



Tuesday, 18 June 2019

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 26 June 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: D Bagshaw
L A Ball BEM
B C Carr
T A Cullen
M Handley
R I Jackson

R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
C M Tideswell
D K Watts (Chair)

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 - 10

The Committee is asked to confirm as a correct record the minutes of the meeting held on 22 May 2019.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 19/00243/FUL

PAGES 11 - 22

Equestrian and the keeping of fully licenced wild cats and retain the secure enclosure required for their safe keeping
Land north of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire

5.2 18/00700/FUL

PAGES 23 - 40

Construct two semi-detached dwellings and construct dormers, rear extension and roof alterations to existing bungalow and raise ridge height
4 The Home Croft, Bramcote, Nottinghamshire, NG9 3DQ

5.3 19/00276/REG3

PAGES 41 - 48

Change of use from police station to offices (Class B1)
Former Police Station, 1 Toton Lane, Stapleford, NG9 7HA

6. INFORMATION ITEMS

6.1 Appeal Statistics

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

6.2 Delegated Decisions

PAGES 49 - 54

6.3 Appeal Decisions

PAGES 55 - 58

PLANNING COMMITTEE

WEDNESDAY, 22 MAY 2019

Present: Councillor J W McGrath, Vice-Chair in the Chair

Councillors: D Bagshaw
L A Ball BEM
B C Carr
T A Cullen
L Fletcher (substitute)
M Handley
R I Jackson
R D MacRae
D D Pringle
C M Tidswell
I L Tyler (substitute)

Apologies for absence were received from Councillors P J Owen and D K Watts.

Also in attendance was Councillor S J Carr present on behalf of Councillor M Radulovic MBE, as ex-officio.

1 APPOINTMENT OF CHAIR

It was noted that Councillor D K Watts was appointed as Chair of the Planning Committee by the meeting of Council that took place on 15 May 2019.

2 APPOINTMENT OF VICE CHAIR

It was noted that Councillor J W McGrath was appointed as Vice-Chair of the Planning Committee by the meeting of Council that took place on 15 May 2019.

3 DECLARATIONS OF INTEREST

Councillor T A Cullen declared a non-pecuniary interest in item 7.1 as she is a member of the Beeston Rylands Community Association that was looking to run the community facility to be built as part of the development, minute number 5.1 refers.

Councillor R D MacRae declared a non-pecuniary interest in item 7.1 as a member of a group that hires the Leyton Crescent Community Centre, minute number 5.1 refers.

4 MINUTES

The minutes of the meeting held on 24 April 2019 were approved as a correct record and signed.

5 NOTIFICATION OF LOBBYING

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

6 EXCLUSION OF PUBLIC AND PRESS

To make a reasonable adjustment for a person who wished to make representation to the Committee in private, the Chair proposed that this item and item 9.1 be moved to the start of the agenda.

RESOLVED 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 involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A of the Act.

The Committee adjourned to a separate room in order that the item be heard under the exclusion of public and press, but without clearing the chamber which was full. On being put to the meeting the motion was carried.

6.1 19/00191/FUL

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

1. **The development hereby permitted shall be commenced before the expiration of one year beginning with the date of this permission.**
2. **The development hereby permitted shall be carried out in accordance with drawing numbers 1649TG 001 Rev C (1:50, 1:100), 1649TG 002 Rev D (1:50, 1:100), 1649TG003 Rev C (1:100), 1649TG 004 Rev_ (1:500, 1:1250); received by the Local Planning Authority on 1 May 2019.**
3. **The development hereby permitted shall be first occupied by the applicants as stated on the planning application form, received by the Local Planning Authority on 22 March 2019, notably being Mr and Mrs Kaushal.**
4. **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 or outbuildings shall be carried out to the dwelling hereby approved which come within Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.**

Reasons

1. **To ensure that the development is carried out for its intended use and in accordance with Paragraph 55 of the NPPF.**
2. **For the avoidance of doubt.**

3. To ensure that the development is carried out for its intended use and in accordance with Paragraph 55 of the NPPF.
4. To ensure that the building remains of a suitable scale and size which is appropriate within the Green Belt and in accordance with the aims of Saved Policies E8 & H9 of the Broxtowe Local Plan (2004), Policy 8 of the Broxtowe Draft Part 2 Local Plan (2018) and Section 13 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.

7 DEVELOPMENT CONTROL

7.1 19/00114/REM

Construct 310 dwellings, community building, public open space (including equipped play area), and associated infrastructure (approval of reserved matters relating to planning reference 14/00242/FUL) and creation of parking area beside Trafalgar Road
Beeston Business Park, Technology Drive, Beeston, NG9 1LA

This application was brought before the Committee because of the scale of the proposed development of 310 dwellings.

There were a number of late items for consideration by the Committee including two further objections from neighbours, one observation, one letter of support, one email seeking assurance that environmental issues would be conditioned, no objections from the Highway Authority, comments from the Environment Business and Projects Manager and amendments to conditions.

Mr Robert Galij, the applicant and Mrs Hamilton, on behalf of Mr Steve Collier, objecting, made representation to the Committee prior to the general debate.

It was noted that there had not been significant local objection to the development, although there were understandable concerns from residents in the immediate vicinity of the proposals. It was also noted that the play area and community facility were well placed to serve the new housing and discourage children from playing on the weir fields. The Committee was also pleased to note that much needed housing was to be provided.

RESOLVED that:

- i) **The deed of variation to the s106 Agreement be agreed.**
- ii) **Reserved matters be approved subject to the following conditions:**

- 1. The development hereby permitted shall be carried out in accordance with drawing numbers BBP/02 Location Plan received by the Local Planning Authority on 7 May 2019; P101 Rev L Planning Layout, 325 Pumping station, 106 Rev E Materials Layout, CB1 Rev A Beeston Community Building; GL1092 08A, 09A, 10A, 11A and 12A Soft Landscape Proposals; GL1092 04A, 05A and 06A Infrastructure Landscape Proposals; GL1092 07C Super LEAP Proposals; amended 01 Rev NM04 Alnmouth Classic (Det) (received 10 May 2019); 02 Ambersham Maldon Elevations; 01 Ambersham Maldon Floor Plans; 01 Ambersham Maldon 4 storey Elevations; 02 and 03 Ambersham Maldon 4 storey Floor Plans; 2016/BH/P/02 Rev NM06 Brentford Haversham Hipped Corner Turner Elevations; 2016/BH/P/01 Rev NM06 Brentford Haversham Hipped Corner Turner Floor Plans; 01 Rev D Derwent Classic (Det); 2016/FIR-DET/C/01 Rev NM11 Fircroft (Det); 2016/FIR/C/01 Rev NM10 Fircroft Elevations; 2016/FIR/C/01 Rev NM10 Fircroft Floor Plans; 01 Haversham (End); 01 Rev B Hesketh Classic (Det); 01 Rev D Kenley Classic (End); 01 Rev D Kenley Classic (Mid); 01 Rev D Kingsley Classic (Det); 01 Rev E Kingsville (End); 01 Lutterworth – End; 01 Rev D Maidstone Classic (End); 01 Rev D Maidstone Classic (Mid); 01 Rev D Moresby Classic (Det); 01 Rev C Moresby Classic (End); 01 Rev E Ripon Classic (Det); 01 Rev D Windermere Classic (Det); 2010/DET/206A 1800mm high close boarded fence; 2010/DET/228 1800mm high timber hit and miss fence; 2010/DET/2029 1200mm vertical metal railings; NM-SD13-004 Boundary Wall – Type 1; NM-SD13-004A Boundary Wall – Type 1 – 2.4m; DB-SD13-006 close boarded fence; Double & Twin Garage – Hipped - Elevations (GDPL DDHP / GDPL SSHP); Plans (GDPL SDSG / GDPL SDFG / GDPL SDHP) Single Garage - Side, Front (Gable) & Hipped; BSTG3S6 Triple garage elevations, floor and roof plan; Barratt Sales & Information Centre Elevations and floor plans (triple garage), STD6121 Rev 01 Severn Trent Water fencing details, GTC-E-SS-0012_R1-8_1_of_1 Close coupled substation, JF/1002705 1 of 2 2m high envirofence and 2 of 2 3m high envirofence, details of bollards emailed on 10 May 2019, H8032/BSD1 Bin store detail and E719-100 Access drawing Plot 310.**
- 2. Notwithstanding the details shown on the Materials Layout, no development above eaves height shall take place on any plot unless and until details of proposed tiles have been submitted to and agreed in writing by the Local Planning Authority.**
- 3. No development shall commence on plots 60-77 (inclusive) until details of measures to protect the hedge on the south eastern boundary with the Trent Vale Road dwellings during construction and measures for its future management have been submitted to the Local Planning Authority for approval in writing. The protection measures shall be in place before development commences on these plots and the future management of the hedge shall be in accordance with the agreed measures for the lifetime of the development.**

Reasons

- 1. For the avoidance of doubt.**

2. **The proposed tiles are considered to be too large and bulky and alternative slimmer/smaller tiles should also be used to achieve an attractive environment and a development which integrates into its surroundings, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy 17 of the Draft Part 2 Local Plan.**
3. **To ensure the hedge is retained, in the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy 17 of the Draft Part 2 Local Plan.**

Note to Applicant

1. **This reserved matters approval satisfies condition 1 and partially satisfies conditions 4, 5, 20 and 22 of planning permission reference 14/00242/FUL. You are reminded of the need to comply with conditions 2, 23, 25, 26 and 27.**
2. **Beeston public footpath No. 62 runs through the site and it should remain open and free from obstruction at all times unless a diversion has been previously agreed.**
3. **The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application and seeking amendments to the scheme.**

7.2 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, NG9 2TH

This item was removed from the agenda with the permission of the Chair.

7.3 19/00012/FUL

Change of use from a nursing and residential care home (Class C2) to four houses of multiple occupation (Class C4)
Gables Nursing Home 169-171 Attenborough Lane Chilwell, NG9 6AB

Councillor E Kerry had requested that the application be determined by the Committee.

There were no late items to consider with regards to the application.

Mr Allan Harding, the applicant, Mr Michael Hutchinson, objecting, Mrs Janice Lawrance, objecting and Councillor E Kerry, Ward member, made representation to the Committee prior to the general debate.

During the debate the Committee discussed the already difficult parking situation in Attenborough, concerns about safety during a flood event, concerns about fire safety

and over intensive development. It was also noted that the proposed development was close to a busy corner, with a village hall, garage and public house. The Committee agreed that the property required renovation and that it had the potential to become an eyesore if it continued disused.

It was proposed by Councillor L A Ball BEM and seconded by Councillor M Handley that the item be deferred to allow for the developer to consider a less intensive proposal. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred.

Reason

To allow the developer to give further consideration to the intensity of the development.

7.4 19/00122/FUL

Construct single/two storey rear extension and change of use from dwelling house (Class C3) to an 8 bedroom house in multiple occupancy
44 Fletcher Road, Beeston, Nottinghamshire, NG9 2EL

This item had been put forward for consideration by the Committee by Councillor P Lally.

There were no late items for the Committee to consider alongside this application.

Mr Joseph Gallagher, objecting and Councillor L A Lally, Ward Member, made representation to the Committee prior to the general debate.

The Committee was concerned that this represented overdevelopment, to have a house in multiple occupation (HMO) for eight people in a family home. There was also concern that the garage could be converted into an additional bedroom under permitted development rights. Debate focused on the increasing number of HMOs and the limitations of the Committee in terms of refusing them. It was noted that a report was to be submitted to the Jobs and Economy Committee to consider this matter comprehensively.

It was proposed by Councillor B C Carr and seconded by Councillor L A Ball BEM that the application be deferred to a future Committee to allow time for the Jobs and Economy committee to consider the issue of HMOs.

RESOLVED that the application be deferred.

Reason

To allow for the consideration of the issue of HMOs at the Jobs and Economy Committee.

7.5 19/00032/FUL

Construct four storey side and rear extensions, two storey front extension and replacement front boundary
8 Gilt Hill, Kimberley, Nottingham, NG16 2GZ

Councillor M Radulovic had requested that this item be determined by the Committee.

There was one late item, namely some observations received from a member of the public.

Mr Andrew Widdowson, the applicant, addressed the Committee prior to the general debate.

Discussion centred on the street scene, the diverse styles of housing already in evidence on the street and that the extension was to provide additional living and working space for a growing family.

RESOLVED that planning permission be granted with permission for the precise wording and conditions to be delegated to the Vice-Chair of the Planning Committee and the Head of Neighbourhoods and Prosperity.

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 number: AW-18-02revF received by the Local Planning Authority on 23 April 2019**

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.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by seeking amended plans 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**

7.6 18/00701/FUL

Construct access to rear of 35 Nottingham Road from Spring Terrace
35 Nottingham Road, Nuthall, Nottinghamshire, NG16 1DN

This application had been brought before the Committee by Councillor P J Owen for determination.

There were no late items or public speakers for this application.

The Committee considered the item.

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

The development hereby permitted shall be retained in accordance with drawing numbers Site Location Plan 1: 1250, Access Gate Elevations and Block Plan received by the Local Planning Authority on the 19 December 2019.

Reason

For the avoidance of doubt.

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.

7.7 19/00029/FUL

Retrospective planning application to demolish the existing property
The Dovecote Bar and Grill, 29 Beauvale, Newthorpe, Nottinghamshire, NG16 2EZ

Due to the degree of local concern the Head of Neighbourhoods and Prosperity had requested that this planning application be brought before the Committee.

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

It was noted that many local residents wanted the public house to be rebuilt and discussion progressed to the way in which retrospective planning applications impacted negatively upon how neighbours felt about the developments happening in their area. The Committee noted that it hoped the developers in this instance would act more responsibly.

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

- 1. The development hereby permitted shall be retained in accordance with drawing number Site Location Plan 1: 1250 received by the Local Planning Authority on 11 January 2019.**
- 2. Within 1 month from the date of this permission, all debris from the demolition of the public house shall be removed from the site and details of fencing to secure the site and a timetable for installation shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the approved details.**

Reasons

- 1. For the avoidance of doubt.**
- 2. To ensure the site presents a more pleasant appearance in the locality.**

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 applicant is hereby advised that the existing public right of way to the west of the site should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the Right of Way or materials unloaded or stored so as to obstruct the path.**

8 INFORMATION ITEMS

8.1 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.

8.2 DELEGATED DECISIONS

The Committee noted the decisions determined under delegated powers between 1 April to 3 May 2019.

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Report of the Chief Executive

APPLICATION NUMBER:	19/00243/FUL
LOCATION:	LAND NORTH OF HOME FARM COTTAGE AND PARK VIEW COTTAGE, MAIN STREET, STRELLEY, NOTTINGHAMSHIRE
PROPOSAL:	CHANGE OF USE FROM EQUESTRIAN TO MIXED USE EQUESTRIAN AND THE KEEPING OF FULLY LICENCED WILD CATS AND RETAIN THE SECURE ENCLOSURE REQUIRED FOR THEIR SAFE KEEPING.

The application has been called in to the Committee by Councillor D K Watts.

1 Executive Summary

- 1.1 The application seeks planning permission to change the use of the site to mixed use equestrian and the keeping of wild cats and to retain the enclosure required for their safe keeping.
- 1.2 The site is set within the Nottinghamshire Green Belt where there is a presumption against inappropriate development and development should not be approved except in very special circumstances.
- 1.3 The main issues relate to whether or not the very special circumstances put forward by the applicant outweigh the harm of the enclosure to the openness of the Green Belt.
- 1.4 The benefits of the proposal are that it will enable the conservation of wild animals, the welfare of which is allegedly at risk should permission not be granted. However, it is considered that the size and design of the enclosure represents significant harm to the openness of the Green Belt and is not in keeping with the rural nature of the surrounding area. The enclosure is explicitly required for the safe keeping of the wild cats and it is considered that the harm to the Green Belt is not outweighed by the very special circumstances put forward by the applicant. Furthermore the Local Planning Authority is not convinced that all other options for the safekeeping of the animals other than at the site in question have been fully explored.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to change the use of the application site from its existing equestrian use to a mixed use of equestrian and the keeping of wild cats. The application also seeks permission to retain the enclosure which has already been erected for their safe keeping. The enclosure is currently home to a puma and it is anticipated by the applicant that two further wild cats will also inhabit the enclosure in the future.
- 1.2 The application has been submitted with a Draft Unilateral Undertaking whereby the owner undertakes to carry out the following obligations:
- Not to use the said Wild Cat Enclosure for any purpose other than the keeping of the three Wild Cats in possession of the owner at the time of the application.
 - On the death or relocation to premises elsewhere of all the Wild Cats to cease use of the Wild Cat Enclosure and to remove it within three months of the cessation of use.

2 Site and surroundings

- 2.1 The application site contains a manège with stables to the north. To the north of the stables is the wild cat enclosure, which is the subject of this application. The enclosure has a link to a room within the stables, which provides the puma with shelter.
- 2.2 The site is positioned to the north of the village of Strelley, with two residential dwellings adjoining the south boundary of the site. To the west of the site is the M1 motorway, with the boundary being made up of a substantial hedgerow which is in excess of 2m in height. The north and east boundary of the site is also made up of hedgerow and adjoins a bridleway. A close boarded timber fence with a height of approximately 1.8m has recently been erected along these boundaries. There is a further residential dwelling neighbouring the site to the north east.
- 2.3 The site is located within the Nottinghamshire Green Belt and adjacent to the Strelley Conservation Area.

3 Relevant Planning History

- 3.1 The application site has a detailed planning history, with the relevant historical applications being summarised in this section.
- 3.2 In 2011, planning permission (11/00200/FUL) was granted for the change of use of agricultural land to land used for the exercise of horses (construction of a manège) and erection of a replacement field shelter. This planning permission established the equestrian use on the site.
- 3.3 In 2013, planning permission (ref: 12/00646/FUL) was granted to construct stables and erect gates at two access points on the east boundary of the site.

- 3.4 In 2013, planning permission (ref: 13/00476/FUL) was granted to retain two poles to erect CCTV cameras.
- 3.5 In 2016, planning permission (ref: 16/00165/FUL) was refused for the construction of a barn and feed store. The applicant appealed the decision and this appeal was dismissed by the Inspector. One of the reasons for refusal was that the proposal represented inappropriate development in the Green Belt and no very special circumstances applied. The proposal would not have preserved, and therefore would cause harm to the openness of the Green Belt.
- 3.6 In 2017, planning permission (ref: 17/00232/FUL) was granted for the extension of the existing stable block, which is positioned to the south of the wild cat enclosure.
- 3.7 Later in 2017 planning permission (ref: 17/00565/FUL) was granted for the enlargement of the approved extension after the building was being constructed larger than the originally approved plans.
- 3.8 In 2018 planning application 18/00123/FUL was refused for the installation of two gated accesses on the east boundary of the site. The access points are already in place however the proposed gates were considered to be of a size and design that did not have regard for the local context and was out of keeping with the character of the area.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.4). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E8: Development in the Green Belt

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

4.3.1 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 and 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. As the Inspector made further comments in respect of Policy 8 this can only be afforded limited weight at this time.

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 13 – Protecting Green Belt Land

5 Consultations

5.1 Council’s Environmental Health Officer: This consultation response relates to what is detailed on the plan as the puma enclosure, puma den and tack room. 1 wild cat currently in the enclosure is licensed under the Dangerous Wild Animals Act (As Amended). 2 further wild cats are currently licensed at the associated residential premises with the intention of being moved up to the secure enclosure, (this will result in further work being required to internally partition the enclosure and provide additional internal sleeping accommodation for the animals). None of the licensed animals were rescued animals to their knowledge. In order to maintain the current licensed animals on site, such an enclosure is required to ensure the security and welfare of the animals.

In light of the animals already being on site and the difficulty likely to be encountered in providing suitable alternative accommodation, they have no objections to planning approval being granted subject to the following recommended conditions being applied:

There shall be no general exhibition or viewing of the animals.

Reason: To protect nearby residents from excessive disturbance or operational nuisance.

They would also suggest conditions limiting any further addition or development of the enclosure beyond its existing boundaries, the addition of structures within the enclosure that are taller than the existing perimeter fencing (planting excluded) or the addition of lighting or ancillary facilities without planning permission to protect further inappropriate development of this area and protect nearby residents from excessive disturbance or operational nuisance.

5.2 NCC Rights of Way Officer: Has checked the Definitive Map for the Strelley area and can confirm that Strelley Bridleway 2 runs adjacent to the application site. A plan is attached showing the definitive route of the bridleway and requests the applicant is made aware of the legal line.

The Rights of Way section has no objection to the proposal. However, the Rights of Way team would like a standard informative note to be added to any permission granted.

5.3 Three properties either adjoining or opposite the site have been consulted and a site notice was displayed. 14 letters of objection have been received from members of the public in respect of this application. The reasons for objection can be summarised as follows:

- The enclosure is too close to the bridleway.
- It is not appropriate to keep big cats in this location. Unsafe for residents of the village and other animals such as horses and domestic pets.
- The enclosure and change of use of the land is inappropriate development in the Green Belt.
- Increase in traffic generation as a result of the development.
- The enclosure is not suitable to provide an acceptable standard of accommodation for the wild cats.
- The enclosure is out of keeping with the character of the area.
- Unacceptable smell and noise pollution created by the keeping of wild cats.

6 Assessment

6.1 The main issues for consideration are whether or not the proposal is appropriate development in the Green Belt, the design and appearance of the enclosure and the impact of the proposal on neighbouring amenity.

6.2 **Green Belt**

6.2.1 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraphs 145 and 146 identify a range of exceptions to inappropriate development, although the keeping of wild cats and associated facilities are not identified within these paragraphs. Therefore in accordance with Paragraph 143 of the NPPF very special circumstances would need to be demonstrated for this proposal to be considered acceptable.

6.2.2 The supporting statement provided with the application states that the puma currently occupying the enclosure, and two further wild cats which will also occupy the enclosure in the future have been fully licenced by the Council in respect of the Dangerous Wild Animals Act 1976. The Council's Senior Environmental Health Officer has confirmed that the three animals are licenced. The document goes on to state that the puma is a rescue animal that had been abandoned to a charity for wild animals in Lincolnshire. However, the charity was unable to look after the animal and sought the help of the applicant to avoid the animal being put down. It is claimed that whilst other options had been considered, the applicant acquired the puma to avoid it being put down. The reason stated for acquiring the lions is similar to that of the puma.

- 6.2.3 The statement suggests that if the wild cats are not able to be looked after by the applicant it is likely that they will be put to sleep as there are no other options for places to look after them. The statement provides no further information to reinforce the claim that there are no other facilities or organisations available in other locations to look after the wild cats in the instance that they cannot be kept at the application site.
- 6.2.4 The enclosure is a substantial structure constructed of metal mesh fencing with a maximum height of 3.84m and covering a footprint of approximately 380 sq.m. It is considered that the materials used, along with the height and size of the structure make for a robust appearance that is not in keeping with the rural surroundings and is not of a style that would typically be associated with the existing equestrian use of the site.
- 6.2.5 The east boundary of the site does help to restrict the view of the enclosure from the public realm. However, the Green Belt is characterised by the absence of inappropriate development and the absence of harmful visual effects from the public realm does not equate to an absence of harm to the openness of the Green Belt. Whilst the existing site boundary does provide screening this does not outweigh the harm caused to the Green Belt by virtue of the inappropriate development.
- 6.2.6 Paragraph 146 of the NPPF states that the material change in use of land can be appropriate in the Green Belt provided that it preserves the openness of the Green Belt. As the proposed change of use is to keep wild cats the enclosure is explicitly required for the applicant to keep the animals in accordance with the licence. Due to the size and design of the enclosure, which is not in keeping with the rural surroundings, it is considered that it results in substantial harm to the openness of the Green Belt. Whilst the case for very special circumstances appears well intentioned it is considered that there is a lack of firm evidence that all other options for the welfare of the animals have been considered which may be more appropriate than the proposed site. It is therefore considered that the considerable harm to the openness of the Green Belt as a result of the enclosure is not outweighed by the circumstances put forward by the applicant.
- 6.2.7 In the supporting statement the applicant sets out the possibility of reducing the enclosure to a maximum height of around 2m, thus suggesting that the enclosure could be constructed under permitted development. Irrespective of the permitted development position an enclosure with a maximum height of 2m would not be adequate to meet the licensing conditions for an enclosure to keep wild cats.
- 6.2.8 It is noted that the applicant has offered a Unilateral Undertaking to restrict the use of the enclosure and ensure its removal following the death or relocation of the wild cats. However, over the coming years an application could be made to vary or remove these agreements with the same case for very special circumstances being put forward to keep other wild cats in the enclosure. Should such applications come forward it could prove difficult for the Council to refuse the proposals having already established their position on the case for very special circumstances. Even if it was the case that the enclosure was to be removed on the death or relocation of the wild cats, some can live for 20 years in captivity and

to retain the enclosure for this time is considered to be unacceptable on Green Belt policy grounds.

6.3 Design and Appearance

6.3.1 The enclosure has a maximum height of 3.84m and covers a footprint of approximately 380 sq.m. It has metal mesh fencing with a cranked top to prevent the animals escaping and in order to comply with the licence requirements. The enclosure is connected to the rear of the stables to enable the puma to sleep in a secure area.

6.3.2 The enclosure is a substantial structure that significantly impacts the character and appearance of the rural environment within which it is situated. The enclosure covers a large area within the site, which in culmination with the stables to the south is considered to have a dominant impact on the application site which is harmful to the character of the surrounding area. Furthermore the materials used and the design of the enclosure with the cranked top give it a robust appearance that is not comparable to enclosures that would be used to keep horses or animals for agricultural purposes in rural areas such as this.

6.4 Amenity

6.4.1 The enclosure is approximately 95m from the nearest residential dwelling to the south of the site and approximately 45m from the nearest residential dwelling to the north of the site. Taking these distances into account it is considered that the enclosure by virtue of its presence alone does not result in any loss of amenity for any of the neighbouring properties.

6.4.2 A number of objections have been received on the grounds that the keeping of wild cats in this location presents a danger to the public and that the enclosure is unsuitable for the keeping of wild cats. As previously stated the puma and the two further wild cats that may inhabit the enclosure in the future are fully licenced, meaning the safety elements of keeping them in the enclosure have been considered by the Environmental Health team and has been found to be acceptable. It is therefore considered that a refusal on the basis that the animals represent a danger to public health and safety could not be sustained on appeal.

6.4.3 Objections have also been raised on the grounds of noise generation and smell created by the keeping of wild cats. The site has a lawful equestrian use and stables to enable the keeping of multiple horses. The nearest residential dwellings are a significant distance from the enclosure and it is considered that the keeping of wild cats would not have a significantly different impact in terms of noise generation and smell to that of its existing use.

7 Planning Balance

7.1 The benefits of the proposal are that it will enable the conservation of wild animals, the welfare of which is allegedly at risk should permission not be granted.

7.2 The negative impacts are that the material change of use to keep wild cats at the site explicitly requires a substantial enclosure to keep the animals in. The size and design of the enclosure represents significant harm to the openness of the Green Belt and is not in keeping with the rural nature of the surrounding area. The proposal represents inappropriate development in the Green Belt.

7.3 On balance it is considered that the benefits of keeping the animals on the site are not outweighed by the harm to the openness that characterises the Green Belt.

8 Conclusion

8.1 The proposed change of use and retention of the enclosure is considered to be inappropriate development that is harmful to the openness of the Green Belt. The enclosure is screened from public view by the existing site boundaries; however, this screening does not outweigh the harm caused to the Green Belt by virtue of the inappropriate development.

8.2 The applicant has put forward a case for very special circumstances and has offered a Draft Unilateral Agreement restricting the use of the enclosure and ensuring its removal in the future. It is considered that the harm to the Green Belt of the enclosure is not outweighed by the potentially very special circumstances put forward. There is also the possibility of future applications being made to alter the agreements within the Draft Unilateral Undertaking which may be difficult for the Council to resist.

8.3 Overall it is recommended that planning permission be refused and enforcement action taken to remedy the breaches of planning control. In the event of enforcement action being taken it is considered reasonable to allow a maximum of 6 months for the applicant to have the opportunity to find a solution for the housing of the animals.

Recommendation

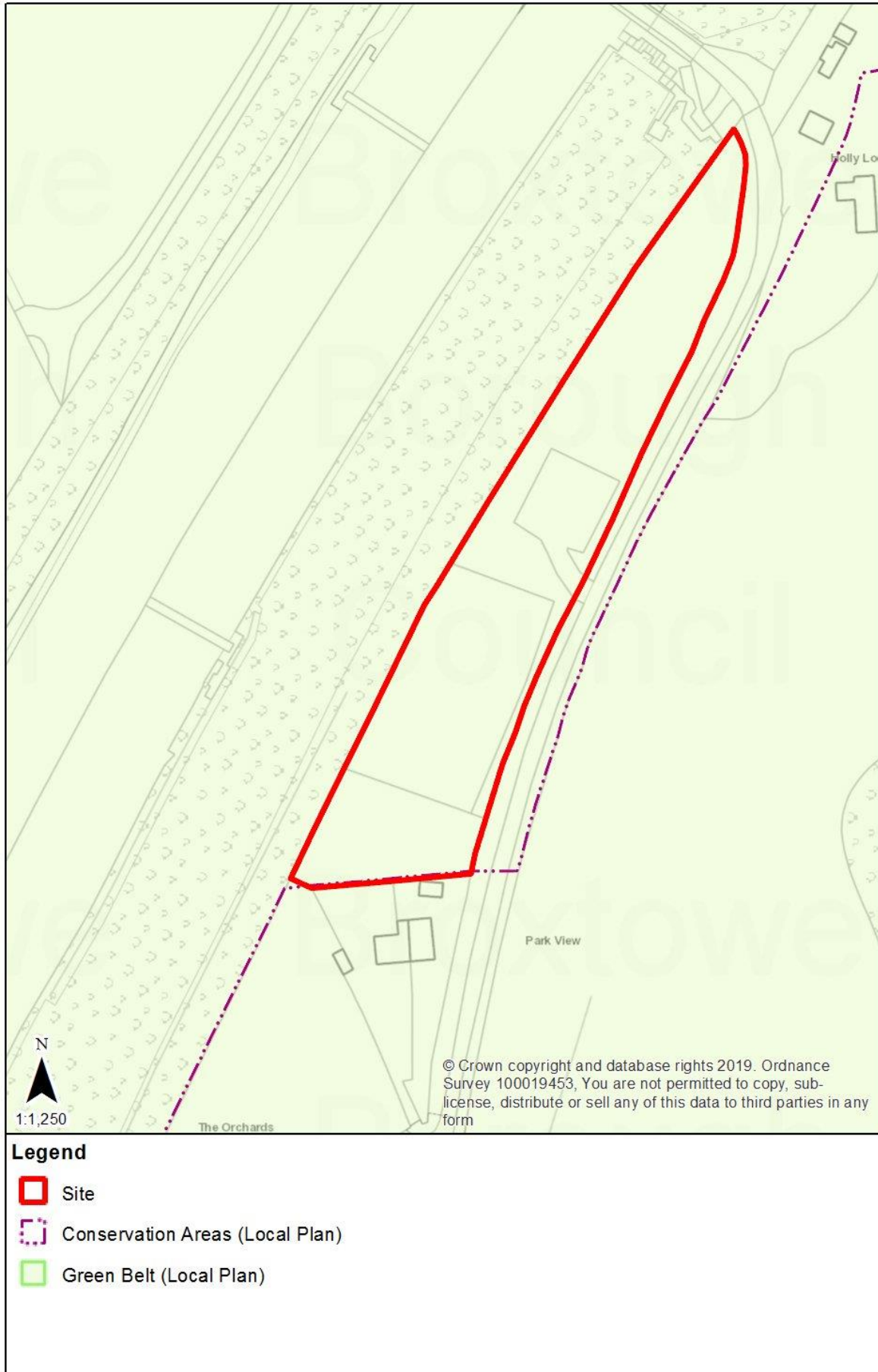
The Committee is asked to RESOLVE that planning permission be refused for the following reasons and that enforcement action be taken to remedy the breaches of planning control.

1. The site lies within the Nottinghamshire Green Belt where inappropriate development is by definition harmful and should not be approved except in very special circumstances. In the opinion of the Local Planning Authority the proposed change of use and enclosure for the keeping of wild cats represents inappropriate development and it is considered that very special circumstances have not been demonstrated to justify the granting of planning permission in this instance. The application is therefore not in accordance with Broxtowe Local Plan (2004) Policy E8, Draft Part 2 Local Plan (2018) Policy 8 and the NPPF paragraphs 143 – 146.
2. The enclosure by virtue of its size, design and appearance represents a substantial and robust structure that has a dominant impact on the application site and is out of keeping with the rural character of the surrounding area. Accordingly, the proposal is contrary to the aims of the Broxtowe Aligned Core Strategy (2014) Policy 10 and the Draft Part 2 Local Plan (2018) Policy 17.

NOTE TO APPLICANT

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

INSERT PLAN/ MAP FROM BROXTOWE MAPS



Photographs



Photo taken from the north of the site looking at the enclosure.



Relationship between enclosure and east boundary of site.



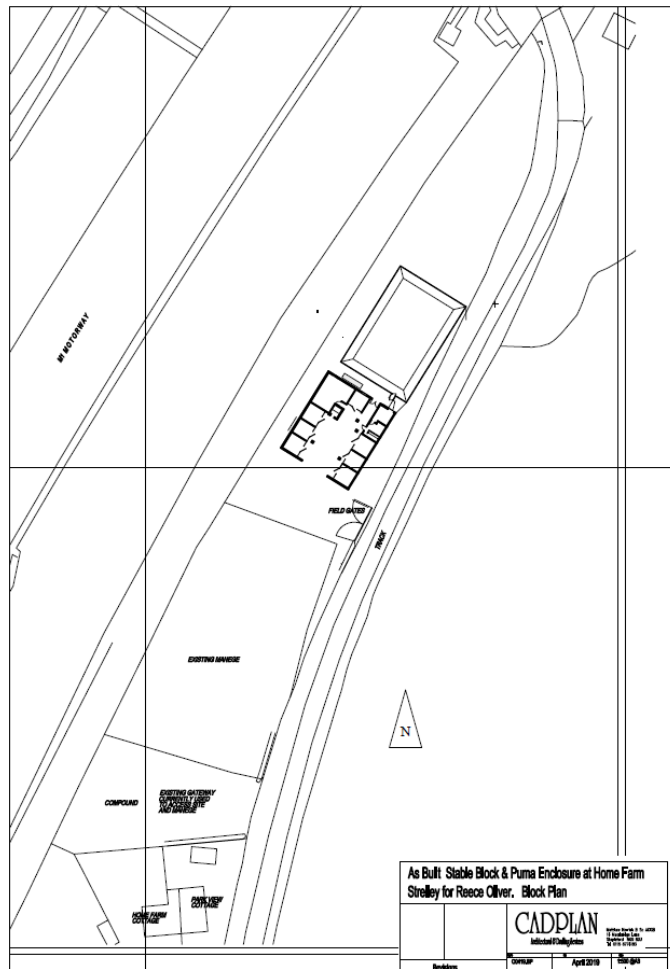
West elevation of enclosure.



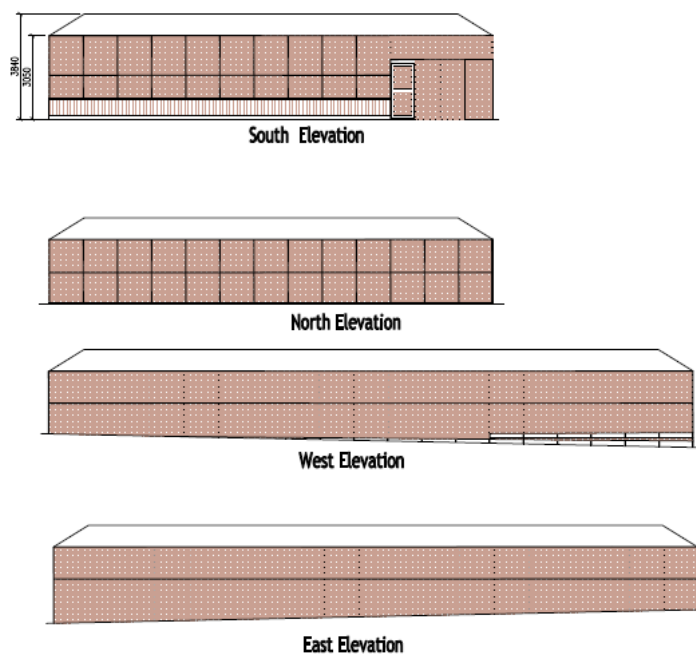
West and south elevation of enclosure.

Plans (not to scale)

Block Plan



Elevation Plan



Report of the Chief Executive

APPLICATION NUMBER:	18/00700/FUL
LOCATION:	4 THE HOME CROFT, BRAMCOTE, NOTTINGHAMSHIRE, NG9 3DQ
PROPOSAL:	CONSTRUCT TWO SEMI-DETACHED DWELLINGS AND CONSTRUCT DORMERS, REAR EXTENSION AND ROOF ALTERATIONS TO EXISTING BUNGALOW AND RAISE RIDGE HEIGHT

Former Councillor M E Plackett had requested this application be determined by the Committee.

1 Executive Summary

- 1.1 The application seeks permission to construct two split level semi-detached dwellings in the rear garden of a bungalow and alterations to the bungalow including dormers, a rear extension and raising the ridge height.
- 1.2 The site consists of a bungalow that has been vacant for an extended period of time with a significantly overgrown garden. The site is located within Bramcote Conservation Area.
- 1.3 The main issues relate to whether the principle of two dwellings in this location and alterations to the bungalow would be acceptable, if there would be harm to the character and appearance of the conservation area and whether there would be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean two additional family homes within a sustainable, urban location which would be in accordance with policies contained within the development plan which is given significant weight. Furthermore, the extension and alterations would result in clearance of the garden serving the bungalow and would provide a useable amenity space for future occupants. The proposed works would contribute to the local economy by providing jobs through the construction process. There would be a change in character to this part of the conservation area and there would be some impact on neighbour amenity but these matters are considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks permission to construct two split level semi-detached houses in the rear garden of a bungalow and alterations to the bungalow including dormers, a rear extension and raising the ridge height. Each house will have five floor levels and four bedrooms. At ground floor level, each house will have a kitchen/diner and toilet. An adjoining single storey, flat roof element will provide space for a utility room and bin store. A single storey flat roof extension will project to the rear. At second and third floor level there will be two bedrooms (one with an en-suite) and a lounge. At fourth and fifth level, there will be two bedrooms (one with an en-suite and balcony facing Peache Way) and a bathroom. Each house will have a dual mono-pitch roof and space for two cars at the front. They will both have private rear gardens and a patio to the side. The houses will not exceed 8.6m in height and will have a combined total width of 12.5m. The houses will reflect a contemporary appearance and will be constructed with a zinc clad roof and walls finished in a monocouche render. The adjoining flat roof elements to the side will have a sedum roof.
- 1.2 The ridge height of the bungalow will be increased by 0.7m and will have a maximum ridge height of 6.4m; the eaves height will remain at 2.8m. Two hipped dormers are proposed on the south (side) elevation. A hip to gable roof extension is proposed on the east (rear) elevation and the new roof will have a-symmetrical eaves. A flat roof dormer is proposed on the east (rear) roof slope of the main roof. An extension to square off the gap in the east (rear) elevation is proposed and the roof will be extended in line with this. Several smaller alterations include the removal of chimneys, addition of conservation style roof lights, enlargement of sliding patio doors in east (rear) elevation and sliding patio doors in the south (side) elevation.
- 1.3 Amended plans were received during the course of the application. The proposed houses were amended from detached to semi-detached and the roof heights staggered so they will be at a lower height than the extended bungalow. Plot 2 has been set back 2m from plot 1 and set in 0.4m from the east boundary, the boundary wall extending across Peache Way has been staggered to retain more of the sloping bank and the separation distance has increased from plot 1 to the bungalow from 8.2m to 12.3m. In relation to the bungalow, part of the ridge height was reduced and the two dormers in the south (side) were reduced in size and changed from flat to hipped roofs.

2 Site and surroundings

- 2.1 No. 4 The Home Croft is a bungalow located within Bramcote Conservation Area. The bungalow, along with the southern boundary, is recognised as providing a positive contribution within the conservation area. The site is significantly overgrown with trees and vegetation which enclose the majority of the rear garden along Peache Way and Manor Court. Consent has been granted for the removal of several trees along the southern and eastern boundaries of the site. Home Croft slopes up steadily from south to north and the site is elevated from Peache Way with a sloping bank.

2.2 Immediately to the south of the site lies The Grove, a grade II listed building which was previously occupied by St John's College but now lies vacant. No. 10 Peache Way is a nursery positioned to the south of the site with an adjoining car park. The former academic block serving St John's College building is positioned to the south west of the site. The Grove, associated buildings and site are subject to redevelopment under reference 16/00467/FUL. The redevelopment consists of 40 new dwellings, demolition of buildings and associated vehicle and landscaping works. The Grove has a pending application to convert from a Class D1 use (educational facility) to a Class C3 use (residential) along with a related listed consent building application (18/00858/FUL and 18/00859/LBC). Manor Court, which comprises a horseshoe of two storey properties, is positioned to the east and north east of the site with the Manor House. Large, detached properties along The Home Croft are positioned to the west and north west of the site. The bungalows along The Home Croft are positioned directly north of the site.

3 Relevant Planning History

3.1 An outline application to construct a single storey dwelling in the rear garden (89/00118/OUT) was refused permission in April 1989 as it was concluded a single storey dwelling would represent a cramped form of development which would not relate to the existing pattern of development and would spoil the character of the site resulting in a detrimental impact on the character and appearance of this part of the conservation area.

3.2 An application to construct a bungalow (91/00704/OUT) was refused permission in January 1992 as it was concluded the site occupied an important corner position within the Bramcote Conservation Area and would represent a cramped form of development which failed to relate to the existing pattern of development. The Inspector dismissed a subsequent appeal stating that due to the elevated nature of the site, the landscaping proposed would not be sufficient to hide its intensive nature. It was considered the proposed bungalow would neither preserve nor enhance the conservation area and would compromise the open character of the area.

3.3 An application to construct a detached garage (91/00459/FUL) received planning permission in September 1991. This garage has been constructed.

3.4 An application to construct a rear extension (93/00495/FUL) received planning permission in September 1993. This extension has been constructed.

3.5 An application to construct dormers, a rear extension and roof alterations (including raising the ridge height) to the bungalow (19/00211/FUL) is currently pending.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development

- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment
- Policy 17: Biodiversity

4.2 Saved Policies of the Broxtowe Local Plan (2004):

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.4). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E24: Trees, Hedgerows and Tree Preservation Orders
- Policy H7: Land not Allocated for Housing Purposes
- Policy H9: Domestic Extensions
- Policy T11: Guidance for Parking Provision

4.3 Part 2 Local Plan (Draft)

4.3.1 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 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, 23 and 31 but has suggested changes to other policies, including 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 17, 23 and 31 can now be afforded moderate weight, with Policy 15 being afforded limited weight.

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 23: Proposals Affecting Designated and Non-designated Heritage Assets
- Policy 31: Biodiversity Assets

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 11 – Making effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 16 – Conserving and Enhancing the Historic Environment

5 Consultations

5.1 **Council’s Conservation Officer:** Raise no objection subject to the use of suitable materials and landscaping secured via a condition. This part of the conservation area is characterised by a mix of elements. To the east of The Home Croft, the row of bungalows form a linear, low level run of buildings which have a loose Arts and Crafts character. To the west of The Home Croft there is a

row of modern two storey dwellings with a large frontages and open gardens which do not respond to the prevailing character. To the north-east of the site is The Manor House and historic outbuildings which form a group of historic buildings. Given the separation distances and intervening development, The Manor House would not be affected.

- 5.1.1 The Grove is a grade II listed building positioned to the south and has been subject to historical unsympathetic alterations and extensions. It is considered the setting of The Grove would not be affected due to the intervention of the road, the separation distances and the existing and planned buildings on the site (as mentioned in section 2.2).
- 5.1.2 The Conservation Area Appraisal highlights the southern boundary of the site as providing a positive boundary treatment. However, this comprises an informal group of trees and plants that are largely self-set and do not provide a comprehensive, cohesive landscaped boundary. Furthermore, the planting devalues the contribution the landscaping makes and is unlikely to provide high quality landscaping in the future without significant management and intervention. Consent is also in place to remove some of these trees.
- 5.1.3 The application proposes to extend and alter the existing bungalow using a mix of traditional and modern design approaches. From the front, the key change would be the increased ridge height by 0.7m; the road slopes down and the host dwelling occupies the lowest land level in this row of buildings. Given the relatively modest increase in height and the separation distances between the dwellings, it is considered this element would not be harmful to the character or appearance of the conservation area as the height of the building would still remain below that of the neighbour and thereby would maintain the natural slope. The southern elevation would be visible and would be at a higher level but the higher ridge would be limited and the dormers subservient and of a traditional design and scale.
- 5.1.4 The east elevation reflect a more modern appearance which works satisfactorily as it would not be read in conjunction with the street scene elevations on Peache Way and The Home Croft and would not be easily open to view. The extensions on the northern elevation are large but this elevation is not easily visible and on balance would not be harmful to the conservation area.
- 5.1.5 The proposal would clearly change the appearance of the designation through the opening up of the landscaped boundary and the erection of two modern houses. There is no objection to the modern design approach which is also prevalent on the redevelopment of the St John's site to the south (16/00467/FUL). The character of the conservation area would be altered with houses in the rear garden of the bungalow; however, these would front onto the highway which is also a characteristic of The Home Croft.
- 5.1.6 Characterising the site within the conservation area is not straightforward as the site itself comprises a rear garden abutting the highway with limited views into the garden. To the north-east there are historic buildings including converted outbuildings. However, these are set in from the highway and are somewhat inward looking and do not have a strong impact on the character or appearance

of the application site. To the south is The Grove with many unsympathetic additions and large scale buildings which detract from the designation which is subject to significant changes as part of the on-going redevelopment of this site. The Home Croft itself has two distinct characters to each side of the highway, bungalows that are loosely Arts and Crafts to the east and modern large detached dwellings to the west that do not respond to anything else in the designation. It is therefore concluded that the application site is not characteristic of the wider conservation area in this part of the designation with the strongest character element being the landscaped boundary which is not well maintained and rather informal.

- 5.1.7 To conclude, it is considered the proposal meets the tests set in the NPPF in ensuring there would be no harm to a designated heritage asset and that substantial or less than substantial harm has not been identified. It is considered the development also meets the test set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72 which states that in the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.2 **Bramcote Conservation Society:** raise no objection and considers the application to be acceptable, representing good design through a modern design approach. Furthermore, the development sits low within the setting of the plot and the amendments to the entire scheme are well thought out.
- 5.3 **Nottinghamshire Wildlife Trust:** has advised that the methodology used in the Preliminary Ecological Appraisal carried out by Whitcher Wildlife Ltd in July 2018, is appropriate and sufficient for the site, that the assessment of the ecological value with associated recommendations are satisfactory and that recommendations should be secured through condition.
- 5.4 **Council's Tree Officer:** raises no objection.
- 5.5 **Nottinghamshire County Council as Highways Authority:** raises no objection.
- 5.6 **Council's Waste and Recycling Manager:** raises no objection.
- 5.7 **Nottinghamshire County Council as Rights of Way:** advises that Peache Way is an unadopted road which is classed as a bridleway and is maintained to the standard of legitimate users which would be in this horseback, cycle or on foot and not cars.
- 5.8 13 properties either adjoining or close to the site were consulted and a site notice and amended site notice were displayed. 11 objections were received with one of these objections supported by eight additional neighbours and can be summarised as follows:
- Previous application for single storey dwelling refused
 - Loss of sunlight/daylight and feeling of confinement due to proximity and height of dwellings
 - Increase in noise from traffic

- Loss of privacy due to two storey extension and gradient of road and proposed dwellings looking straight into property
- Overlooking and loss of privacy from rear windows even if obscurely glazed
- Overlooking from roof light in northern roof slope
- Privacy compromised by rear balcony
- Insufficient parking
- Out of scale with plot of land
- Insufficient garden size
- Out of character with area due to the modern design and height of houses
- Destruction of conservation area
- Bramcote Conservation Area has provided adequate housing through the approval of the Baxter Green development
- Inappropriate materials
- Negative impact on appearance of entrance to Manor Court and Manor House
- Loss of mature trees, southern boundary is stated as giving a positive contribution as stated in the conservation area appraisal
- Fails to preserve conservation area

6 Assessment

6.1 The main issues for consideration are whether the principle of the two houses and alterations to the existing bungalow would be acceptable, if there would be harm to the character and appearance of the conservation area and whether there will be an unacceptable impact on neighbour amenity.

6.2 **Principle**

6.1.1 The site is located within in a predominantly residential location and has been subject to neglect for an extended period of time due to the bungalow being vacant and the site becoming significantly overgrown with vegetation. It is considered the proposed alterations to the bungalow provide additional internal space and first floor whilst preserving the character of the conservation area on this prominent corner plot.

6.2.2 The bungalow is positioned on a spacious corner plot and the proposal to subdivide the land for a pair of semi-detached houses is considered acceptable. The proposed houses respond to the elevated land level and will be 'cut in' to represent a subservient appearance. This would mean the houses would not extend beyond the height of the extended bungalow. It is considered each garden would be of an acceptable size and adequate parking has been proposed. It is acknowledged there is a different style and mix of development within this part of the conservation area so it is considered the proposal of contemporary style properties would not appear out of keeping with the immediate character.

6.2.3 To conclude, the site is located within an urban location with a sufficient amount of parking and weight must be given to the need to boost housing supply. It is considered the alterations and extensions to the bungalow and the proposed houses will not have an adverse effect on neighbour amenity due to the separation distances, land levels and the majority of the bungalow alterations facing inward of the site (as detailed in the amenity section). The principle of the development is therefore considered to be acceptable.

6.2 Heritage and Design

- 6.1.2 'Policy 11: Historic Environment' of the Aligned Core Strategy sets out that proposals will be supported where the historic environment and heritage assets, including their settings, are conserved and/or enhanced in line with their interest and significance. 'Policy 23: Proposals Affecting Designated and Non-designated Heritage Assets' of the draft Part 2 Local Plan advises that clear justification for the development in order that a decision can be made as to whether the merits of the proposals for the site bring public benefits which decisively outweigh the harm arising from the proposals.
- 6.3.2 Paragraph 195 of the National Planning Policy Framework (NPPF) (2019) states: "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss."
- 6.3.3 Paragraph 196 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."
- 6.3.4 Paragraph 201 of the NPPF states: "Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."
- 6.3.5 It is considered the amendments to the scheme mean the proposal of the alterations to the bungalow and construction of two semi-detached houses is acceptable and maintains the character and appearance of Bramcote Conservation Area.
- 6.3.6 The Bramcote Conservation Area Appraisal identifies the southern boundary as making a positive contribution and it is accepted that this boundary treatment provides a soft, rural appearance. Paragraphs 195, 196 and 201 of the NPPF discuss the significance of heritage assets and state the loss of any elements that make a contribution to the significance of the conservation area will either lead to substantial or less than substantial harm and should be weighed against public benefits. Two applications for outline permission for a single storey dwelling on the site were refused for similar reasons in April 1989 and January 1992. The January 1992 decision was subject to an appeal which was dismissed by the Inspector with a particular reason being that the loss of the landscaped garden contributes to the open setting of Manor Court and that additional landscaping would not be sufficient to counteract a new bungalow. However, in response to the above and in line with the Conservation Officer's comments, the southern

boundary is considered not to be of the same high quality in comparison to what it would have been when identified within the Conservation Area Appraisal, and consent has been granted for the removal of several trees. On that basis, the loss of this boundary treatment, which can be suitably managed with a landscaping condition, is considered not to be harmful to the character or appearance of the conservation area. Furthermore, planning policies have changed significantly since the January 1992 decision and subsequent appeal. To conclude, it is considered that neither substantial or less than substantial harm have been identified as set out in paragraphs 195, 196 and 201 of the NPPF.

6.3.7 The bungalow is identified as making a positive contribution within the Bramcote Conservation Area Appraisal and it is accepted that there will be various alterations that will alter its appearance. However, the outward facing elevations onto The Home Croft and Peache Way will be largely retained as reflecting a traditional appearance and the modern alterations proposed to the rear will tie in with the contemporary style houses meaning there will be a smooth transition between the two different styles. The increased ridge height of 0.7m is considered to be acceptable and the bungalow will still remain at a lower height than any other property along The Home Croft. It is therefore considered the natural continuation of decreasing heights of bungalows from the north will be uninterrupted and will remain in keeping with this characteristic. Two dormers with hipped roofs and a roof light are proposed in the south (side) elevation. The dormers are a traditional design, are set back from the eaves and are considered to be modest in size and although visible from the public realm, are considered to be acceptable features. The proposed hip to gable roof extension and flat roof dormer are considered to be of a contemporary design and will not be overly prominent when viewed from the public realm. These modern alterations will be read alongside the proposed houses and provide a continuation of contemporary features which is considered to be acceptable. The north elevation will be largely obscured from the public realm and therefore it is considered the impact of the alterations and extension when viewed from this elevation will be minimal. To conclude, it is considered the bungalow retains the majority of its traditional appearance from viewed from The Home Croft and Peache Way and that the contemporary features when glimpsed from Peache Way will provide a continuation of traditional to contemporary with the new properties. Furthermore, the alterations to the bungalow are considered to be acceptable in relation to size and scale.

6.3.8 The two previously refused applications (89/00118/OUT and 91/00704/OUT) highlighted the proposal of a bungalow would not relate to the existing pattern of development and would represent a cramped form of development. Since these applications have been refused, the character of the conservation area has changed along with significant changes to development plan policies. Permission has been granted for five detached properties along The Home Croft (00/00161/FUL), extensions to bungalows along The Home Croft and three new properties and creation of a road called The View. The form of development is considered to have changed to the extent that the prevailing character is not spacious gardens but a mix of different sizes. It is therefore considered the proposal of subdividing the garden of the bungalow for two semi-detached dwellings is considered to be acceptable and that the modest size gardens would not appear out of keeping with the surrounding area.

- 6.3.9 It is acknowledged that the proposal of two contemporary style, semi-detached houses in the garden of a bungalow and the removal of the southern boundary treatment will change the appearance of this part of the conservation area. However, as stated by the Conservation Officer's summary of the area in paragraph 5.1.6, this part of the conservation area is not characteristic of the wider area which itself is a mix of different styles and the contemporary style responds more to the St Johns development (16/00467/FUL) to the south. The properties will have zinc clad roofs, monocouche render finish on the elevations and sedum roofs on the single storey elements. As the materials along with the landscaping will be subject to a condition, these elements of the development will be subject to further scrutiny to ensure an acceptable level of appearance is achieved. It is considered the overall contemporary design of the proposed houses is acceptable and reflects a degree of symmetry when viewed from Peache Way. The massing is reduced by the properties being cut into the land, the side elevations provide visual interest but will be partially obscured due to their positioning and the dual, mono-pitch roofs and split levels break up the massing of the houses when viewed from the side.
- 6.3.10 To conclude, it is accepted there is a concern raised in the representations received that the modern design and scale of the new houses will be out of keeping with the surrounding conservation area. However, it has been established that the conservation area comprises a mix of different characters and that contemporary design such as this is not uncommon within conservation areas within the borough. Furthermore, the style and materials tie in with the contemporary design of properties currently being built to the south. The loss of the southern boundary has already been established as being acceptable due to the existing tree removal consent, its low quality and informal nature and the opportunity to improve this with landscaping which will be conditioned. The bungalow retains a largely traditional appearance from the outward facing elevations but with inward facing contemporary features that continue in line with the new properties. It is therefore considered the scheme is acceptable in relation to design and impact on the conservation area.

6.4 Amenity

- 6.4.1 The property that would be mostly affected by the bungalow alterations and proposed houses is no. 3 The Home Croft which is positioned to the north of the site. The Home Croft slopes up steeply from the application site and there is a privet hedge which extends across part of the northern boundary which provides a degree of screening. No. 3's garden has a sharp incline from the northern boundary of the application site and a large coniferous tree is positioned along this boundary which belongs to no. 3. The extended bungalow will still be at a lower height than no. 3 and the proposed alterations will be partially obscured by the privet hedge. Furthermore, the northern roof light closest to the boundary with no. 3 will serve a bathroom which is not a primary room and will not have a direct view into any windows of this neighbouring property. The proposed houses will be at a lower level than no. 3 and the first floor window in the rear elevations serving bathrooms facing no. 3's garden, will be conditioned to be obscurely glazed. First floor oriel windows serving bedrooms in the rear elevations are proposed but these will be angled away from no. 3's garden. The separation

distance between the properties and no. 3's boundary will be a minimum of 7.7m. No. 3's primary amenity space is at a higher level than the proposed houses and no. 3's rear windows face east and the proposed houses windows face north. To conclude, it is considered the design of the bungalow alterations and new properties have taken into consideration no. 3's amenity sufficiently that there will not be a detrimental impact on the amenity of these occupants.

- 6.4.2 The vegetation and trees to the east of the site are positioned beyond the application site and therefore there is no proposal for removal as this is out of the applicant's control. The east elevation of the plot 2 will have two obscurely glazed windows and the level of obscurity will be conditioned. The vegetation to the east will provide a degree of screening of the proposed houses and as they will not exceed the height of the properties on Manor Court due to the change in ground level, it is considered there will not be a detrimental impact on the amenity of these neighbouring properties. It is considered the bungalow alterations and proposed houses are a sufficient separation distance from other neighbours to not have any adverse impact.
- 6.4.3 The proposed houses are considered to incorporate an adequate amount of private amenity space to the rear and each bedroom has sufficient outlook. The oriel window serving each rear bedroom is considered to be acceptable as this will still provide an outlook and the roof light above the room will provide extra light. Each bedroom and room is considered to be an acceptable size. It is considered the properties will not overlook each other to an unacceptable amount due to the conditioned, obscurely glazed windows and a condition controlling the boundary treatment to provide an appropriately divided rear amenity space.
- 6.4.4 Concerns were raised over rear balconies but balconies are proposed to the front of the properties only which would not directly overlook any residential properties and are therefore considered to be acceptable in relation to impact on neighbour amenity.
- 6.4.5 The proposed alterations to the bungalow will provide two bedrooms (each with an en-suite bathroom) and a study on the first floor. It is considered all bedrooms and rooms will have sufficient outlook and are of an acceptable size. Whilst it is acknowledged the garden will be reduced in size, the separation distance from the nearest proposed house, plot 1 (excluding the single storey west element), will be 12.3m from the main east (side) elevation of the bungalow which is considered acceptable. In order to maintain an acceptable level of privacy for both properties, the first floor window serving the bathroom in the east (side) elevation of the bungalow and the two side windows (serving shower rooms) labelled as being obscurely glazed in the west elevation of plot 1 will be conditioned to be obscurely glazed. Whilst it is accepted the dormer in the east (side) elevation of the bungalow is positioned facing the west elevation of plot 1, this will face obscurely glazed windows and a window serving a void due to the proposed split levels. Therefore the dormer will not directly overlook any windows and will not directly overlook the rear gardens of the houses. To conclude, it is considered the bungalow and proposed houses have been designed so that the amenity of future occupants has been considered appropriately.

6.5 Parking

- 6.5.1 Policy T11 'Guidance for Parking Provision' and appendix 4 to the Local Plan require satisfactory provision of vehicle parking and servicing, in accordance with the latest standards. Concerns have been raised in regards to the amount of parking proposed. The bungalow will have two car parking spaces to the north, a driveway and garage. This is considered sufficient for the extended property. The southern boundary along Peache Way will be opened up to allow access for two cars onto each private driveway of the proposed houses. It is considered this is a sufficient amount of parking.
- 6.5.2 It is considered the noise generated from two cars associated with each property would not be detrimental to any surrounding neighbours.

6.6 Ecology

- 6.6.1 The Nottinghamshire Wildlife Trust has raised no objection to the application and has recommended a condition to ensure that works will be carried out in accordance with the ecological survey submitted with the application. It is considered necessary to include such a condition to ensure the development is carried out in accordance with the mitigation measures as detailed within section 5 of the ecological survey. Some of the mitigation measures include vegetation clearance being undertaken outside of the bird breeding season, removal of invasive non-native species and replacement planting. No evidence of protected species was found during the ecological survey.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would improve the bungalow by increasing its size and providing a useable amenity space which is currently significantly overgrown. The addition of two houses in an existing urban area which would be in accordance with policies contained within the development plan should be given significant weight. Furthermore, the approval of this scheme would support short term benefits such as jobs for the construction of the proposed houses and bungalow alterations. In relation to the loss of the southern boundary, consent has been granted for several trees to be removed and its low quality and informal nature provide an opportunity for enhancement and should not prevent the proposal of new housing. It is accepted the character of the conservation area will change as a result of this development but as mentioned above, key features of the development respond to the surrounding conservation area and it is considered that the overall design is acceptable.

8 Conclusion

- 8.1 To conclude, it is considered the proposed extension and alterations to the bungalow are of an acceptable size, scale and design that there will not be an adverse effect on neighbour amenity, especially considering the main alterations are to the rear of the property and the increase in ridge height will still not exceed the height of any neighbouring property on The Home Croft. The proposed two semi-detached houses are considered to be an acceptable design as the height of the properties relates to the surrounding properties, the contemporary design

mirrors the St John’s development to the south, an opportunity to enhance the southern boundary with a landscaping condition and opportunity to increase housing supply that carries significant weight, it is considered the scheme is acceptable and in line with the development plan policies.

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.**

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

- 2. The development hereby permitted shall be carried out in accordance with drawings: TC/1802/6 Rev A and TC/1802/3 Rev A received by the Local Planning Authority on 25 February 2019, Site Location Plan (1:1250) received by the Local Planning Authority on 21 March 2019 and TC/1802/1 Rev C, TC/1802/7 Rev A, TC/1802/8 Rev A and Topographical Survey received by the Local Planning Authority on 4 June 2019.**

Reason: For the avoidance of doubt.

- 3. No development above ground level on the bungalow extensions or new houses shall be carried out until samples and full details of the colour, type and texture of respective external facing materials 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.**

Reason: Insufficient details were included with the application and to ensure the satisfactory appearance of the development and in accordance with Policies H7 and H9 of the Broxtowe Local Plan (2004) and Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014).

- 4. No development above ground level shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**
 - a. trees, hedges and shrubs to be retained and details of any works to existing;**
 - b. numbers, types, sizes and positions of proposed trees, hedges and shrubs;**

- c. planting, seeding/turfing of other soft landscape areas;
- d. details of boundary treatments and curtilage boundary treatments;
- e. proposed hard surfacing treatments and
- f. a timetable for implementation of the scheme.

The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

Reason: Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policies E24 and H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

5. The development shall be constructed in accordance with the mitigation measures stated within the recommendation section of the Preliminary Ecological Appraisal (Whitcher Wildlife Ltd, July 2018).

Reason: To safeguard biodiversity and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014).

6. The driveways shall not be brought into use until they are constructed so as to prevent the unregulated discharge of surface water onto Peache Way. The drives shall then be maintained as such for the life of the development.

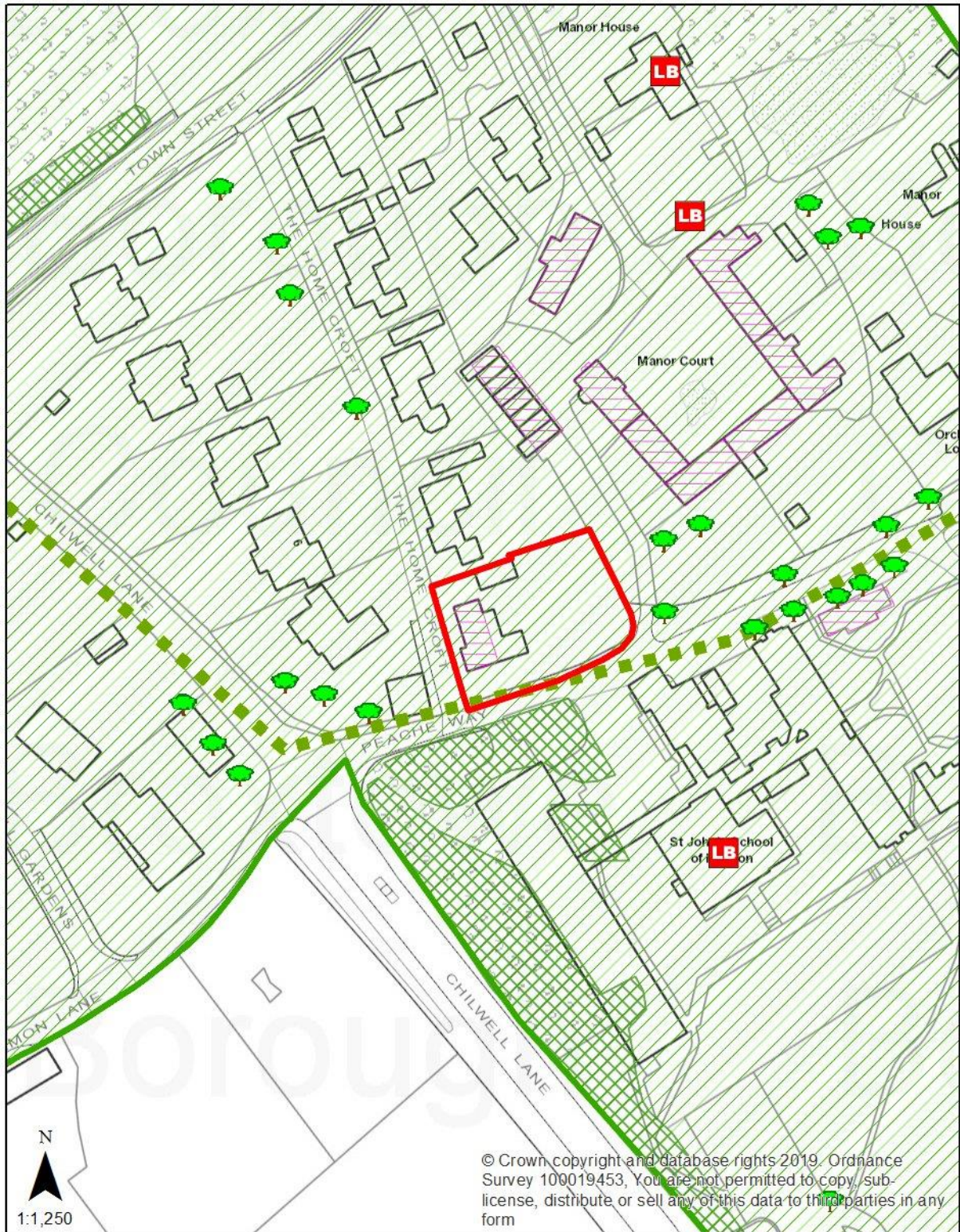
Reason: To ensure surface water from the site is not deposited on Peach Way, in the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

7. The windows annotated as being obscurely glazed on drawing TC/1802/7 and the first floor window serving the bathroom in the east (rear) elevation of the bungalow on drawing TC/1802/3 Rev A shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policies H7 and H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.**
- 2. The development makes it necessary to construct a vehicular crossing over Peache Way which is a bridleway. You are, therefore, required to contact Via on telephone number: 0115 804 2100.**
- 3. The applicant is advised to contact the Council's Waste and Recycling Section on telephone number: 0115 917 7777 to discuss waste and refuse collection requirements.**



Legend

-  Site
-  Listed Building
-  Single TPO
-  Green Infrastructure Corridor
-  Conservation Area
-  Local Interest Building
-  Group TPO

Photographs

Front (west) elevation of bungalow from The Home Croft and no. 3



Front (west) elevation of bungalow from The Home Croft



Side (south) elevation of bungalow from Peache Way



Rear (east) elevation of bungalow



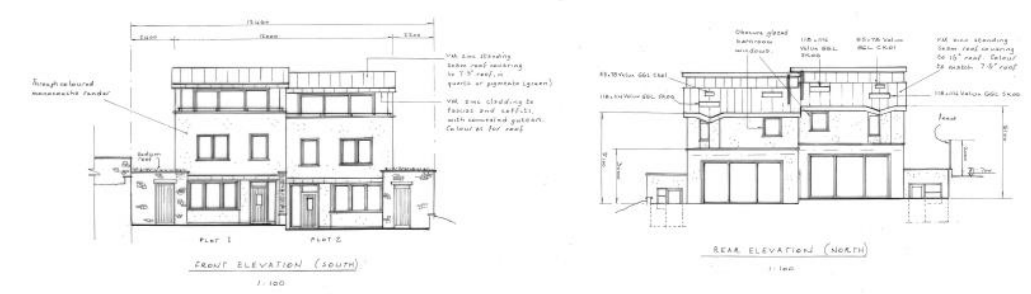
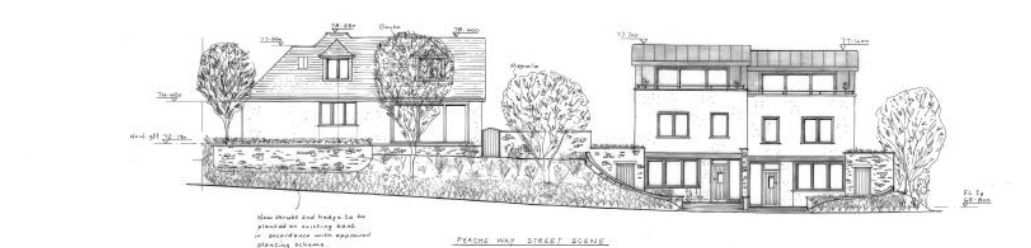
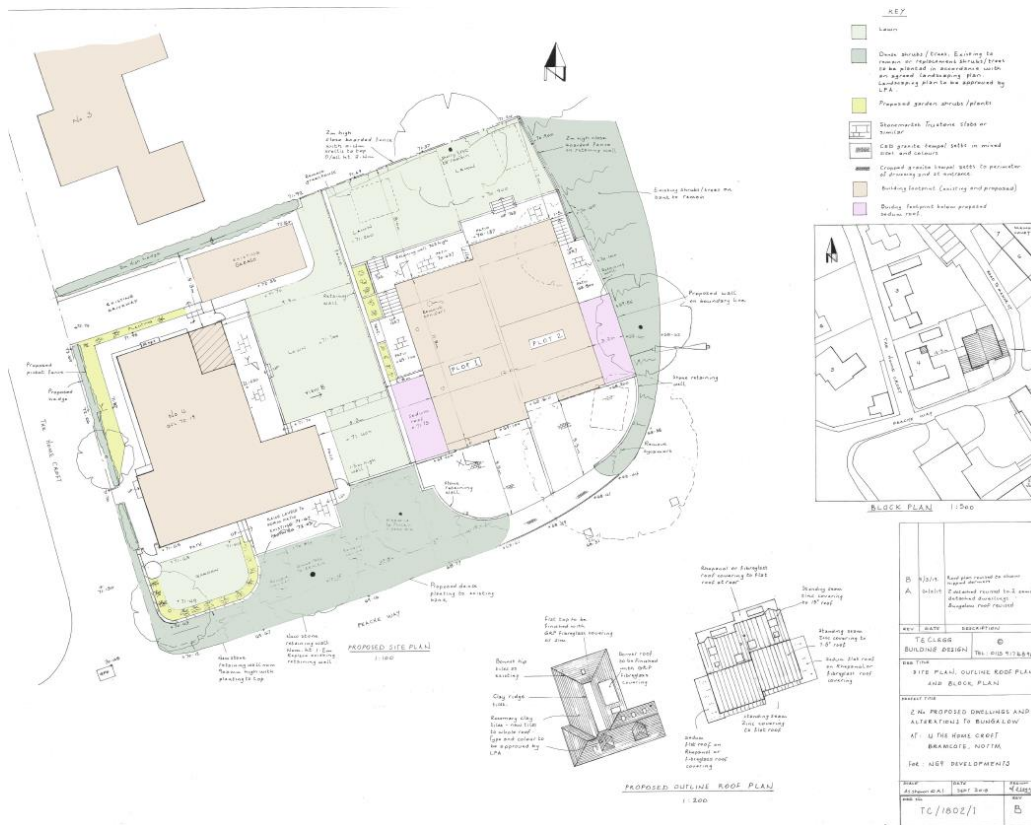
Southern boundary of site



Southern boundary of the site



Plans (not to scale)



Report of the Chief Executive

APPLICATION NUMBER:	19/00276/REG3
LOCATION:	FORMER POLICE STATION, 1 TOTON LANE, STAPLEFORD, NG9 7HA
PROPOSAL:	CHANGE OF USE FROM POLICE STATION TO OFFICES (CLASS B1)

The application is brought to the Committee as the building is in the ownership of Broxtowe Borough Council.

1 Executive Summary

- 1.1 The application seeks planning permission to change the use of the existing building from a police station to office use (Class B1). There are no extensions or other external alterations proposed.
- 1.2 The site is located to the east of the junction of Toton Lane and south of Nottingham Road, and is a two storey detached building which has single storey extensions to the side and rear. There is a brick wall enclosing the frontage, to either side of the building.
- 1.3 The application site is located within Stapleford Town Centre.
- 1.4 The main issues relate to whether the principle of the change of use to office use (Class B1) would be acceptable.
- 1.5 The benefits of the proposal are that it would bring back into use a property which has been vacant since 2016, would provide office space within the town centre, would provide the opportunity for employment uses to the benefit of the local economy, and would be in accordance with the policies contained within the development plan. This is given significant weight. As the building is surplus to requirements in regard to its use as a police station, there are no identifiable negative impacts.
- 1.6 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

1.1 The application seeks planning permission to change the use of the existing building from a police station to offices (Class B1). There are no external changes proposed, and the internal layout would see minimal changes to create a communal kitchen breakout area, and to subdivide some larger rooms.

2 Site and surroundings

2.1 The application site consists of a two storey building directly fronting Toton Lane, with a single storey flat roof side and rear extension. There is a brick wall along the front boundary, with a section of timber fencing, which encloses the site.

2.2 To the south east of the site there is a modern three storey apartment block known as Maycliffe Hall. To the north east is a single storey building which houses an electricity sub-station.

2.3 The site sits at a busy traffic controlled road junction, where there are a number of different uses such as public houses (to the north, and to the west), a place of worship (Eatons Road), public car parking, as well as retail units, which are to the north / north west.

3 Relevant Planning History

3.1 Whilst the authorised use of the building is as a police station, planning permission was granted for a temporary use of the building as a site construction office, in association with a nearby development. Reference 14/00365/FUL.

3.2 Prior to this, the last planning application was in 2004 and this was for the installation of an access ramp. Reference 04/00727/FUL.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.4). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy EM3: Expansion / Redevelopment of Existing Employment Premises
- Policy S1: Shopping and Associated Uses within Town Centres

4.3 Part 2 Local Plan (Draft)

4.3.1 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 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 9, 10 and 17. Whilst this is not the Inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 9, 10 and 17 can now be afforded moderate weight.

- Policy 9: Retention of good quality existing employment sites
- Policy 10: Town Centre and District Centre Uses
- Policy 17: Place-making, design and amenity

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 7 – Ensuring the Vitality of Town Centres.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 Council's Environmental Health Officer:

5.2 Thirteen properties adjoining the site were consulted and a site notice was displayed.

5.3 The County Council as Highways Authority require further details of parking layout and of bin storage area before giving final comments.

5.4 Economic Regeneration Officer supports the proposal as it would encourage people back in to the town centre, bring a vacant building back into use, provide additional office space in the centre and thereby enhance the viability of the centre.

6 Assessment

6.1 The main issues for consideration are whether the principle of the change of use to offices would be acceptable, and whether there will be an unacceptable impact on neighbour amenity.

6.2 Principle

6.2.1 The building is located within a town centre. The proposed use is considered a main town centre use, and is similar in character to the authorised use as a police station. The site is well served by public transport. It is considered that the

proposal is acceptable and would not have a negative impact on the vitality and viability of the centre. Furthermore the proposal would bring back into use a vacant building, and provide employment opportunities to the benefit of the local community.

6.3 Amenity

6.3.1 There are no external changes proposed. It is considered that the use as offices would be similar in character to the authorised use as a police station, and would potentially be occupied for shorter hours than the police station, to the benefit of the occupiers of the adjacent apartment building.

6.4 Parking

Add in existing parking arrangements.

7 Planning Balance

7.1 The benefits of the proposal are that the proposal, being a main town centre use, would bring a vacant building back into use, thereby contributing to the vitality and viability of Stapleford Town Centre. The proposal would also provide employment space, to the benefit of the local economy.

7.2 There are no negative impacts identified.

8 Conclusion

8.1 The proposed change of use is considered to be acceptable and would not be harmful to the vitality or viability of the town centre. The change of use also brings a vacant property back into use, to the benefit of the local economy.

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.**

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

- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan, received by the Local Planning Authority on 10 May 2019, and drawing number CW20:002:002 Rev A received by the Local Planning Authority on 17 May 2019.**

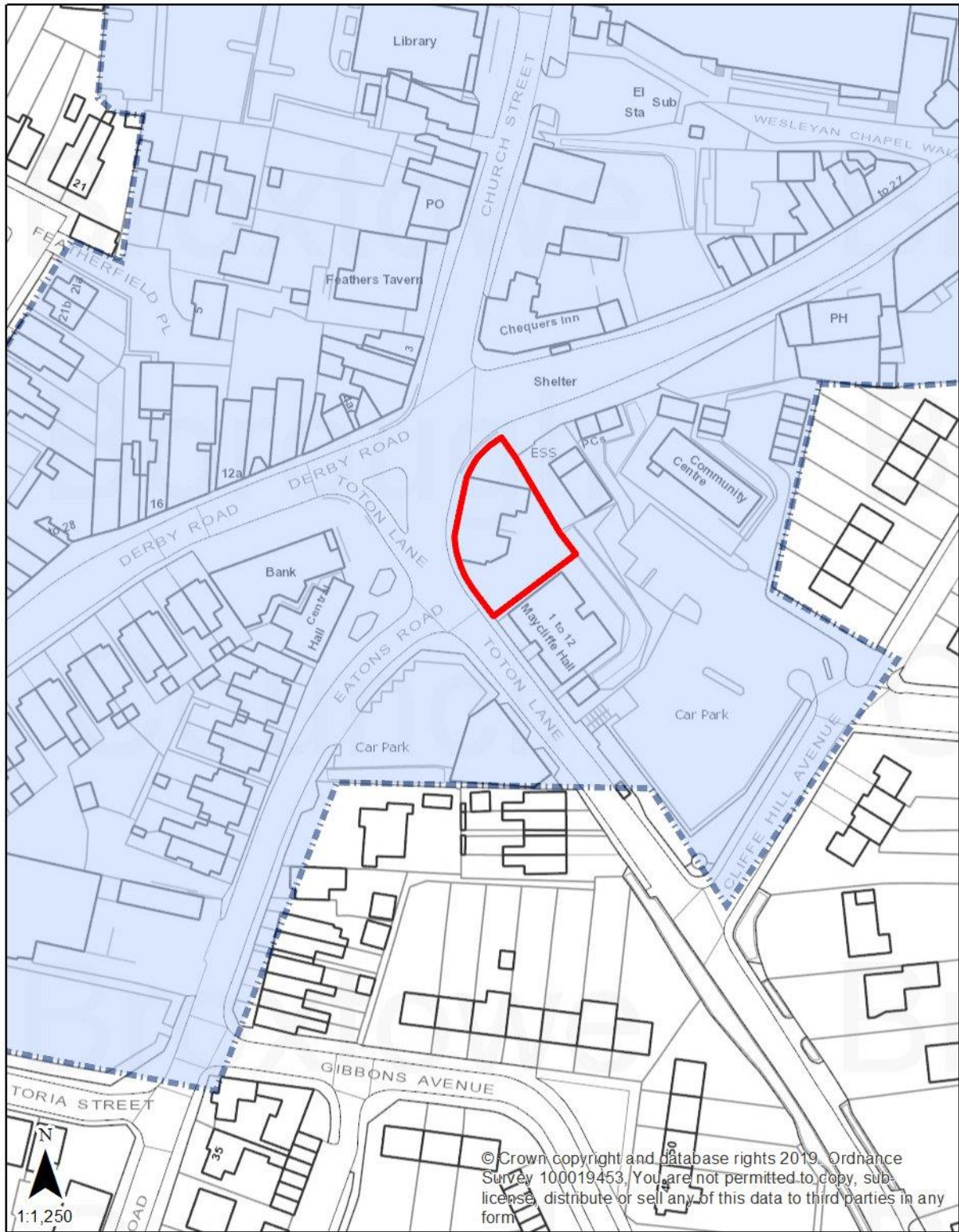
Reason: For the avoidance of doubt.

NOTES TO APPLICANT



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



Legend

-  Site
-  Town centre

Photographs



Front elevation



South elevation showing Maycliffe Hall to the right



Maycliffe Hall, an apartment building, to the south east of the site

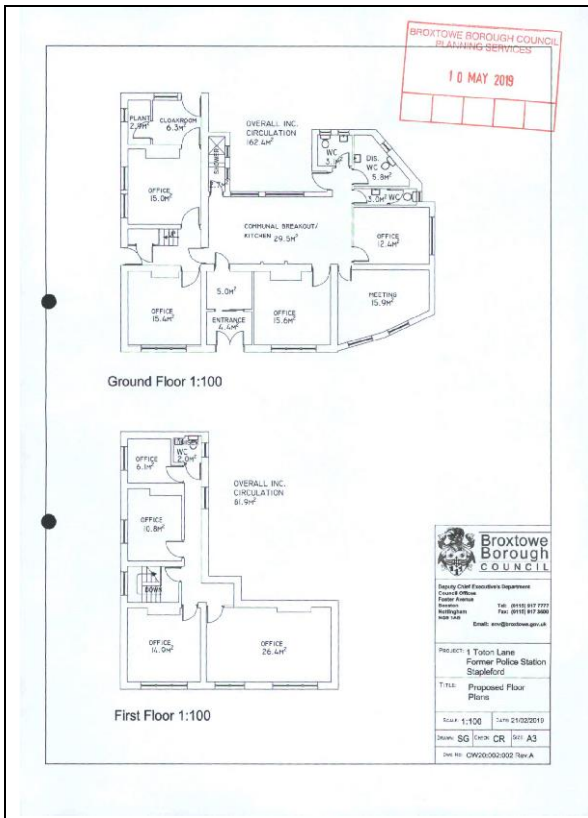


Looking north toward junction. The Old Rock public house can be seen to the left

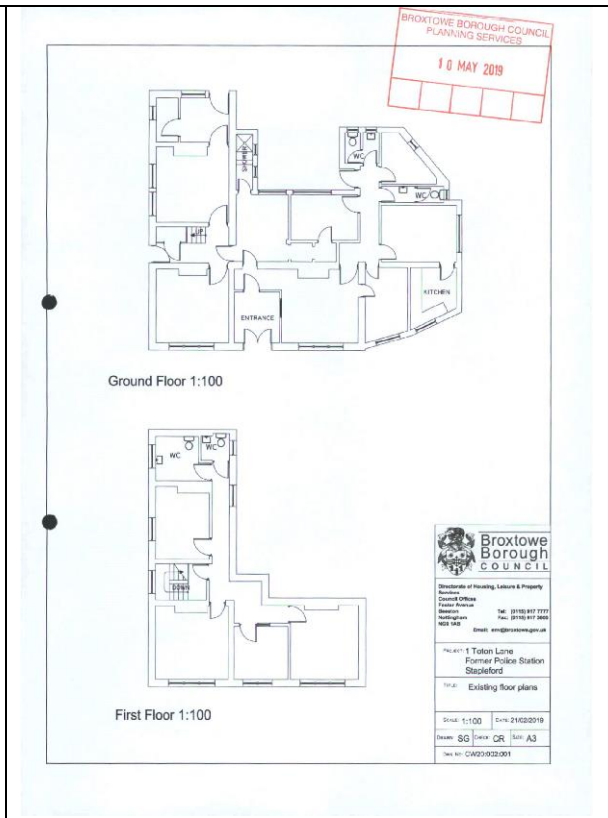


North elevation of the police station building

Plans (not to scale)



Proposed floor layout



Existing floor layout

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

**PLANNING APPLICATIONS DEALT WITH FROM
05 MAY 2019 TO 31 MAY 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 : Mr R Stanbury 19/00157/FUL
Site Address : 45 Charles Avenue Chilwell Nottinghamshire NG9 5ED
Proposal : **Construct extension to garage and convert to annexe**
Decision : **Conditional Permission**

Applicant : Mr BRITAIN CHARLES WELLS LTD 19/00217/ADV
Site Address : The Charlton Arms 361 High Road Chilwell Nottingham NG9 5EA
Proposal : **Display illuminated and non-illuminated signs**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Walker 19/00223/FUL
Site Address : 2 St Marys Close Attenborough Nottinghamshire NG9 6AT
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr Ben Watts 19/00123/FUL
Site Address : 237 Stapleford Road Trowell Nottinghamshire NG9 3QE
Proposal : **Construct single-storey front and rear and two storey side extensions**
Decision : **Conditional Permission**

Applicant : Mrs J Marsh 19/00156/FUL
Site Address : 19 Hawthorne Rise Awsworth Nottinghamshire NG16 2RG
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Miss S Don 19/00178/FUL
Site Address : 16 Iona Drive Trowell Nottinghamshire NG9 3RF
Proposal : **Construct two storey side extension and single storey rear extension**
Decision : **Conditional Permission**

BEESTON CENTRAL WARD

Applicant : Mr Luke Ellis 19/00055/FUL
Site Address : 9 Coventry Road Beeston Nottinghamshire NG9 2EG
Proposal : **Construct single storey rear/side extension**
Decision : **Conditional Permission**

BEESTON NORTH WARD

Applicant : Kelli Hearst 19/00112/FUL
Site Address : 9 Middleton Crescent Beeston Nottinghamshire NG9 2TH
Proposal : **Construct single storey rear & side extensions, two storey rear extension, front dormer, alterations to porch & first floor front extension & rendering to existing dwelling**
Decision : **Conditional Permission**

BEESTON RYLANDS WARD

Applicant : Philip Bellamy Fareva Ltd 18/00848/LBC
Site Address : D10 & D1 Boots Campus Lilac Grove Beeston Nottinghamshire
Proposal : **Listed Building Consent to construct external link between D1 and D10, infill part of D10 south dock and alterations to the ground floor of D10 including insertion of false ceiling and internal walls and removal of glazed wall section**
Decision : **Conditional Permission**

Applicant : Kate Parnell East Midlands Trains 19/00040/LBC
Site Address : Beeston Railway Station Station Road Beeston Nottinghamshire NG9 2AB
Proposal : **Listed Building Consent to paint concrete wall beside platform 2 and mount display boards on wall. Erect signage on picket fence beside platform 1 and on platform 2 canopy**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant : n/a Cardtronics UK Ltd, trading as Cashzone 19/00199/FUL
Site Address : 116-118 Chilwell Road Beeston Nottingham NG9 1ES
Proposal : **Retain automated teller machine**
Decision : **Conditional Permission**

Applicant : n/a Cardtronics UK Ltd, trading as Cashzone 19/00200/ADV
Site Address : 116-118 Chilwell Road Beeston NG9 1ES
Proposal : **Retain illuminated ATM surround**
Decision : **Conditional Permission**

BRAMCOTE WARD

Applicant : Mr A W Lowther 19/00089/FUL
Site Address : 1 Arundel Drive Bramcote Nottinghamshire NG9 3FX
Proposal : **Landscaping works including walls, railings and fencing**
Decision : **Conditional Permission**

Applicant : Mr O Tumber 19/00103/FUL
Site Address : 1 Totland Road Bramcote Nottinghamshire NG9 3ER
Proposal : **Construct single storey side extension and front porch. Render existing dwelling and add timber cladding.**
Decision : **Refusal**

Applicant : Mr Colin Birch Building & Design Services (Nottm) Ltd 19/00174/FUL
Site Address : 10 Pimlico Avenue Bramcote Nottinghamshire NG9 3JJ
Proposal : **Construct single storey front extension**
Decision : **Conditional Permission**

Applicant : Mr David True 19/00195/FUL
Site Address : 114 Valmont Road Bramcote Nottinghamshire NG9 3JD
Proposal : **Construct two storey side extension and front pitched roof**
Decision : **Conditional Permission**

Applicant : Mrs Karen Cole 19/00210/FUL
Site Address : 10 Ranmore Close Bramcote Nottinghamshire NG9 3FR
Proposal : **Construct rear conservatory**
Decision : **Conditional Permission**

BRINSLEY WARD

Applicant : Mr A Thomas 19/00179/FUL
Site Address : Poplar Farm 41 Cordy Lane Brinsley Nottinghamshire NG16 5BY
Proposal : **Construct single storey extension**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Mr Ryan Cowlshaw 19/00117/FUL
Site Address : 40 Chetwynd Road Chilwell Nottinghamshire NG9 5GD
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr Mark Jones 19/00071/FUL
Site Address : 28 Minster Gardens Newthorpe Nottinghamshire NG16 2AT
Proposal : **Retain pitched roof over existing extension and create parking space**
Decision : **Conditional Permission**

Applicant	:	Mr R Wolfgang	19/00098/FUL
Site Address	:	117A Nottingham Road Eastwood Nottinghamshire NG16 3GJ	
Proposal	:	Construct single storey rear extension and alter to pitched roof, alter garage to pitch roof. Extend first floor and create second floor with front and rear dormer windows	
Decision	:	Conditional Permission	
Applicant	:	Mr Mark Klein JBK Holdings	19/00237/FUL
Site Address	:	225 - 227 Nottingham Road Eastwood Nottinghamshire NG16 3GS	
Proposal	:	Render shop fronts	
Decision	:	Conditional Permission	
GREASLEY WARD			
Applicant	:	c/o agent Giltbrook Retail Park Nottingham Limited	19/00159/FUL
Site Address	:	5 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP	
Proposal	:	Installation of new plant equipment	
Decision	:	Conditional Permission	
KIMBERLEY WARD			
Applicant	:	Mr R Hooper Punch	19/00120/FUL
Site Address	:	The Stag 67 Nottingham Road Kimberley Nottinghamshire NG16 2NB	
Proposal	:	Retain timber raised decking area and balustrade with steps and increase height of wall	
Decision	:	Conditional Permission	
Applicant	:	Mr A A Smith	19/00129/FUL
Site Address	:	56 Main Street Kimberley Nottinghamshire NG16 2LY	
Proposal	:	Retain shop front	
Decision	:	Conditional Permission	
Applicant	:	Mrs C Zowonu	19/00163/FUL
Site Address	:	1 Stanley Mews Kimberley Nottinghamshire NG16 2HA	
Proposal	:	Construct first floor extension and garage conversion	
Decision	:	Conditional Permission	
Applicant	:	Tom Beresford	19/00234/FUL
Site Address	:	69 Hardy Street Kimberley NG16 2JL	
Proposal	:	Construct single storey rear/side extension	
Decision	:	Conditional Permission	
NUTHALL EAST & STRELLEY WARD			
Applicant	:	Mr D TUMBER	19/00175/FUL
Site Address	:	2 Burnt Oak Close Nuthall Nottinghamshire NG16 1QR	
Proposal	:	Variation of condition 1 of reference 96/00359/FUL to convert garage into habitable room	
Decision	:	Conditional Permission	
Applicant	:	Mr Singh	19/00164/FUL
Site Address	:	20 Mornington Crescent Nuthall Nottinghamshire NG16 1QE	
Proposal	:	Construct first floor side extension and front dormer	
Decision	:	Conditional Permission	
Applicant	:	Mr K Jayanmanohar	19/00173/PNH
Site Address	:	24 Borman Close Nuthall Nottinghamshire NG6 7AY	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.8 metres, and an eaves height of 3 metres	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr & Mrs Nield	19/00205/FUL
Site Address	:	2 Wimbledon Drive Nuthall Nottingham NG16 1PY	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	

STAPLEFORD NORTH WARD

Applicant : Mr & Mrs C Digby 19/00161/CLUP
Site Address : 221 Pasture Road Stapleford Nottinghamshire NG9 8JB
Proposal : **Certificate of proposed development to construct side dormer**
Decision : **Approval - CLU**

Applicant : Mr Neil Beers 19/00165/FUL
Site Address : 25 Trowell Road Stapleford Nottinghamshire NG9 8HB
Proposal : **Construct two storey and single storey rear extensions**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr James North 19/00171/FUL
Site Address : 26 Darkey Lane Stapleford Nottinghamshire NG9 7JH
Proposal : **Erect fence**
Decision : **Conditional Permission**

Applicant : Ms Jo Grant 19/00188/FUL
Site Address : 50 Ryecroft Street Stapleford Nottinghamshire NG9 8AX
Proposal : **Construct two / single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Jason Cockerham 19/00204/FUL
Site Address : Hickings Lane Recreation Ground Hickings Lane Stapleford Nottinghamshire
Proposal : **Installation of two dugouts**
Decision : **Conditional Permission**

STAPLEFORD SOUTH WEST WARD

Applicant : Mr Tony Reed 19/00145/FUL
Site Address : 150 Derby Road Stapleford NG9 7AY
Proposal : **Construct craft workshops (Class B1) / retail units (Class A1) and two flats (Class C3) to first floor**
Decision : **Conditional Permission**

Applicant : Spencer Academies Trust 19/00148/FUL
Site Address : Fairfield Primary School Toton Lane Stapleford Nottinghamshire NG9 7HB
Proposal : **Construct detached classroom building**
Decision : **Conditional Permission**

Applicant : Orchard Homes Ltd 19/00146/REM
Site Address : 123 Brookhill Street Stapleford Nottinghamshire NG9 7GU
Proposal : **Construct one dwelling (approval of reserved matters relating to planning permission 15/00867/OUT)**
Decision : **Conditional Permission**

Applicant : Mr L Walker 19/00196/FUL
Site Address : 229 Derby Road Stapleford Nottinghamshire NG9 7AZ
Proposal : **Install new shop front and roller shutter**
Decision : **Conditional Permission**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Andrew Askham 19/00167/FUL
Site Address : 294 Nottingham Road Toton Nottinghamshire NG9 6EF
Proposal : **Extension to roof to create first floor accommodation, pitched roof over rear extension and external alterations**
Decision : **Conditional Permission**

Applicant : Professor Benachir Medjdoub 19/00185/FUL
Site Address : 66 Portland Road Toton Nottingham NG9 6EW
Proposal : **Construct front porch, roof extension and alterations including raising ridge height, front dormers and roof windows**
Decision : **Conditional Permission**

WATNALL & NUTHALL WEST WARD

Applicant : Mr Andrew Scott 19/00166/FUL
Site Address : 12 New Farm Lane Nuthall Nottinghamshire NG16 1DY
Proposal : **Construct single storey front and side extension**
Decision : **Conditional Permission**

Applicant : Mr Bill Cross 19/00180/FUL
Site Address : 139 Main Road Watnall Nottingham NG16 1HF
Proposal : **Construct gym and home office**
Decision : **Conditional Permission**

Report of the Chief Executive

APPEAL DECISION

Reference number: 18/00306/FUL
Proposal: Construct single/two storey rear extension, hip to gable roof extension, bin store, insert windows in the side elevation and convert single dwelling to 4 apartments

Site address: 65 Dovecote Lane, Beeston, Nottinghamshire, NG9 1HU

Applicant: Mr Atul Phakey

APPEAL ALLOWED

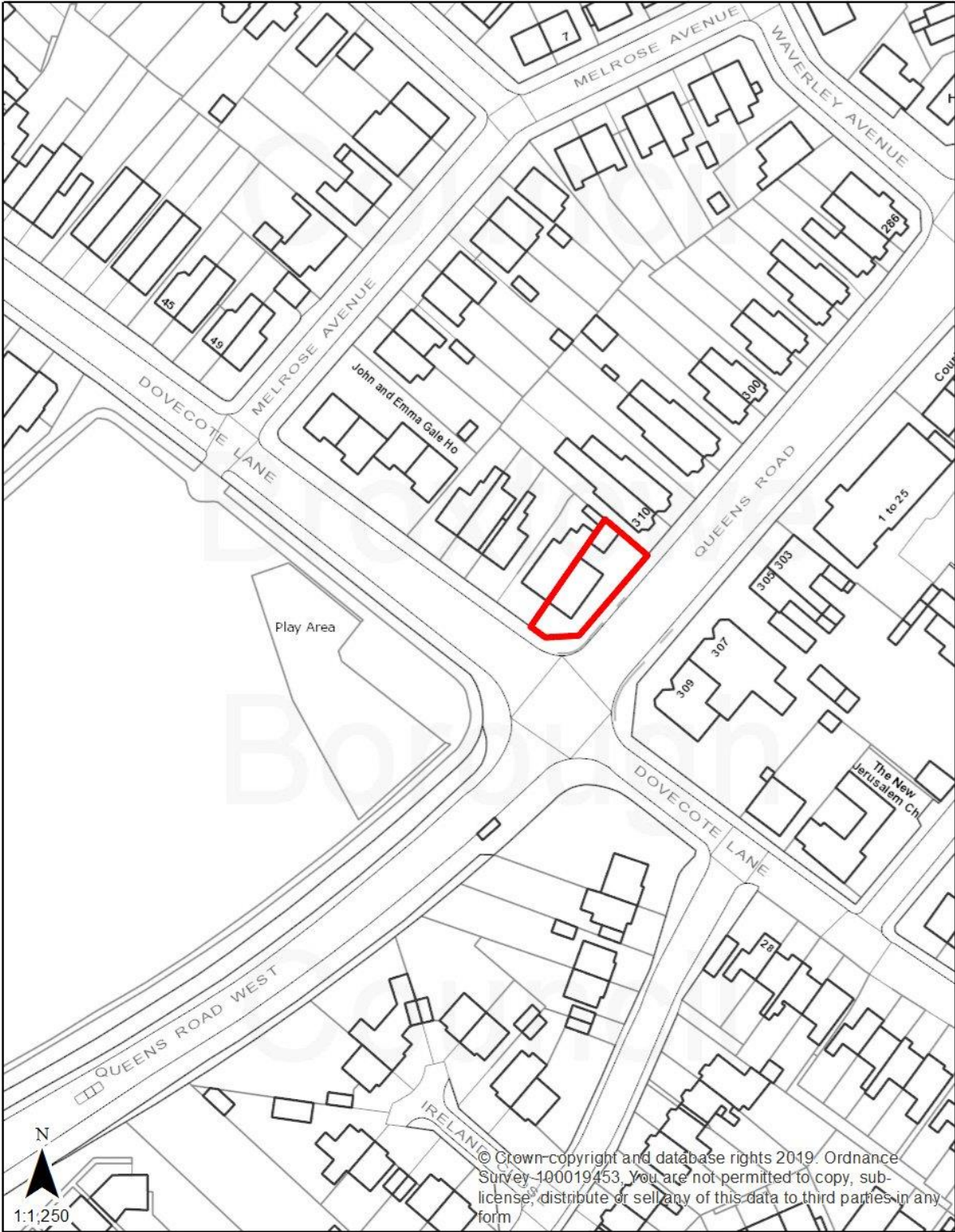
The Inspector considered the main issue to be the effect the proposal would have on the character and appearance of the area.

The Inspector considered that the proposed rear extension would be subservient and the matching bricks and windows would match the building in design and form. Furthermore, that the roof alteration would be successful and complement the existing building due to brick detailing. The Inspector acknowledged the symmetry of the pair of semi-detached houses would be affected but the gable would integrate well with the primary view of the site from Queens Road. It was concluded the proposal would be proportionate to the main house and would complement and integrate well with the surrounding area.

The Inspector considered the external space to the rear was adequate for refuse storage and that the recreational ground opposite the site was sufficient for future occupants. The flats were considered to have relatively generous floor areas and the appropriate use of obscurely glazed windows would not compromise occupants amenity and would sufficiently prevent any detrimental overlooking to no. 310 Queens Road. The Inspector stated that the provision of two car parking spaces would discourage car ownership and recognised the Highways Authority raised no objection.

The Inspector recognised that whilst the residents were concerned about the loss of a family dwelling, the Council had not referred to any policy to retain family housing and that windfall sites such as this can significantly boost housing supply.

In conclusion, the Inspector found that the development was acceptable in relation to its design and scale which represents a subservient appearance and is in keeping with the main house and surrounding area. Adequate space for refuse and an appropriate access has been taken into consideration. The principle of changing a family home into flats was considered acceptable due to the contribution to housing supply which is supported by the Council's own policies which supports windfall sites. Therefore, the Inspector considered the proposal to be acceptable and the appeal was allowed.



Legend

 Site

Reference Number : **18/00695/FUL**
 Applicant/Agent : **Mr P Singh**
 Site Address : **Temple Lake House, 53A Kimberley Road, Nuthall, NG16 1DA**
 Proposal : **Construction of a new detached masonry double garage**

APPEAL ALLOWED AND PLANNING PERMISSION GRANTED

The application sought planning permission to construct a detached masonry double garage. This was refused on 11 January 2019 by the Planning Committee for the following reasons:

1. *The proposed development by virtue of its scale and siting close to the west boundary of the site will have a detrimental impact on the neighbouring property at The Old Orchard, 7b Edward Road, resulting in an unacceptable loss of amenity for the neighbouring property, contrary to Policy H11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy and Policy 17 of the Draft Broxtowe Part 2 Local Plan (2018).*
2. *The proposed development will be out of keeping with the character of the area, contrary to Policy H11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy, Policy 17 of the Draft Broxtowe Part 2 Local Plan (2018) and Policy 5 of the Nuthall Neighbourhood Plan.*

In allowing the appeal the Inspector noted that as the garage would be set away from the boundary with No. 7b Edward Road by 2m and positioned to the northeast of the neighbouring property, the occupiers of 7b would not suffer a significant loss of direct sunlight. Furthermore the Inspector stated that the garage would be some distance from the rear courtyard and rear corner of No. 7b and due to the separation distance and orientation, daylight to the rear courtyard would not be materially affected. It is also noted that the outlook from the window on the side elevation facing the application site would not be significantly affected due to the screening effect of the boundary hedging and the separation distance to the proposal.

With regards to character and appearance the Inspector noted that due to the position of the garage it would be mostly visible from private view only and that the development would be seen in the context of its relationship with the host dwelling and No. 7b. The Inspector goes on to state that the design would complement the appearance of the adjacent dwelling and that the proposal would be in keeping with local context and proportionate to the size of the host dwelling. The Inspector stated that the proposal would have no effect on the setting of the Conservation Area and would preserve the setting of the Listed Building.

Overall the Inspector found the proposal acceptable as it would not harm the amenity of occupiers of neighbouring properties and would not be out of keeping with the character of the area. Therefore the Inspector concluded that the proposal accords with Policy H11 of Broxtowe Local Plan 2004, Policy 10 of the Aligned Core Strategy 2014, Draft Local Plan Part 2 Policy 17 and the Nuthall Neighbourhood Plan Policy 5.

