR
Proposal : **Construct two storey side and single storey rear extensions and front canopy**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr S Booth 19/00001/FUL
Site Address : 46 Seymour Road Eastwood Nottinghamshire NG16 3NA
Proposal : **Retain garage and front porch**
Decision : **Conditional Permission**

EASTWOOD ST MARY'S WARD

Applicant : Mr Ali Church View Dental Practice 18/00692/FUL
Site Address : Church View Dental Practice 22 Church Street Eastwood Nottinghamshire NG16 3HS
Proposal : **Construct first floor rear extension with dormer window, alterations to entrance and 1 roof light (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Jason Ainsworth T B C Engineering Services 18/00833/REM
Site Address : T B C Engineering Services Bailey Grove Road Eastwood Nottinghamshire NG16 3PB
Proposal : **Construct 17 dwellings (approval of reserved matters relating to planning reference 17/00706/OUT)**
Decision : **Conditional Permission**

Applicant : St Mary Parish Church 19/00036/FUL
Site Address : St Marys Church Church Street Eastwood Nottinghamshire
Proposal : **Replacement handrails**
Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Mr M Flint Brendan Homes Ltd 18/00852/FUL
Site Address : Land Adjacent To 56 Smithurst Road Giltbrook Nottinghamshire NG16 2UD
Proposal : **Construct two detached dwellings**
Decision : **Conditional Permission**

Applicant : Mr And Mrs P Bentley 19/00008/FUL
Site Address : Wren Cottage 39 Moorgreen Newthorpe Nottinghamshire NG16 2FD
Proposal : **Construct two storey and single storey rear extension (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Bill Freeman 19/00031/FUL
Site Address : 11 Pinfold Road Newthorpe Nottinghamshire NG16 2FT
Proposal : **Construct porch, enlargements to dormer windows, raised terrace, replacement outbuilding and external alterations including render/weatherboard finish to external elevations**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr Aidan Blenkinsopp 18/00815/FUL
Site Address : 7 Lawn Mill Road Kimberley Nottingham NG16 2HD
Proposal : **Replacement balcony and staircase**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : Mr & Mrs Buckley 18/00832/FUL
Site Address : 46 Gloucester Avenue Nuthall Nottinghamshire NG16 1AL
Proposal : **Construct single storey rear extension and alterations**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : Mr & Mrs Victor Smedley High Terrace Ltd 19/00042/FUL
Site Address : Mill Farm 62 Mill Road Stapleford Nottingham NG9 8GD
Proposal : **Retain timber framed site office for glamping pod site**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr and Miss James / Emma Daykin / Haigh 19/00011/FUL
Site Address : 50 Nottingham Road Stapleford Nottinghamshire NG9 8AA
Proposal : **Change of use from offices (Class B1) to residential (Class C3) to create 5 apartments and construct external staircase**
Decision : **Conditional Permission**

Applicant : Mr B Watson 19/00100/PNH
Site Address : 113 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JW
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.3 metres, with a maximum height of 3.16 metres and an eaves height of 2.28 metres**
Decision : **Prior Approval Not Required**

STAPLEFORD SOUTH WEST WARD

Applicant : Mrs Karen Morley Early Years Playgroup 18/00814/FUL
Site Address : The Stapleford Centre The Old Lace Mill 44 Frederick Road Stapleford Nottinghamshire NG9 8FN
Proposal : **Construct car port**
Decision : **Conditional Permission**

Applicant : Mr Powell 19/00007/FUL
Site Address : 7 Ash Grove Stapleford Nottingham NG9 7GL
Proposal : **Construct single storey side/ rear extension**
Decision : **Conditional Permission**

Applicant : Mr Mark Piper 19/00034/FUL
Site Address : 19 Cyril Avenue Stapleford Nottingham NG9 8FQ
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr & Mrs Gareth Telford-Chell 18/00830/FUL
Site Address : 68 Whitburn Road Toton Nottingham NG9 6HR
Proposal : **Construct two storey side extension, single storey rear extension and raised terrace**
Decision : **Refusal**

Applicant : Mr S Hornsby 18/00846/FUL
Site Address : 62 Woodstock Road Toton Nottinghamshire NG9 6JQ
Proposal : **Construct single/two storey side/rear extension**
Decision : **Conditional Permission**

Applicant : Mr Andrew Pointon 19/00015/FUL
Site Address : 24 Kirkham Drive Toton Nottinghamshire NG9 6HG
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

WATNALL & NUTHALL WEST WARD

Applicant : Mr R Healey 19/00003/FUL
Site Address : 1 The Elms Watnall Nottingham NG16 1JT
Proposal : **Alter flat roof over garage to a pitched roof and external alterations**
Decision : **Conditional Permission**

Applicant : Mr & Mrs M Simmonds 19/00062/FUL
Site Address : Land To The Rear Of 30 Trough Road Watnall Nottinghamshire NG16 1HQ
Proposal : **Construct detached bungalow (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr E Wilson 19/00105/PNH
Site Address : 29 Maple Drive Nuthall Nottinghamshire NG16 1EH
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.5 metres, and an eaves height of 2.2 metres**
Decision : **Prior Approval Not Required**

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