



Tuesday, 29 October 2019

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 6 November 2019 in the Council Chamber, Council Offices , Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
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)
R D Willimott

A G E N D A

1. APOLOGIES

To receive any apologies and notification of substitutes.

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 3 - 34)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 8 October 2019.

4. NOTIFICATION OF LOBBYING
5. DEVELOPMENT CONTROL
- 5.1 19/00554/FUL (Pages 35 - 42)
- Construct additional vehicle transporter egress to Nottingham Road (A6005).
Car Store, Nottingham Road, Attenborough, Nottingham, NG9 6DQ
- 5.2 19/00295/FUL (Pages 43 - 52)
- Change of use of 6 bed house in multiple occupation (class c4) to a 7 bed house in multiple occupation.
56 Salisbury Street, Beeston, Nottingham, NG9 2EQ
- 5.3 19/00477/REG3 (Pages 53 - 68)
- Construct 3 Industrial Units (Class B2)
Mushroom Farm Court, Meadowbank Way, Eastwood, Nottingham, NG16 3SR
6. PLANNING ENFORCEMENT PLAN (Pages 69 - 86)
7. INFORMATION ITEMS
- 7.1 APPEAL STATISTICS - UPDATE REPORT ON APPEAL STATISTICS IN RELATION TO THE CRITERIA FOR DESIGNATION OF LOCAL PLANNING AUTHORITIES. (Pages 87 - 88)
- 7.2 APPEAL DECISIONS (Pages 89 - 92)
- 7.3 DELEGATED DECISIONS (Pages 93 - 102)

PLANNING COMMITTEE

TUESDAY, 8 OCTOBER 2019

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
M Handley
R I Jackson
J W McGrath
P J Owen
J C Patrick (substitute)
D D Pringle
M Radulovic MBE (substitute)
C M Tideswell
R D Willimott

Apologies for absence were received from Councillors D Grindell and R D MacRae.

42 **DECLARATIONS OF INTEREST**

Councillor P J Owen declared a non-pecuniary interest in item 5.3 due to the objector being known to him as the wife of a former councillor, minute number 45.3 refers.

Councillor D K Watts declared a personal interest in item 5.6 due to his involvement with the applicant, minute number 45.6 refers.

Councillor M Radulovic MBE declared a personal interest in items 5.11 and 5.12 as the applicants were known to him, minute numbers 45.10 and 45.11 refer.

43 **MINUTES**

The minutes of the meetings held on 4 and 9 September were confirmed as a correct record, subject to the amendment that Councillor S J Carr had called in the application for 74 Peveril Road, Beeston rather than Councillor P Lally as erroneously stated in the minutes.

44 **NOTIFICATION OF LOBBYING**

The Committee received notifications of lobbying in respect of the planning applications subject to consideration at the meeting in addition to an update regarding the receipt of the final Inspector's Report into the soundness and legal compliance of the Broxtowe Part 2 Local Plan which was received on 7 October 2019.

45 DEVELOPMENT CONTROL

45.1 18/00377/FUL

Construct 14 houses, garages and associated access road following demolition of dwelling

Land to the rear of 13 Middleton Crescent, Beeston, NG9 2TH

This major planning application to construct 14 new dwellings with garages and an associated access road following the demolition of one dwelling, had been called in by Councillor S J Carr.

Members were asked to consider the late items for the application, which included two objections which raised concerns of the disproportionate nature of the green terramash and gabion, two observations questioning the validity of the Ecology survey, an amended site location plan and a submission from Nottinghamshire County Council's Natural Environment Manager.

Mr Mark Lawrenson (objecting) and Mr Rob Bailey (applicant) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The gabion wall would not be attractive initially and there was concern over the loss of a number of trees.
- There should be a buffer zone to maintain wildlife.
- The development would be good for families.
- The Council has a responsibility to wildlife and the green corridor should be preserved.
- Provision for hedgehogs and bat boxes was welcomed.

RESOLVED that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure affordable housing, education, open space and integrated transport measures contributions and

(ii) the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawings: Site Location Plan (1:1250) received by the Local Planning Authority on 25 May 2018; 07 Rev D and 11 received by the Local Planning Authority on 3 April 2019; F16046/04 Rev C received by the Local Planning Authority on 8 April 2019; 13 Rev C received by the Local Planning Authority on 10 April 2019; 02 Rev J, 03 Rev K, 04 Rev E, 05 Rev F, 06 Rev H received by the Local Planning Authority on 14 August 2019, 09 Rev M and 10 Rev A received by the Local Planning Authority on 15 August 2019 and 01 Rev DD received by the Local Planning Authority on 29 August 2019.**

3. No development, including site clearance, shall commence until a further protected species survey has been carried out, submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the methodology and mitigation measures included within the approved survey.
4. No development shall commence until detailed plans of the proposed gabion wall system construction methodology and proposed maintenance arrangements have been submitted to and agreed in writing by the Local Planning Authority. These plans and methodology shall include:
 - i) Proposed substrate depth
 - ii) Proposed planting/seeding/turfing details
 - iii) Timetable for implementation of the scheme.

The proposed gabion wall system shall be constructed, planted and maintained in accordance with the agreed details. If any 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.

5. No development including site clearance, shall commence until wheel washing facilities have been installed on site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times.
6. No development shall commence until a detailed surface water drainage scheme based on the principles set out in the approved Sustainable Drainage Statement (prepared by BWB Consulting Ltd, ref: MCB-BWB-ZZ-XX-RP-CD-0001_SDS, dated October 2018) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
 - Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management
 - Limit the discharge rate generated by all rainfall events up to the 100 years plus 40% (for climate change) critical rain storm to the QBar Greenfield rates for the developable area.
 - Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA.
 - Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - Make provision for all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

- Provide evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term operation to design parameters.
7. No development or site clearance shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
- (a) numbers, types, sizes and positions of proposed trees and shrubs and existing trees to be retained;
 - (b) measures for the protection of retained trees
 - (c) a detailed plan which demonstrates the proposed tree planting will not prevent sufficient access to the Tottle Brook watercourse;
 - (d) planting, seeding/turfing of other soft landscape areas;
 - (e) details of the site boundary treatments;
 - (f) a timetable for implementation of the scheme.

The landscaping scheme shall be carried out in accordance with the approved timetable and the tree protection measures shall be in place before any site clearance/development commences. 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.

8. No development above slab level shall be carried out until samples of the materials to be used in the facing walls and roofs have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.
9. No development above slab level shall commence until precise details of the types of bat and bird boxes proposed have been submitted to and agreed in writing by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to first occupation of the respective houses.
10. No development above slab level shall commence until precise details of the ecological enhancement measures as set out on the first page of the 'NWT response letter' received on 29 August 2019 have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details, prior to the occupation of the dwellings.
11. Prior to the first occupation of the houses hereby approved, the development shall be constructed in accordance with the submitted flood risk assessment prepared by BWB Consulting Ltd, Ref: MCB-BWB-ZZ-XX-RP-YE-0001_FRA, received by the Local Planning Authority on 30 April 2019 and in accordance with the mitigation measure that finished floor levels are set no lower than 37.1m above ordnance datum. This mitigation measure shall be maintained and retained for the lifetime of the development.
12. Prior to the first occupation of the houses hereby approved, all driveways and parking areas shall be surfaced in a hard, bound material (not loose aggregate), and designed to prevent the unregulated discharge of surface

water onto the public highway. The surfaced drives and parking areas shall then be maintained in such form for the lifetime of the development.

13. Prior to the first occupation of the houses hereby approved, the existing site access shall be made redundant and permanently closed and the access crossing reinstated as a footway.
14. Prior to the first occupation of the houses hereby approved, visibility splays shall be provided in accordance with the approved plans. The area within the visibility splays shall be kept free of all obstructions for the lifetime of the development.
15. The first floor side windows annotated as obscurely glazed on drawing numbers: 02 Rev J, 03 Rev K, 04 Rev E, 05 Rev F, 06 Rev H AND 10 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.
16. 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 or outbuildings shall be carried out to the dwellings on plots 1 - 5 hereby approved which come within Classes A and E of Schedule 2, Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.
17. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To minimise the impact of the development on protected species within the site in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the draft Part 2 Local Plan.
4. The development cannot proceed satisfactorily without the outstanding matters being agreed and in the interests of biodiversity and neighbouring visual amenity to secure appropriate planting of the gabion wall and longer term survival of the planting, to preserve the Tottle Brook as a wildlife corridor and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
5. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the

application. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

6. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. Further to prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
7. The development cannot proceed satisfactorily without the outstanding matters being agreed and limited details were submitted with the application. To ensure the development presents a satisfactory standard of external appearance to the area and to maintain the Tottle Brook as a wildlife corridor and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
8. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. To ensure the satisfactory standard of external appearance in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. To secure the provision of such features in the interests of biodiversity and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
10. In the interests of enhancing biodiversity, in accordance with Policy 17 of the Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
11. To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014).
12. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
13. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
14. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
15. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

16. To ensure that access to the Tottle Brook watercourse is kept clear for future maintenance, to reduce the risk of flooding to the development, to prevent flooding elsewhere and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).
17. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe aligned core strategy (2014).

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 applicant should note that, if any highway forming part of the development is to be adopted by the highways authority, the new roads and any highway drainage will be required to comply with Nottinghamshire county council's current highway design guidance and specification for roadworks. An agreement under section 38 of the highways act 1980 will be required. It is also an offence under sections 148 and 151 of the highways act 1980 to deposit mud onto the public highway. The proposal makes it necessary to reinstate the redundant access/ vehicular crossing over a footway of the public highway and these works should be carried out to the satisfaction of the highways authority. The applicant is advised to contact the nottinghamshire county council as highways authority at an early stage on telephone number: 0300 500 8080.
3. The gabion wall and any activities that take place within 8 metres of the tottle brook watercourse will require a flood risk activity permit. The applicant is advised to contact the environment agency on telephone number: 03702 422 549. Further guidance can be obtained at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
4. 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
5. 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.
6. The applicant is advised to contact Natural England to obtain the relevant licence(s) before any ground works commence.

45.2 19/00297/FUL

Construct student accommodation building (providing 28 bedrooms) following demolition of bungalow and single-storey extension (at 3 Queens Road East)
1 Queens Road East, Beeston, Nottinghamshire, NG9 2GN

Councillor J C Patrick joined the meeting for this item onwards.

The application, which was first brought to Planning Committee on 4 September 2019 and deferred to enable a site visit to take place was called in to Committee by Cllr P Lally.

Members were asked to consider the late items for the application, which included four objections which raised concerns over appearance, parking, over-population and plan inaccuracies amongst other issues. Further late items included provision by the applicant of a copy of the Assured Shorthold Tenancy Agreement and comments from Severn Trent Water Ltd.

Miss Chris Storer (objecting), Mr Fraser Williams (applicant) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- Purpose built student accommodation was preferable to using existing housing stock. The reduction in size was helpful and the site was close to the University campus.
- The building was too large for the area and access was along a private road.
- The Committee was only able to debate what was in front of it and all housing areas were once green fields.
- There were no guarantees that the students would not have cars and there were not enough parking spaces for all of them. The site was unsuitable for student accommodation as it was a residential family area.
- The University was expanding but was unlikely to provide housing on campus.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the drawings numbered DL/446/303 Rev A, DL/446/305 Rev H, DL/446/306 Rev G, DL/446/307 Rev G, DL/446/308 Rev C, DL/446/309 Rev F, DL/446/310 Rev B, DL/446/312 Rev C, DL/446/313 Rev B, DL/446/315 Rev A, DL/446/319, DL/446/316, DL/446/317, 318, DL/446/321; received by the Local Planning Authority on 8 July and 16 September 2019.**
- 3. No above ground works shall be carried out until the type, style and manufacturer of the materials to be used in the external facing elevations have been submitted to and approved in writing by the Local Planning Authority.**

4. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:

- Finished floor levels shall be set no lower than 27.31mAOD;**
- Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD.**

The mitigation measures shall be fully implemented prior to occupation.

- 5. No part of the development hereby permitted shall be brought into use until the access has been widened and the dropped vehicular footway crossing has been amended and is available for use and constructed in accordance with the Highway Authority specification.**
- 6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number DL/446/305 Rev H. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.**
- 7. No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.**
- 8. No part of the development hereby permitted shall be brought into use until the cycle parking has been constructed and is available for use in accordance with drawing number DL/446/305 Rev H.**
- 9. No part of the development hereby permitted shall be brought into use until the area between the adopted highway and the applicants own land is delineated with flush kerb/pin kerb in accordance with drawing number DL/446/305 Rev H.**
- 10. No part of the development hereby permitted shall be brought into use until the carriageway has been widened at the access entrance to Tattershall Drive in accordance with drawing number F19075/03 Rev B and the footway on Queens Road East/pedestrian access has had the corduroy paving constructed in accordance with drawing number F19075/04 Rev B.**
- 11. The development hereby permitted shall be carried out in accordance with the details submitted in Sections 2, 4 and 5 of the Arboricultural Method Statement (document reference 0291/AB); received by the Local Planning Authority on 3 June 2019.**

12. The development shall be constructed in accordance with the noise mitigation measures as detailed in sections 7.5 and 7.6 of the Acute Acoustics Ltd noise assessment dated 20th March 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.**
- 3. To ensure a satisfactory standard of external appearance in accordance with Broxtowe Local Plan (2004) Policy H7 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.**
- 4. To reduce the risk of flooding to the proposed development and future occupants.**
- 5. In the interests of highway safety.**
- 6. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.**
- 7. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.**
- 8. To ensure that adequate cycle parking provision is available.**
- 9. To ensure that highway and applicants land is clearly defined.**
- 10. In the interests of general highway safety.**
- 11. To ensure the trees situated adjacent to the site are not adversely affected by the development in accordance with Policy E24 of the Broxtowe Local Plan (2004)**
- 12. To protect the occupiers from excessive external noise in accordance with Policy H7 of the Broxtowe Local Plan (2004).**

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. Noisy works should be limited to between 08.00 and 18.00 hours Mondays to Fridays, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays, Bank Holidays and any other public holidays. There should also be no bonfires on site at any time.**

3. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
4. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (As Amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact Highways Development Control Team within Nottinghamshire County Council for more information. The development makes it necessary to widen/construct/improve the vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

45.3 19/00267/OUT

Outline application with some matters reserved for construction of a building containing 10 flats with parking (following demolition of existing commercial premises).
198 Cator Lane, Chilwell, Nottinghamshire, NG9 4BE

This major application was first brought before Planning Committee on 4 September 2019 with a recommendation for approval. Members had deferred making a decision on the application to allow for a site visit and suggested various alterations to the proposal which included scaling down the massing and size to reduce the dominance of the building on the corner and to provide a plan to show the existing building in relation to the proposed building.

Members were asked to consider the late items for the application which included an objection which raised concerns over the mass of the building dated 23 September 2019, comments from the applicant and planning agent comprising a planning statement, the Planning and Scheme Development Statement and the Site Meeting notes.

Ms Kate Ford (objecting) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The proposed building was in keeping with the area.
- Car parking was insufficient for the size of the site.
- There were no changes offered by the applicant and it was still too large.
- The site just contained a derelict building and no sunlight would be lost.
- There was already a building on site and the proposed sloping roof lessens the impact on neighbours.

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

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
- 3. The outline permission relates to drawings:**
 - (04)03 – 00 Rev D, (04)03 – 01 Rev D and (04)03 – 03 Rev D received by the Local Planning Authority on 15 July 2019;**
 - (04)01 – 00 Rev A and (04)04 – 01 Rev F received by the Local Planning Authority on 16 July 2019;**
 - (04)03 – 04 Rev D and (04)03 – 02 Rev D received by the Local Planning Authority on 17 July 2019;**
 - (04)00 – 01 Rev A received by the Local Planning Authority on 23 July 2019; and**
 - (04)04 – 03 Rev G and (04)04 – 02 Rev F received by the Local Planning Authority on 19 September 2019.**
- 4. Before any development is commenced, detailed drawings and particulars showing the following (the ‘Reserved Matters’) shall be submitted to and approved by the Local Planning Authority:**
 - a) the means of access and parking provision within the site and**
 - b) the landscaping treatment of the site.**

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

- 5. The detailed drawings and particulars required under condition 4(a) shall include the following details:**
 - a) access width;**
 - b) surfacing treatments;**
 - c) visibility splays; and**
 - d) drainage of parking/turning areas.**

All details shall comply with Nottinghamshire County Council’s 6’Cs Design Guide and the access and parking areas shall be provided strictly in accordance with the approved details prior to the first occupation of the building.

6. The detailed drawings and particulars required under condition 4(b) shall include the following details:

- a) trees to be retained and measures for their protection during the course of development;**
- b) numbers, types, sizes and positions of proposed trees and shrubs;**
- c) details of boundary treatments (including a scheme of works to modify the wall on southern boundary);**
- d) proposed hard surfacing treatment planting, seeding/turfing of other soft landscape areas; and**
- e) a timetable for implementation of the scheme.**

The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, Unless written consent has been obtained from the Local Planning Authority for a variation.

7. No development, including site clearance, shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include:

- Details of a proven outfall from the site in accordance with the drainage hierarchy. The following options should be considered in order of preference: infiltration, discharge to watercourse and discharge to surface water sewer or discharge to combined sewer;**
- Justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365;**
- Evidence the maximum discharge is set to the QBar Greenfield run-off rate for the positively drained area of development;**
- Demonstrate the site drainage system should cater for all rainfall events up to and including the 1 in 100-year event, including a 40% allowance for climate change;**
- Provide details for exceedance flows; surface water should be contained within the site boundary without flooding any properties in a 1 in 100year+CC storm;**
- Show that SuDS systems will be incorporated into the surface water management scheme for the site, preference should be given to above ground SuDS which provide multi-functional benefits; and**
- Details of who will manage and maintain all drainage features for the lifetime of the development.**

8. No development, including site clearance, shall commence until a scheme of works to identify and remove asbestos and asbestos containing material is submitted to and approved in writing by the Local Planning Authority. The removal of any asbestos material shall be undertaken strictly in accordance with the approved details.
9. Notwithstanding the submitted details, no above ground works shall commence until details of the location of the bins has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.
10. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.
11. The openings annotated as 'AOV' 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.
12. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

Reasons

1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. The application was submitted in outline only and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing in the interests of ensuring the details of the development are acceptable to the Local Planning Authority.
5. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. No such 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 Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. Further to improve and protect water quality and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
8. No such details were submitted with the application and in the interests of public health and safety and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. To ensure the safe manoeuvrability of bins by refuse operatives and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
10. Full details were not submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
11. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by seeking positive amendments and working to determine it within the agreed determination timescale.
2. The submitted plans are for indicative purposes only in relation to landscaping and access and this decision does not approve the landscaping or access as shown.
3. No construction waste shall be burnt on site at any time.
4. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.

45.4 19/00314/FUL

**Construct three storey apartment block containing four 2 bed units and two 1 bed units
Former Beeston Scout Headquarters Waverley Avenue Beeston NG9 1HZ**

The application was first brought before Planning Committee on 24 July 2019 with a recommendation for approval. Members deferred making a decision on the application at that time to allow further consideration to be given to reducing the intensity of the

occupation of the building, to address the concern regarding room sizes and to address concerns in regard to parking.

There were no late items.

Ms Georgina Mabel (applicant) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The concerns that had been raised previously had not been addressed. The flats were too small and any residents' parking scheme would not be of assistance.
- The development was over-intensive and the site could not sustain a development of this size.
- Parking proposals were insufficient for the development.

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

Reason

The proposal is considered to be an over-intensive form of development due to the small size of the site. In addition, it would create unacceptable parking problems due to the insufficient provision of on-site parking, resulting in a detrimental impact on neighbour amenity. Accordingly, the development would be contrary to Policy T11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018).

45.5 19/00332/FUL

Construct two storey and single storey rear extensions, to form one x five bed unit to the rear

Flewitt House Middle Street, Beeston

This application was first brought before Planning Committee on 4 September 2019 with a recommendation for approval. Members deferred making a decision on the application at that time to allow for a site visit to be carried out, and for further consideration to be made to reducing the scale of the proposed development.

Members were asked to consider the late items for the application which included three additional objections.

Mr Giles (objecting) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The site was already overdeveloped and parking was insufficient.
- The tree was very important as it broke up the impact of the building from Princess Avenue. A single-storey extension would perhaps be suitable but there were concerns over the scheme.
- There was a loss of amenity.

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

Reason

The proposed development would be over intensive and would have a detrimental impact on neighbour amenity in terms of loss of light and being overbearing, contrary to Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018).

45.6 19/00263/FUL

Change of use from town hall (class B1) to church (class D1) and construct single/two storey rear/side extensions, including alterations, following demolition of detached garages

Broxtowe Borough Council, Town Hall, Foster Avenue, Beeston, NG9 1AB

Having declared an interest in the item Councillor D K Watts left the meeting for the item prior to discussion or voting thereon. Councillor J W McGrath took the Chair.

The application, brought to the Committee as the Council is the owner of the site, was to change the use of the building from a town hall to a church and to construct single and two storey side and rear extensions and external alterations including alterations to the front ground floor windows.

Members were asked to consider the late items for the application which included twelve representations, eleven of which were objections and one of which made observations about the restriction of access between Devonshire Avenue and Foster Avenue. A further objection was received from the Beeston and District Civic Society whilst comments were considered from the Environmental Health Officer and an email from the agent.

Mr Richard Hill (objecting) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The application would allow for investment into the building and the retention of community use.
- This was an iconic building which should be kept within the community.
- The issue was not about the use of the building as a church, but there were concerns over the proposed look of the front of the building. There was merit in preserving its appearance.

- The building would be used by local people as a church that currently meets at the West End.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered RHA1832-0100 received by the Local Planning Authority on 18 April 2019; RHA1832-0110d, RHA1832-0111a, RHA1832-0112c, RHA1832-0114d, RHA1832-0115c, RHA1832-0120e, RHA1832-0122f, RHA1832-0123e, RHA1832-0124e and RHA1832-0126c received by the Local Planning Authority on 16 September 2019 and RHA1832-0113e, RHA1832-0116d, RHA1832-0117d, RHA1832-0121h and RHA1832-0127 received by the Local Planning Authority on 20 September 2019.
3. No development above slab level shall commence until samples of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with the agreed details.
4. No alterations to the front ground floor windows shall take place until detailed drawings of the proposed doors/elongated windows have been submitted to and agreed in writing by the Local Planning Authority. The alterations shall be undertaken in accordance with the agreed details.
5. No boundary treatment or gate shall be erected/installed until detailed drawings and proposed materials of the proposed treatment/gate have been submitted to and agreed in writing by the Local Planning Authority. The boundary treatments and gates shall be constructed/installed in accordance with the agreed details.
6. No ventilation and/or filtration equipment shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the use commencing. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.
7. No demolition shall take place unless and until details of a scheme to minimise the effects of dust created by works on site has been submitted to and approved in writing by the Local Planning Authority. The demolition/construction shall take place in accordance with the agreed scheme.
8. No fixed plant, machinery or equipment, including any PA system, shall be installed within the site until a noise report, including details of the acoustic specification of such fixed plant, machinery or equipment has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the

agreed details and thereafter maintained in the agreed form for the lifetime of the development.

9. The development shall not be first occupied unless and until a plan to show the parking spaces indicated on drawing number RHA1832-0112c has been submitted to and agreed in writing by the Local Planning Authority and the agreed parking spaces have been marked out and thereafter shall be retained for the lifetime of the development and used for no other purpose than parking.
10. The development shall not be first occupied unless and until the cycle shelters/racks shown on drawing number RHA1832-0112c have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority and thereafter shall be retained for the lifetime of the development.
11. No demolition, construction or site preparation work in association with this permission shall be undertaken outside the hours of 07:30-18.00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.
12. The premises shall not be used except between 08.00-22.00 hours Monday to Saturday and 09.00-21.00 on Sundays, Bank Holidays and other public holidays.
13. The rating level resulting from the cumulative use of any plant, machinery or equipment shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive receptor.
14. Notwithstanding the provisions of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), this permission shall relate solely to the use of these premises as a church and not for any other use falling within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a matching brick is used and in the interests of the appearance of the development and the adjacent Conservation Area as high quality materials need to be used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.
4. To ensure appropriate detailing and materials are used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.

5. To ensure appropriate detailing and materials are used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.
6. To suppress and disperse odour created from food preparation operations in order to protect nearby residents from excessive odour and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. To protect nearby occupants from excessive dust and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
8. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. In the interests of highway safety to ensure some parking is provided and retained on site and in accordance with the aims of Policy 17 of the Draft Part 2 Local Plan.
10. To encourage alternative modes of transport to the car and to ensure cycle parking is provided and retained on site and in accordance with the aims of Policy 17 of the Draft Part 2 Local Plan.
11. To protect nearby occupants from excessive construction noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
13. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
14. Alternative uses that might otherwise be permitted within Class D1 would be likely to generate more demand for parking and accordingly would be contrary to Policy T11 of the Local Plan (2004).

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. Suitable sanitary provision in line with the current British Standard 6465 will need to be made.

(Having declared an interest in the item Councillor J C Patrick left the meeting for the item prior to the vote thereon.)

45.7 19/00508/FUL

Retain poly tunnel

Babbington Hall, Westby Lane, Babbington Village, Nottingham, NG16 2SS

This application was brought before the Committee as the original permission was granted by Planning Committee in 2018 to retain the poly tunnel for one year and the one-year period has now elapsed.

Members were asked to consider the late items for the application which included a representation in support of the application in addition to a further representation of support from Councillor R S Robinson.

Mr Tony Sanderson (applicant) addressed the Committee prior to the general debate.

Members debated the application and stated that the development was not intrusive.

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

- 1. The development hereby permitted shall be retained in accordance with the Site Location Plan (1:1250) and Elevations and Floor Plan (1:200); received by the Local Planning Authority on 9 August 2019.**
- 2. the poly tunnel hereby permitted shall not be used except between the hours of 09.00 – 18.00 Wednesday to Sunday and 09.00 – 20.00 on Mondays and Tuesdays.**

Reasons

- 1. For the avoidance of doubt.**
- 2. To protect nearby residents from excessive operational noise.**

Note 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.**

45.8 18/00210/OUT

Outline application to construct a maximum of 14 dwellings with all matters reserved.
Park House, 15 Nottingham Road, Kimberley, Nottingham, NG16 2SS

This major application which was first brought before Planning Committee on 24 July 2019 had been called in by Councillor S Easom.

Members were asked to consider the late items for the application which included one objection relating to traffic issues, a representation stating that the latest plan submitted showed development outside of the defined boundary and an objection from Kimberley Town Council.

Councillor S Easom (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The detail should be brought back before the Committee if the application was approved.
- The amount of dwellings was far too many for the size of the site.
- Different access was needed for the site as Noel Street was too narrow.
- No opposition to the principle of development but more details would have to be submitted to show how the development would work.

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

Reason

The proposal constitutes over intensive development of the site and the application has failed to demonstrate that 14 dwellings could be satisfactorily accommodated. Furthermore, the additional traffic generated by the proposed development would result in an unacceptable increase in danger to the users of the highway due to the increased use of the existing sub-standard access road from Noel Street. Accordingly, the proposal is contrary to the aims of saved policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Broxtowe Part 2 Local Plan (2018), and there are no other material considerations that justify treating the proposal as an exception to these policies.

45.9 19/00493/REM

Construct 3 retail units (Class A1), care home (Class A2), day nursery (Class D1) and public house (Class A4) (approval of reserved matters relating to planning ref: 17/00131/ROC - layout and access only)

Land to The West of Toton Lane, Stapleford, Nottinghamshire

The application was brought to the Committee as it was a major application and contrary to the Draft Part 2 Local Plan.

Members were asked to consider the late items for the application which included a letter from the planning agent in support of the application and comments from the Area Rights of Way Officer, the Lead Local Flood Authority, Broxtowe Borough Council Environmental Health, HS2 Ltd and Nottingham Express Transit.

There were no public speakers.

Members debated the application and stated that the development would be of benefit to the town.

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

- 1. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 31 July 2019 and drawing numbered P0402 – 111 Revision E received by the Local Planning Authority on 1 August 2019.**
- 2. No building shall be first brought into use until:**
 - The respective parking and servicing areas, as shown on drawing P0402 – 111 Revision E, have been provided.**
 - The respective access points have been provided and surfaced in a hard bound material with appropriate drainage to prevent the discharge of surface water onto the public highway.**

Reasons

- 1. For the avoidance of doubt.**
- 2. In the interests of highway safety.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the 13-week determination timescale.**
- 2. The reserved matters approval relates only to layout and access.**
- 3. You are reminded of the need to submit details of appearance, landscaping and scale.**
- 4. The applicant should note that, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guidance and specification for roadworks.**
- 5. The applicant is advised to contact the Council's Waste and Recycling Department regarding refuse arrangements (0115 9 173189).**

45.10 19/00418/FUL

**Change of use from agricultural field to recreational use and erect four buildings
Greasley Castle Farm, 120 Church Road, Greasley, Nottinghamshire, NG16 2AB**

The application, which sought permission to change the use of the site from agricultural to outdoor recreation for use for an archery club, was called in by Councillor M Handley.

There were no late items.

Mr Steven Radomski (on behalf of the applicant) addressed the Committee prior to the general debate.

Members debated the application and stated that although the archery club was good for the community, there would be no desire to have permanent structures in the Green Belt.

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

1. The development hereby permitted shall be retained and carried out in accordance with the drawings numbered GAC007 Rev A (1:50), GAC006 Rev A (1:50), GAC005 Rev A (1:50), GCA-001Rev A (1:1000), GCA-002 Rev A (1:500), GAC005 (1:50), GCA-003 Rev A (1:200); received by the Local Planning Authority on 25 July and 2 August 2019.
2. Within 6 months of the date of decision, a written scheme for highway improvement works to the Church Road access shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hard surfacing and a timescale for carrying out the works. The access shall be maintained in accordance with the approved scheme for the lifetime of the development.
3. The permission for the 4 buildings hereby approved shall be for a limited period of 5 years expiring on 10 October 2024 when the building works carried out under this permission shall be removed and the land reinstated to the satisfaction of the Local Planning Authority unless prior permission has been obtained in writing from the Local Planning Authority for their retention.

Reasons

1. For the avoidance of doubt.
2. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and to ensure surface water from the site is not deposited on the public highway causing dangers to road users.
3. The buildings by virtue of their construction and appearance are not suitable for permanent retention.

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight-week 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
3. The development makes it necessary to improve the vehicular crossing over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

(Having declared an interest in the item Councillor M Radulovic MBE left the meeting for the item before discussion or voting thereon.)

45.11 19/00503/FUL

Change of use to from spa and beauty salon to school (Class D1)
Durban House Heritage Centre, Mansfield Road, Eastwood, NG16 3DZ.

The application, which sought permission to change the use of Durban House to a school, was brought before the Committee as the Council is the owner of the site.

There were no late items.

Ms Julie Hadler-Forman (on behalf of the applicant) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The building was important to the heritage of Broxtowe.
- There were concerns over increased traffic.
- It would be a suitable building for schoolchildren.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan and Block Plan received by the Local Planning Authority on 6 August 2019, the proposed Basement, Ground Floor And First Floor Layout Plans received by the Local Planning Authority on 13 August 2019 and the Site Layout Plan received by the Local Planning Authority on 11 September 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 working to determine it within the eight-week determination timescale.
2. The planning permission relates only to the change of use. Any external alterations to the building or to the site may require separate planning permission.
3. The proposal makes it necessary to provide "School Keep Clear" markings fronting the site. This will require a Traffic Regulation Order. You are required to contact the County Council's Customer Services Team to liaise with the Highway Improvement Team to arrange for these works to be carried out on telephone 0300 500 80 80.

(Having declared an interest in the item Councillor M Radulovic MBE left the meeting for the item before discussion or voting thereon.)

45.12 19/00477/REG3

Construct 3 Industrial Units (Class B2)
Mushroom Farm Court, Meadowbank Way, Eastwood, Nottinghamshire

The application for the construction of three additional industrial units on an existing site was brought before the Committee as the Council is the owner.

There were no late items.

Mr Andy Meakin (objector) addressed the Committee prior to the general debate.

Members debated the application and stated that a site visit would be beneficial to assess the nature of the application.

RESOLVED that consideration of the application be deferred.

45.13 19/00317/MMA

Minor material amendment to planning reference 19/00047/MMA to alter the highway access

Land north of Common Lane and west of Common Farm, Common Lane, Watnall

This item was moved from 5.10 in the agenda to accommodate public speakers in attendance for other applications.

The application, called in by Councillor J M Owen, was a minor material amendment that sought to amend the position of the approved junction on Main Road serving the development.

There were no late items or public speakers.

Members debated the application and the following comments were amongst those noted:

- The application was controversial when it was first submitted and the only benefit was the provision of the pedestrian refuge which was proposed to be omitted. The pedestrian refuge should remain.
- Representations could be made to the County Council to ensure the refuge remains, these could be made by members of the Planning Committee who were also representatives of the County Council.
- The recommendation should include reference to the inclusion of a pedestrian refuge in the middle of the road toward the north of the site.

RESOLVED that planning permission be granted subject to the inclusion of a pedestrian refuge and the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of permission reference 18/00176/FUL, namely before 24th July 2021.**
- 2. Application for approval of reserved matters in respect of Phase 2 must be made no later than the expiration of five years beginning with the date on which this permission is granted, and the development of Phase 2 must not begin later than five years from the final approval of the reserved matters for Phase 2 or, in the case of approval on different dates, five years from the final approval of the last such matters to be approved.**
- 3. Phase 2 of the development hereby permitted shall not be commenced until approval of the details for appearance, layout, landscaping and scale for Phase 2 (the reserved matters) has been obtained from the Local Planning Authority.**
- 4. The development hereby permitted shall be carried out in accordance with drawing numbers:**
 - Location Plan
 - 170926-031-09 Site Layout
 - 170926-034-02 Layout
 - 170926-035-01 Roof
 - 170926-036.03 Elevations 1 of 2
 - 170926-037-02 Elevations 2 of 2
 - 8232-L-01E Landscaping
 - 8232-L-02E Landscaping
 - 8232-L-03E Landscaping
 - SK01 REV P3 Access Junction Layout.

- 5. The development shall be carried out in accordance with the materials detailed at page 8 of the Design and Access Statement January 2018.**
- 6. The approved landscaping scheme shall be carried out no later than the first planting season following the substantial completion of Phase 1 or occupation of the building, whichever is the sooner and any trees or plants which within a 5 year period, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 7. Prior to the first occupation of the unit, the boundary treatment shall be carried out in compliance with the approved details and shall be retained in this form for the life of the development.**
- 8. Development shall be carried out in accordance with the full drainage strategy approved 9th July 2019 prior to the first use of the building hereby approved and shall thereafter be so maintained.**
- 9. The hedge protection measures approved 9th July 2019 shall be maintained throughout the construction phase.**
- 10. Before the development is occupied, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the building hereby approved.**
- 11. Deliveries by commercial vehicles shall only be made to or from the site between 0700- and 2100 hours Monday to Saturday and 0900 and 1800 hours on Sundays, Bank Holidays and other public holidays, unless the prior agreement in writing from the Local Planning Authority has been obtained.**
- 12. The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing day time or night time background sound levels when measured according to British Standard BS4142:2014 at a point one metre external to the nearest noise sensitive premises.**
- 13. Development shall be carried out in accordance with the waste audit for the construction phase approved 9th July 2017.**
- 14. The building hereby approved shall be first occupied by Aero Fabrications.**
- 15. No part of the development shall be brought in use until the new right turn facility and zebra crossing have been provided on main road, as shown on drawing referenced sk01 rev p3, to the satisfaction of the Local Planning Authority.**

16. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.
17. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are constructed with provision to prevent the unregulated discharge of surface water from the parking/turning/servicing areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
18. The development shall be carried out in accordance with the approved Travel Plan (Document No. 170926-044.01).
19. The travel plan coordinator shall within 6 months of occupation, produce or procure a detailed travel plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Local Planning Authority.
20. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where Travel Plan targets are not being met, including implementation dates, to be approved in writing by the Local Planning Authority.
21. The routing of construction traffic, including proposed construction site access arrangements, shall be carried out in accordance with the details approved 9th July 2019 and no other access points for construction traffic shall be used unless otherwise agreed in writing by the Local Planning Authority.
22. Development shall take place in accordance with the wheel-washing facilities as approved 9th July 2019. These facilities shall be provided prior to development commencing and shall be maintained on site during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

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. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
4. For the avoidance of doubt.
5. To ensure a satisfactory external appearance in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
6. To ensure a satisfactory external appearance and to integrate the development into the surroundings in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
7. No such details were submitted with the application and to ensure a satisfactory form of boundary treatment in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
8. To ensure adequate justification is provided not to use infiltration as the primary form of drainage in accordance with the aims and objectives of Policy 1 of the Aligned Core Strategy (2014).
9. To ensure adequate protection for retained hedges.
10. In order to ensure a satisfactory external appearance and to protect residential amenity in accordance with Policy 10 of the Aligned Core Strategy (2014).
11. To protect the residential amenities of nearby residents from excessive delivery noise.
12. To protect existing residents from excessive plant noise.
13. In order to reduce waste during the operational phase in accordance with Policy 1 of the Aligned Core Strategy (2014).
14. Permission is granted only due to the very special circumstances of the applicant in accordance with Policy E8 of the Local Plan (2004) and Policy 3 of the Aligned Core Strategy (2014).
15. In the interest of highway safety, to ensure adequate pedestrian and vehicular access is provided to serve the development in accordance with Policy 14 of the Aligned Core Strategy (2014).
16. In the interest of highway safety, to ensure adequate parking and turning provision is provided to the proposed development.
17. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

- 18. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 19. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 20. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 21. In the interest of highway safety and to protect the amenity of residential areas.**
- 22. To reduce the possibility of deleterious material (loose stones etc.) being deposited on the public highway.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by securing revised plans where required.**
- 2. Greasley Footpath 18 abuts the site. This footpath shall not be encroached upon and shall remain open, unobstructed and be kept on its legal alignment at all times. Vehicles shall not be parked on the public right of way or materials unloaded or stored on the public right of way so as to obstruct the path. The safety of the public using the path shall be observed at all times. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Nottinghamshire County Council Rights of Way Team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.**
- 3. No clearance of vegetation shall be conducted during the bird breeding season (March to August inclusive), except under the guidance of a suitably qualified and experienced ecologist.**
- 4. The lighting scheme shall take account of Artificial Lighting And Wildlife Interim Guidance: Recommendations To Help Minimise The Impact Of Artificial Lighting in order to ensure the lighting scheme is bat sensitive.**
- 5. Where possible consideration should be given to the provision of a range of birds and bat boxes across the site. These may be positioned on suitable retained trees or on new buildings.**
- 6. In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (As Amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.**

45.14 19/00054/ENF

Unauthorised development
235 Derby Road, Beeston, Nottinghamshire, NG9 3AZ

The development was brought before the Committee by Councillor D K Watts as compliance checks had revealed that breaches of planning control had taken place. The original recommendation suggested that it was expedient for enforcement action to be taken against an unauthorised balcony and the first floor windows in the east side elevation and west side elevation to remedy the breach of planning.

There were no late items or public speakers.

An amendment was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that enforcement action against all breaches be taken providing that Legal Services was satisfied as to the positive outcome of enforcement action. On being put to the meeting, the amendment was carried.

RESOLVED that enforcement action be taken against all breaches providing that the Council's legal department being satisfied as to the positive outcome of enforcement action.

45.15 18/00013/ENF

Unauthorised advertisement board
Basfords Ltd, Nottingham Road, Attenborough, Nottingham, NG9 6DP

This matter, which was brought to the Committee by Councillor E Kerry, was initially brought to the Council's attention in January 2018. The advertisement board is large and dominant in appearance. During initial contact with the business, the Council gave the option to either permanently remove the sign or to apply for advertisement consent to retain the sign. There were no late items or public speakers.

RESOLVED that enforcement action be taken to secure the removal of the unauthorised advertisement.

46 INFORMATION ITEMS

46.1 APPEAL STATISTICS - UPDATE REPORT ON APPEAL STATISTICS IN RELATION TO THE CRITERIA FOR DESIGNATION OF LOCAL PLANNING AUTHORITIES

The Committee noted that the position remained unchanged from that reported at its meeting on 4 September 2019. The Council was not therefore currently at risk of special measures based on the figures reported to the Committee on the aforementioned date.

46.2 DELEGATED DECISIONS

The delegated decisions were noted.

Report of the Chief Executive

APPLICATION NUMBER:	19/00554/FUL
LOCATION:	CAR STORE NOTTINGHAM ROAD ATTENBOROUGH NOTTINGHAMSHIRE NG9 6DQ
PROPOSAL:	CONSTRUCT ADDITIONAL VEHICLE TRANSPORTER EGRESS TO NOTTINGHAM ROAD (A6005)

The application is brought to the Committee as requested by Councillor L Fletcher.

1 Executive Summary

- 1.1 The application seeks planning permission to construct an additional vehicle transporter egress to Nottingham Road (A6005).
- 1.2 The site is a car dealership. Vehicle transporters currently access the site from Nottingham Road to the south and exit to Ranson Road to the north. Customers and staff enter and exit from Ranson Road.
- 1.3 The main issues relate to the impact on highway safety, neighbour amenity and flood risk.
- 1.4 The benefits of the proposal are that it would divert vehicle transporters away from Ranson Road, which has residential dwellings to the north and would be in accordance with the policies contained within the development plan. This is given significant weight. The egress would increase the amount of traffic exiting directly onto a classified road. It is considered that this issue is outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission to construct an additional vehicle transporter egress to Nottingham Road (A6005). The egress point would replace an existing landscaped area on the boundary with Nottingham Road. Four retractable bollards (0.9m high) would be installed across the egress to prevent customers using it, in addition to two 'HGV ACCESS ONLY' and 'OUT' signs either side of the egress. These bollards and similar signs would also be installed at the existing access along Nottingham Road.

2 Site and surroundings

- 2.1 The site is a car dealership and is on a corner plot, with Nottingham Road (dual carriageway) to the south and Ranson Road to the east and north. The boundary with Ranson Road is a 2.5m high brick wall with timber fencing between brick piers. The site is open with Nottingham Road, with 0.3m high intervening vegetation. The site is within Flood Zones 2 and 3.
- 2.2 To the north west of the site is a light industrial warehouse (Gerard Poly Mouldings) and to the west is a supermarket (Lidl), which both have their access from Ranson Road. To the south are various office and light industrial uses, such as a car wash and car repair store. These have their access from Nottingham Road, with the offices accessed from Eldon Road. McCann House is located to the east of site, which is an office building served from Ranson Road.

3 Relevant Planning History

- 3.1 Planning permission was granted for the reconfiguration of the car park, resurfacing works and the installation of additional security hoops (16/00352/FUL) at Planning Committee on 7 September 2016.
- 3.2 Advertisement consent was granted for 3 illuminated fascia signs, 4 illuminated signs and 4 non illuminated signs (16/00445/ADV) and to retain 10 flagpoles (17/00802/ADV). The latter was originally refused but allowed at appeal.

4 Relevant Policies and Guidance4.1 **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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

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

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity

4.3 National Planning Policy Framework (NPPF) 2019:

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

5 Consultations

- 5.1 Nottinghamshire County Council Highways** – raise no objections. A condition should be included which restricts the use of the egress point to vehicle transporters only. It should also be conditioned that the egress point shall not be brought into use until the area has been surfaced in a bound material and constructed with provision to prevent the unregulated discharge of surface water onto the public highway.
- 5.2 Cadent Gas Limited** – advises there is operational gas apparatus located within the site boundary. If recommended for approval, should include a note to applicant to contact Cadent's Plant Protection Team.
- 5.3** 22 properties either adjoining or opposite the site were consulted. One response has been received to the original consultation which supports the development proposal, raises no objection and would like the opportunity to speak at the Planning Committee meeting. One response was received to the re-consultation (regarding inclusion of bollards and signs on the plans) which raises no objection.

6 Assessment

- 6.1** The main issues for consideration are the impact of the proposed egress on highway safety, whether the impact on neighbour amenity is acceptable and whether the impact on flood risk is acceptable.
- 6.2 Highway Safety**
- 6.2.1** The proposed egress would re-direct vehicle transporter traffic away from the Ranson Road access so transporters would exit directly onto Nottingham Road. Four retractable bollards (0.9m high) would be installed at the egress, in addition to two 'HGV ONLY' signs. It is considered these would prevent the egress being used by customers and staff and will be conditioned to be installed prior to the use of the egress. The egress would therefore only be used periodically (two to three times per week).
- 6.2.1** The Highways Authority raises no objection to the proposal and recommends two conditions regarding the egress material to ensure it is hard-bound and prevents water discharge onto the highway. The plans have been amended to show a hard-bound material and a channel drain at the front of the egress point. Nottingham Road is a dual carriageway with a speed limit which changes from 40mph (eastbound) to 30mph (westbound) at the midpoint along the site frontage. There is good visibility to the east and west of the proposed egress and the traffic

lights 66m to the east of the proposed egress help to reduce the speed of vehicles travelling along Nottingham Road. The proposed egress is therefore considered to be acceptable and would not have a significant impact on highway safety.

6.3 Amenity

- 6.3.1 The nearest residential properties to the proposed egress would be the dwellings to the north of Ranson Road, over 80m from the egress. The buildings to the south of the site are offices or light industrial units, and it is considered the egress would not have a significant impact on their amenity. The existing site arrangement, with vehicle transporters exiting the site onto Ranson Road, has been a cause of complaint from the residents according to the submitted Planning Statement. It is therefore considered re-locating the egress onto Nottingham Road and restricting the Ranson Road access for customers and staff only would have a positive impact on the amenity of the occupants of the properties which adjoin Ranson Road.

6.4 Flood Risk

- 6.4.1 The site is within Flood Zones 2 and 3. The impact of the proposed egress on flood risk is considered to be inconsequential and therefore would not impact the flood risk of neighbouring properties.

7 Planning Balance

- 7.1 The benefits of the proposal are it would divert vehicle transporters away from Ranson Road, which has residential dwellings to the north, and would be in accordance with the policies contained within the development plan.
- 7.2 The only negative impact is considered to be the slight increase in the number of vehicles exiting directly onto Nottingham Road. On balance it is considered that this issue is outweighed by the benefits of the scheme.

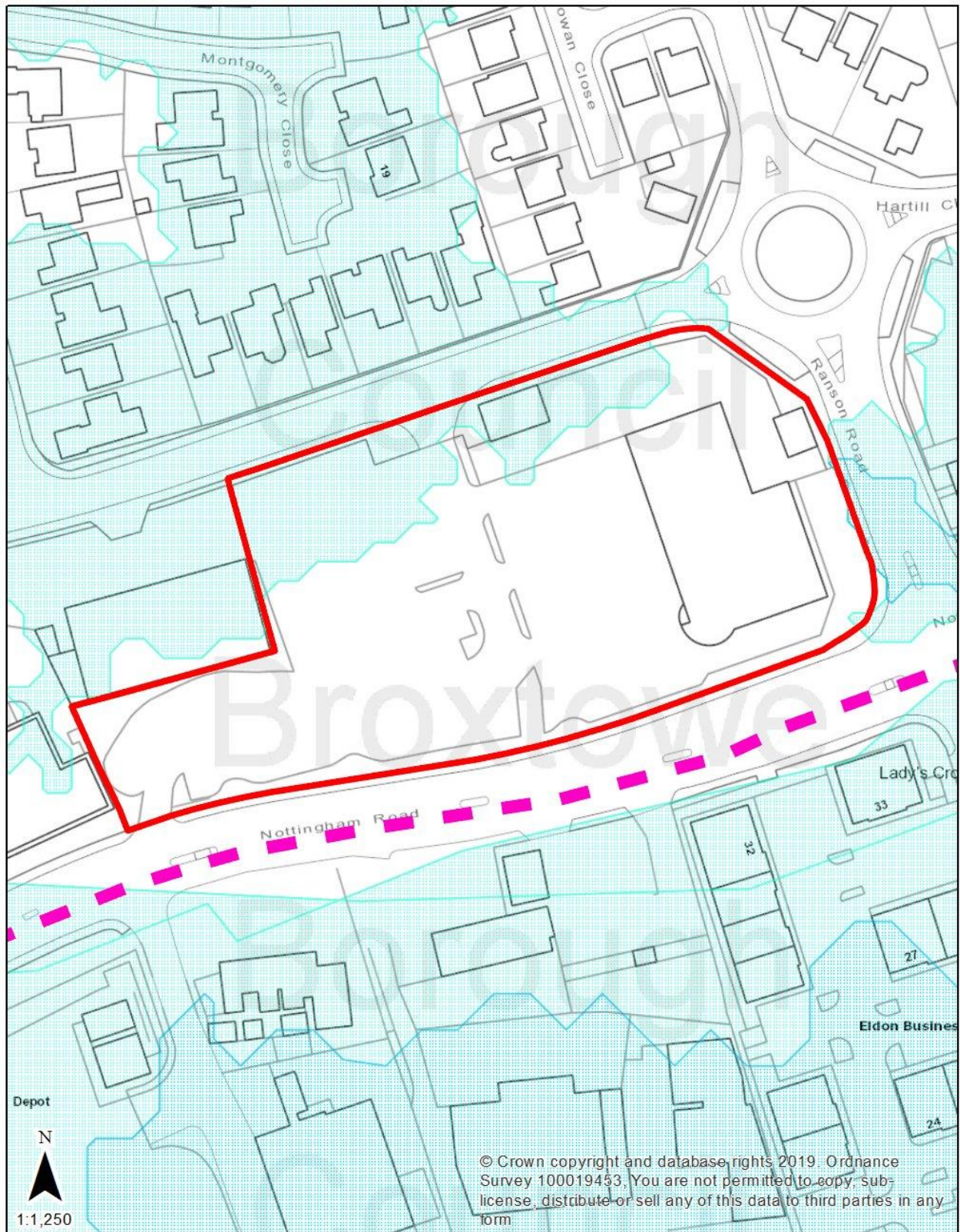
8 Conclusion

- 8.1 The proposed vehicle transporter egress onto Nottingham Road is considered to be acceptable and would not have a significant negative impact on highway safety or neighbour amenity.

<u>Recommendation</u>	
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.
<i>Reason: To comply with S91 of the Town and Country Planning</i>	

	<i>Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 28 August 2019 and the amended drawings numbered 19.027/01 and 19.027/02 received by the Local Planning Authority on 18 October 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The egress hereby approved shall not be brought into use until the bollards and signs, as shown on the amended drawings numbered 19.027/01 and 19.027/02 received by the Local Planning Authority on 18 October 2019, have been installed and these shall then be retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety, to prevent customers and staff using the egress and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</i></p>
4.	<p>The car parking spaces shall remain in accordance with the layout shown on the amended drawing numbered 19.027/01 received by the Local Planning Authority on 18 October 2019. The car parking spaces shall only be used for the purposes indicated on the plan and for no other purpose. No vehicles shall be displayed for sale in the car park outside of the areas shown specifically for that purpose on the approved plan.</p> <p><i>Reason: To ensure adequate parking and access is available within the site and to ensure an acceptable standard of appearance in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
5.	<p>There shall be no vehicles sited or parked within the grassed/landscaped areas shown on the amended drawings numbered 19.027/01 and 19.027/02 received by the Local Planning Authority on 18 October 2019.</p> <p><i>Reason: To ensure the development presents a pleasant appearance in the locality and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
6.	<p>All car transporters accessing the site shall only enter the site from the existing Nottingham Road (A6005) access point and shall only exit the site using the Nottingham Road (A6005) egress hereby approved. Any unloading or loading of vehicles from a car transporter shall only be carried out within the application site boundary as indicated on the Site Location Plan received by the</p>

	<p>Local Planning Authority 28 August 2019.</p> <p><i>Reason: In the interests of highway safety and neighbour amenity and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
	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 development makes it necessary to construct a vehicular crossing within the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities
3.	There is operational gas apparatus within the application site boundary. You are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site. Email: plantprotection@cadentgas.com Tel: 0800 688 588



Legend

- Site
- Classified Road
- Flood Zone 3
- Flood Zone 2

Photographs



Location of proposed egress to Nottingham Road.



Existing access from Nottingham Road.

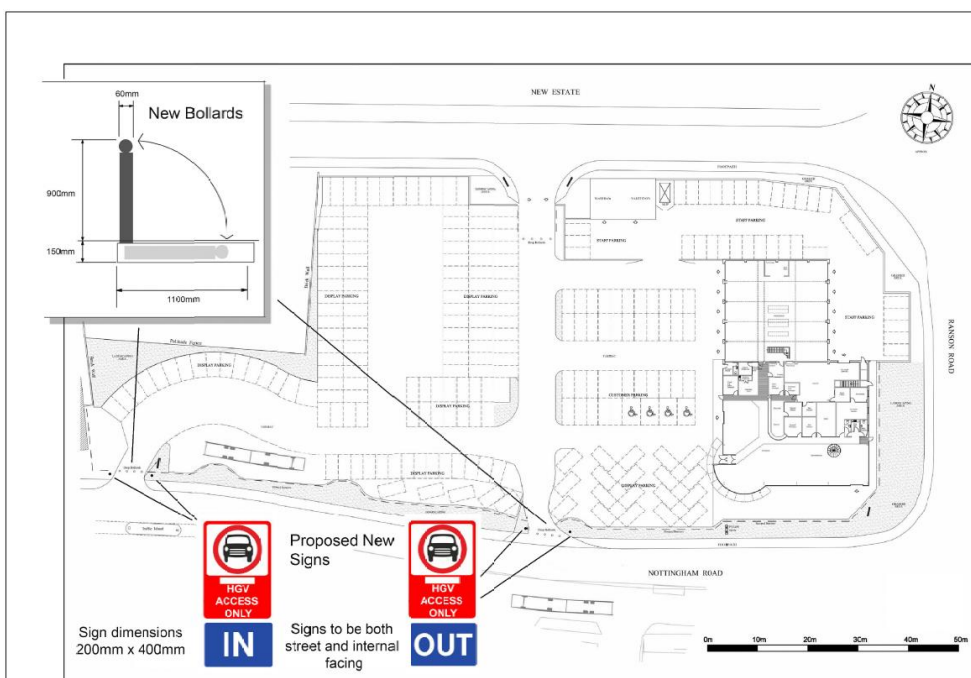


Existing access from Ranson Road.



Front of site from Nottingham Road.

Plan (not to scale)



Report of the Chief Executive

APPLICATION NUMBER:	19/00295/FUL
LOCATION:	56 SALISBURY STREET BEESTON NOTTINGHAM NG9 2EQ
PROPOSAL:	CHANGE OF USE OF 6 BED HOUSE IN MULTIPLE OCCUPATION (CLASS C4) TO A 7 BED HOUSE IN MULTIPLE OCCUPATION

Councillor P Lally has requested this application be determined by the Planning Committee.

1 Executive Summary

- 1.1 The application seeks planning permission to change the use of the existing 6 bed dwelling (Class C4) to a 7 bed House in Multiple Occupation (sui generis use). No external alterations are proposed.
- 1.2 The site contains a two storey semi-detached property which has a single storey flat roof extension to the rear and a dormer to the rear roof slope.
- 1.3 The main issues are the increase in intensity of the occupation of the building, the impact on the living conditions of the occupiers and flood risk.
- 1.4 The benefits of the proposal are the provision of additional bed space within an established property, close to amenities and thereby reducing reliance on private motor vehicles, and the proposal would be in accordance with policies contained within the development plan. This is given significant weight.
- 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 planning permission to change the use of the dwelling from a 6 bedroomed Class C4 use to a 7 bedroom (sui generis use) House in Multiple Occupation. The dwelling already provides accommodation for six individual occupants. There are no external alterations or additions proposed. The seventh bedroom would be accommodated in a ground floor room identified on the existing plan as a 'snug'.
- 1.2 The internal layout would remain the same, aside from the rooms' proposed allocation.

2 Site and surroundings

- 2.1 The application property is a semi-detached dwelling with a gable roof. The property has previously been extended and has a flat roof single storey extension of 6m in length across the rear of the dwelling, and a flat roof dormer to the rear roof slope, again to the width of the property. There is a 1m high brick wall to the front boundary, 1.8m to 2m high close boarded fencing to enclose the rear garden, and 1m high fencing to common boundaries to enclose the front garden. The site is located within both flood zones 2 and 3.
- 2.2 Salisbury Street is located within close proximity of the tram route and the area is typified by detached and semi-detached two storey dwellings. No. 54 Salisbury Street, the attached semi – detached property, has been extended to the rear with a single storey flat roof extension. This property is currently being used as a 6 bed House in Multiple Occupation (Class C4).

3 Relevant Planning History

- 3.1 In 2017 a prior notification was submitted to the Planning Authority for the construction of a larger single storey rear extension of up to 6m in length. The extension has subsequently been built (reference 17/00725/PNH).

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

4.2 Part 2 Local Plan 2019

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

4.3 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving sustainable development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 **Council's Waste and Environment Manager:** Provided information regarding waste and recycling requirements serving the property.

5.2 **Council's Environmental Health Officer:** No objections. Recommends notes to applicant in respect of hours of construction work and no bonfires, however as there are no building works to be undertaken, the notes would not be relevant on this occasion.

5.3 **Council's Private Sector Housing Officer:** The property has facilities and amenities that would support the seventh bedroom. The HMO licence would need to be varied, should planning permission be granted.

5.4 **Environment Agency:** (1st consultation) – Object to the proposal in the absence of an acceptable Flood Risk Assessment (FRA).

(2nd consultation) – Advise their original objection still stands, however it is also recognised that there is access from the front ground floor bedroom to the front stairwell where occupants could move up to the first floor to a place of safety. Taking into account the above it is further advised that should the Council be minded to approve this application, given the size and scale of the development the Environment Agency would not pursue their objection.

5.5 Seven properties either adjoining or opposite the site were consulted, with 6 letters having been received objecting on the grounds of:

- Area becoming over run with HMO's;
- Additional noise, pollution and traffic;
- General maintenance of the external appearance and garden of the property;
- Litter and fly tipping in the area from occupiers;
- Loss of privacy;
- Loss of parking.

6 Assessment

6.1 The main issues for consideration are the increase in intensity of the occupation and the impact on the living conditions of the occupiers.

6.2 Principle

- 6.2.1 Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The policy also states that all residential developments should contain adequate internal living space. The policy then refers to the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation.
- 6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Salisbury Street is characterised by varying styles of properties including family homes and HMO's. The development would add to the housing mix and it is considered that the character of the street would not be harmed to an extent which would justify refusing planning permission. It is also noted that the property is within walking distance to Beeston town centre and located on a tram route.
- 6.2.3 It is acknowledged that due to the location of Salisbury Street, being close to The University of Nottingham's campus and the Article 4 direction relating to a restriction on permitted development rights to change the use of a C3 dwelling to a C4 House in Multiple Occupation, imposed from Nottingham City Council, family homes have been and are being developed into student houses within Beeston. There are no planning restrictions to prevent a House in Multiple Occupation (HMO) (up to and including six residents), which is the current use of the property, and although this application is for a change of use for seven residents which requires planning permission, the cumulative impact of family homes being converted is a valid planning issue. However, there are still a considerable amount of houses occupied by families on Salisbury Street and elsewhere in central Beeston. In addition, the conversion of a single room within a property that is already being rented to individual tenants is considered to be acceptable and that it would not be detrimental to the character of the surrounding area. To conclude, the proposed change of use would be acceptable, irrespective of the type of tenant, and as there are no external changes proposed, it would not be harmful to the character of Salisbury Street.

6.3 Amenity

- 6.3.1 The conversion of the ground floor 'snug' to a seventh bedroom is considered to be acceptable as the room is of an acceptable size and has an outlook to the front. The communal areas (kitchen and dining / living room) are considered large enough to accommodate an increase of one occupant.
- 6.3.2 Objections have been received from local residents in respect of the proposal creating additional noise, pollution and loss of privacy, litter and fly tipping in the area from occupiers of the HMO and the general maintenance of the external appearance and garden of the property. The property is currently in use as a six bedroom HMO. The addition of one further bedroom to the front of the property is not considered to give rise to any detrimental impact upon the residential amenity of the immediate neighbouring properties.

6.4 Parking

- 6.4.1 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.4.2 The site lies within a sustainable location which is within walking distance of Beeston town centre, walking distance of frequent bus services along Middle Street and Broadgate and it is positioned in close proximity of a regular tram route. The site is served by limited off-street parking to the front/side of the property. Although it is accepted the residents associated with this development may have cars, it is likely that car ownership will be low and therefore it is considered the impact on highway safety would not be detrimental.
- 6.4.3 To conclude, it is acknowledged there might be an increase in the amount of cars associated with this property. However, as the increase would be one occupant, from the existing six to a total of seven, it is likely that car ownership will remain low. Therefore, a pragmatic approach needs to be taken in respect of assessing the impact this development would have on highway safety within this area.

6.5 Flood Risk

- 6.5.1 The site lies within Flood Zones 2 and 3. Paragraphs 155 – 158 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. Plans should apply a sequential, risk-based approach to the location of the development. However, if the application comprises a change of use then this approach is not required, especially considering the vulnerability class will remain the same. The site is therefore considered to be acceptable sequentially.
- 6.5.2 Within Beeston there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Policy 1 of the Part 2 Local Plan acknowledges that sites protected by the Nottingham Trent Left Bank Flood Alleviation Scheme bring the opportunity to provide affordable housing in areas of substantial need.
- 6.5.3 A Flood Risk Assessment has been submitted and this concludes that the occupants would be safe within the property should a flood occur. The Environment Agency originally objected to the application in the absence of an acceptable Flood Risk Assessment (FRA) and recommended refusal on the basis of the FRA not providing a suitable basis for an assessment to be made of the flood risks arising from the proposed development.

- 6.5.4 Following on from the comments received from the Environment Agency, a request was made for the submission of a revised Flood Risk Assessment to overcome the deficiencies highlighted by the Environment Agency. The agent highlights that the application only relates to the use of a ground floor living room as a bedroom which could generally happen without planning permission if there were less than 7 residents and does not relate to an extension to the dwelling. The agent therefore considers that the Environment Agency's objection is unreasonable particularly as the area is protected by existing flood defences.
- 6.5.5 Whilst the Environment Agency advise their original objection still stands, it is recognised that there is access from the front ground floor bedroom to the front stairwell where occupants could move up to the first floor to a place of safety. Taking into account the above, it is advised by the Environment Agency that should the Council be minded to approve this application, given the size and scale of the development, the Environment Agency would not pursue their objection. Given the nature of the proposal, it is considered that flood risk issues have been adequately considered and that the development will not increase flood risk.

7 Planning Balance

- 7.1 The benefits of the proposal are the provision of additional bed space within an established property, close to amenities and thereby reducing reliance on private motor vehicles, and the proposal would be in accordance with policies contained within the development plan. This is given significant weight.

8 Conclusion

- 8.1 The change of use from a C4 dwelling house to a house in multiple occupancy (sui generis use) is considered to be acceptable given the existing use of the house and the varied character of the area. The internal layout of the property would provide a suitable standard of accommodation for the occupiers. Whilst only limited off-street parking is provided, it is considered this would not be detrimental to highway safety due to the bedrooms being individually let and as such, car ownership is likely to be low. Furthermore, the site is located within a highly sustainable area with frequent public transportation links. Therefore, it is considered the proposal is acceptable for the reasons set out above.

<u>Recommendation</u>	
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.

	<i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing number 331.01 received by the Local Planning Authority on 8 May 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by communicating with the applicant throughout the course of the application.
2.	<p>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</p>



Photographs

View of property looking north
along Salisbury Street.



View of property looking west
along Salisbury Street.



Front elevation.



Rear elevation.



Plans (not to scale)



Report of the Chief Executive

APPLICATION NUMBER:	19/00477/REG3
LOCATION:	MUSHROOM FARM COURT, MEADOWBANK WAY, EASTWOOD, NOTTINGHAMSHIRE
PROPOSAL:	CONSTRUCT 3 INDUSTRIAL UNITS (CLASS B2)

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

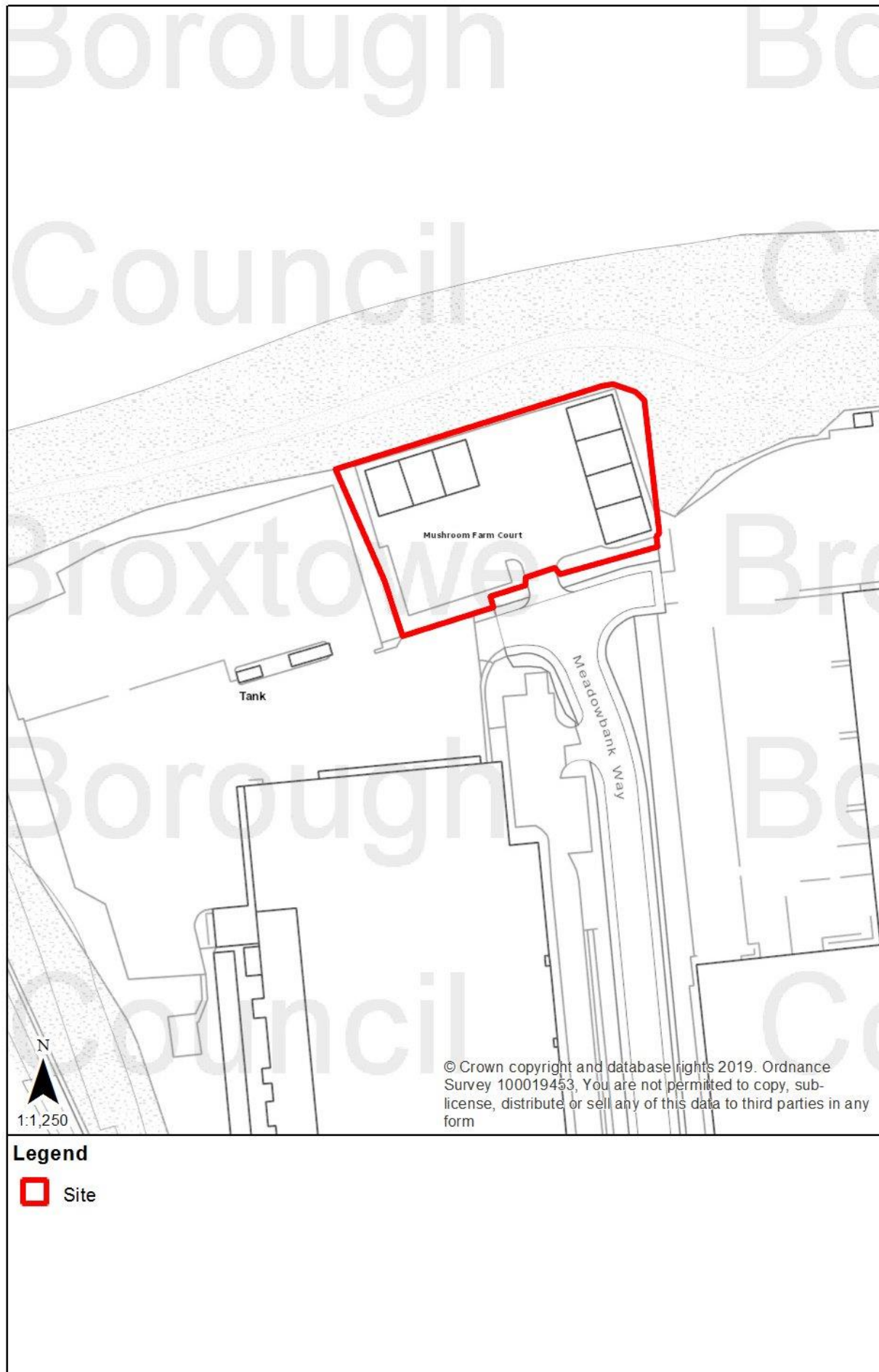
1 Executive Summary

- 1.1 This application was first brought to Planning Committee on 8 October 2019. The Committee moved to defer the application to enable a site visit to take place. The report considered by the Committee is included as an annex.
- 1.2 The application is for the construction of 3 new industrial units on the existing industrial park which currently has 7 units. The scheme has been scaled down from the original proposal to construct 4 new units on the site.
- 1.3 The site is in existing industrial use and is surrounded by other commercial uses. It is not in close proximity to any residential dwellings and therefore does not raise concerns in respect of its impact on amenity. It is considered that the design and appearance of the new units is in keeping with the character of the area and will not be harmful to the street scene.
- 1.4 The proposal makes sufficient provision for car parking spaces and servicing for the existing and new units and the Highways Authority raises no objection.
- 1.5 Since the previous Committee meeting the Part 2 Local Plan has been adopted and the policies now carry full weight. This includes Policy 9 which seeks to retain and expand good quality employment sites. Policies in the 2004 Local Plan have been deleted.
- 1.6 The proposal makes efficient use of Brownfield land and will provide employment and economic opportunities to the local area. It is therefore recommended that planning permission is granted in accordance with the resolution below.

<u>Recommendation</u>	
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. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>

2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered CW20:008:001 (1:1250), CW20:008:003 REV.A (1:500), CW20.008.004 REV.A (1:100), CW20.008.006 REV.A (1:100), CW20.008.005 REV.A (1:100); received by the Local Planning Authority on 26 July and 5 September 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby approved shall be constructed using materials to match the existing units on the application site.</p> <p><i>Reason: To ensure a satisfactory standard of appearance is achieved in accordance with Broxtowe Aligned Core Strategy (2014) Policy 10.</i></p>
4.	<p>No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <p>i) all appropriate measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>ii) it has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full.</p> <p><i>Reason: In the interest of public health and safety.</i></p>
5.	<p>The 3 additional Industrial units hereby permitted shall not be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number CW20:008:003 REV A. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p> <p><i>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.</i></p>
	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>

2.	<p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>



Photographs



Existing Units 1-3



Proposed position of Unit 8

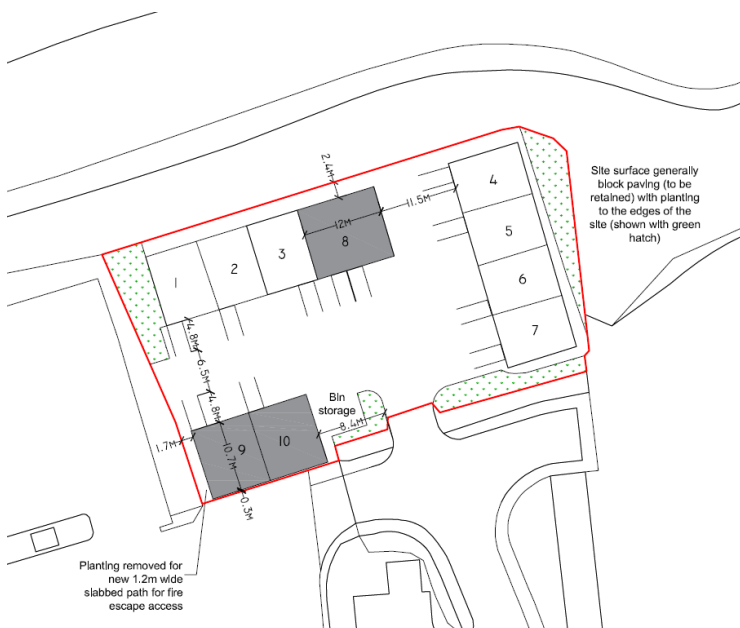


Proposed position of Units 9 and 10

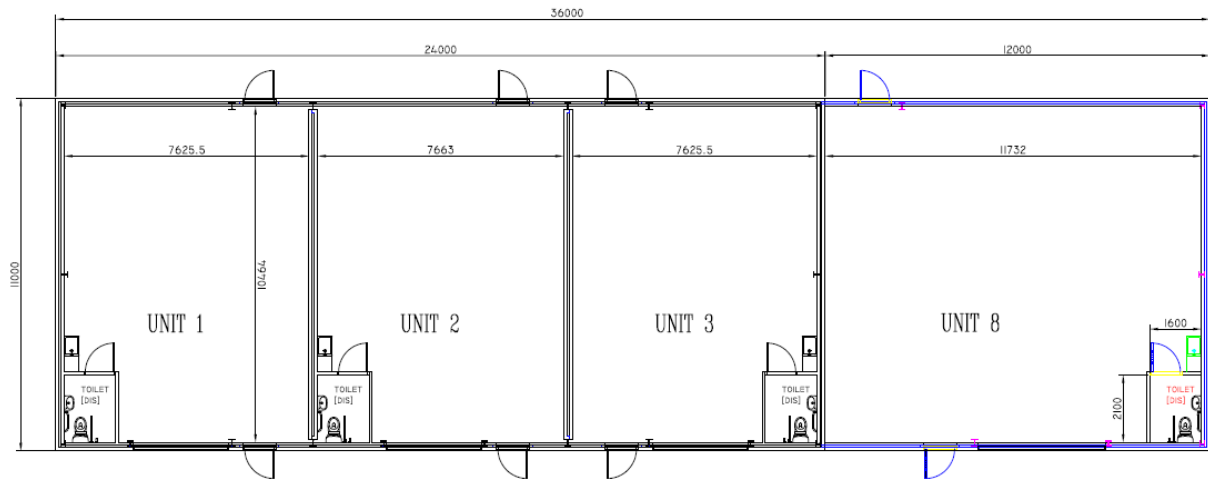


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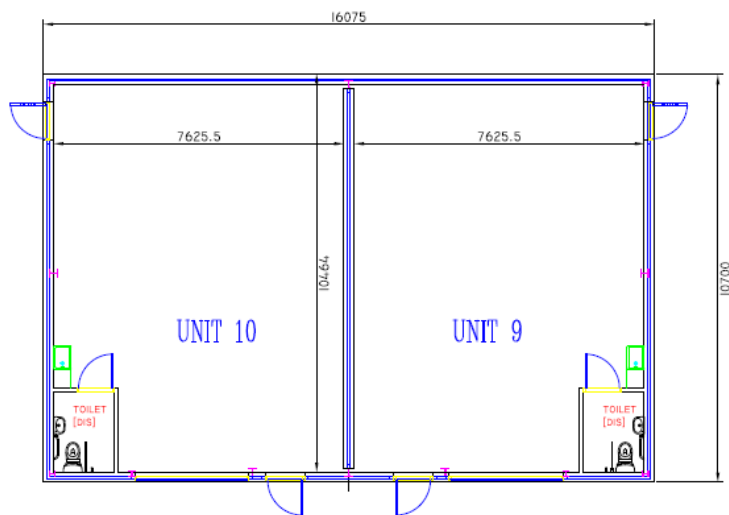
Plans (not to scale)



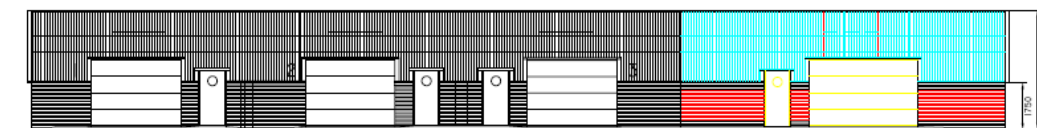
Proposed Block Plan



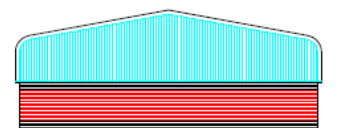
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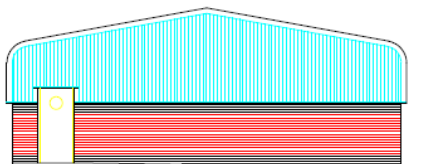
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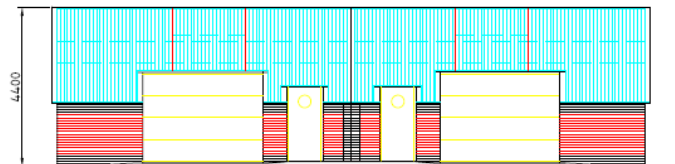
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BLOCK 1-3&8 PROPOSED EAST ELEVATION 1:100



PROPOSED EAST ELEVATION 1:100



PROPOSED NORTH ELEVATION 1:100

Units 9 and 10 proposed front and side elevations

ANNEX

Report of the Chief Executive

APPLICATION NUMBER:	19/00477/REG3
LOCATION:	MUSHROOM FARM COURT, MEADOWBANK WAY, EASTWOOD, NOTTINGHAMSHIRE
PROPOSAL:	CONSTRUCT 3 INDUSTRIAL UNITS (CLASS B2)

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

1 Executive Summary

- 1.1 The application is for the construction of 3 new industrial units on the existing industrial park which currently has 7 units. The scheme has been scaled down from the original proposal to construct 4 new units on the site.
- 1.2 The site is in existing industrial use and is surrounded by other commercial uses. It is not in close proximity to any residential dwellings and therefore does not raise concerns in respect of its impact on amenity. The design and appearance of the new units is in keeping with the character of the area and will not be harmful to the street scene.
- 1.3 The proposal makes sufficient provision for car parking spaces for the existing and new units and the Highways Authority raises no objection.
- 1.4 The proposal makes efficient use of brownfield land and will provide employment and economic opportunities to the local area. It is therefore recommended that planning permission is granted in accordance with the resolution contained in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct 3 new industrial units at the existing industrial park, Mushroom Farm Court. The application has been amended from the original application which proposed 4 new industrial units and a re-consultation for the amended scheme has been carried out.
- 1.2 Two of the proposed new units (Unit 9 and 10) will be positioned in the south west corner of the site, opposite the existing Units 1 – 3. The third unit (Unit 8) will adjoin Unit 3 on the north side of the site.
- 1.3 Units 9 and 10 will have similar floor areas to the existing units on the site, whilst Unit 8 will be wider than the existing units, albeit with the same depth. The proposed units are designed to match the height and style of the existing units on the site.

2 Site and surroundings

- 2.1 Mushroom Farm Court is an existing industrial park located at the end of Meadowbank Way on the outskirts of Eastwood. The industrial park currently has 7 units on the site, each of which has a floor space of approximately 80m².
- 2.2 The application site adjoins open fields to the north and other commercial/industrial uses to the south including the Warburtons factory and the Greene King warehouse. The A610 runs to the west of the site which is accessed directly off Meadowbank Way and close to the Langley Mill Interchange off the A610.
- 2.3 To the north of the site is Nether Green Brook, which is a Local Wildlife Site and Biological Site of Importance for Nature Conservation (BIOSINC).

3 Relevant Planning History

- 3.1 The existing units on the site were granted planning permission (96/00407/REG3) in September 1996. There is no further relevant planning permission for this site.

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 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. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E16 Site of Importance for Nature Conservation
- Policy EM3: Expansion/Redevelopment of Existing Employment Premises

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 been examined, with the Inspector's report imminently expected. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1 and 17 but has suggested changes to other policies, including Policy 9. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1 and 17 can now be afforded moderate weight, with Policy 9 being afforded limited weight.

- Policy 1: Flood Risk
- Policy 9: Retention of good quality existing employment sites
- 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 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 **Council's Environmental Health Officer:**

No objection raised subject to a contaminated land condition.

5.2 **Highway Authority:**

No objection raised subject to condition requiring the parking and turning areas to be surfaced in bound material and parking bays to be clearly delineated.

5.3 Nine properties either adjoining or opposite the site were consulted. Four responses were received to the original plans, 3 of which raised objection to the proposal. The reasons stated for the objections can be summarised as follows:

- Traffic generation and parking problems.
- There needs to be room for lorries to access the site and turn.

- Security concerns as new buildings will block CCTV and security lights.
- 5.3.1 Five responses have been received to the re-consultation on the amended plans. One raises no objection and one objects on the following grounds:
- Walkways to the front of the existing units removed.
 - Parking spaces too small for vans.
 - No additional spaces for visitor and disabled parking.
 - It will be difficult for lorries to manoeuvre in the yard.
 - The proposed units 9 and 10 will block out the lighting and CCTV from Warburtons which is a deterrent for crime.

6 Assessment

- 6.1 The main issues for consideration are the principle of development, design and appearance of the development, any potential impact on highway safety and the flood risk.

6.2 **Principle**

- 6.2.1 The proposed development is for 3 new industrial units within an existing industrial park. The surrounding uses are all commercial and therefore the proposal does not raise any concerns regarding neighbouring amenity either in terms of the built form of the development or the proposed industrial use. The application site is physically able to withstand the development whilst retaining an acceptable separation distance between the existing units and the proposed units. The proposed development makes efficient use of brownfield land and will provide economic and employment benefits to the surrounding area. Whilst there is a Local Wildlife Site and BIOSINC to the north of the site, taking into account the fact that all of the proposed development is within the existing industrial site, it is not considered that the proposal will have an unacceptable impact on this. Overall, it is considered that the principle of the development on the site is acceptable.

6.3 **Design and Appearance**

- 6.3.1 The design of the proposed units will reflect that of the existing units on the site. The application site is within an area that is characterised by large commercial buildings and therefore the proposal is not out of keeping with the character of the surrounding area. The application site is of a sufficient size to withstand the scale of development proposed without resulting in a cramped effect that would be out of keeping with the character of the area.
- 6.3.2 The application site is positioned to the end of Meadowbank Way, with the only passing traffic likely to be those accessing the neighbouring commercial units. The proposal is therefore not considered to be harmful to the street scene.
- 6.3.3 No details regarding materials have been included on the plans provided and it is therefore considered appropriate to condition that the units are constructed using materials to match the existing units on the site.

6.4 Access

- 6.4.1 The Highways Authority raises no objection to the proposal. Each existing and proposed unit will have at least 2 spaces, whilst the larger Unit 8 will have 3 parking spaces, which is in accordance with the Highways Authority parking standards. It is therefore considered that the proposal will not have an unacceptable impact on parking provision either within the site or on the wider highways network.
- 6.4.2 The use class of the new units will be B2 (General Industrial), which is the same as the existing units on the site. As such, it is not likely that the new units will result in a significant increase of vehicular movements above what is already experienced at the site. Taking the industrial use of the site into account, it is noted that lorries are required to access the site. The separation distance between the parking bays at Units 1-3 and 9-10 is 6.5m wide, enabling a lorry to reverse into this space to make deliveries to these units.
- 6.4.3 Overall it is considered that the proposal will offer sufficient parking and access provisions and therefore will not have an unacceptable impact on highway safety.

6.5 Flood Risk

- 6.5.1 The application site is located partly within Flood Zone 2, whereby the annual probability of fluvial flooding is classified as between a 1 in 100 and 1 in 1000 year probability of river flooding. In line with the NPPF, Section 14, any application for new development within Flood Zone 2 should be subject to a sequential test to determine if there are any other reasonable available sites of equivalent size in Flood Zone 1 where the probability of flooding is lower. The Flood Risk Assessment states that a sequential test has been carried out and there are no other sites considered 'reasonably available' within a lower flood zone. The proposed development is relatively small scale relative to its industrial use and any other available sites would likely be too large for such a development. The proposal is facilitated by the fact that there is adequate space within an existing site to construct the new industrial units. It is therefore accepted that the proposed site is the most suitable for the development and no other more suitable sites can be identified in a lower flood zone.
- 6.5.2 The applicant notes that measures will be taken on site to mitigate any potential impacts of flooding. Power sockets will be located at a height of 450mm above the finished floor level and all surface water run-off will be directed into existing soakaways on site and comply with building regulations. Escape routes are also provided to the rear or side elevation of each unit.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would create jobs, utilise an existing industrial area and make more efficient use of a brownfield site. It would not have a negative impact on the character of the area, which is also industrial, and would be away from residential properties.

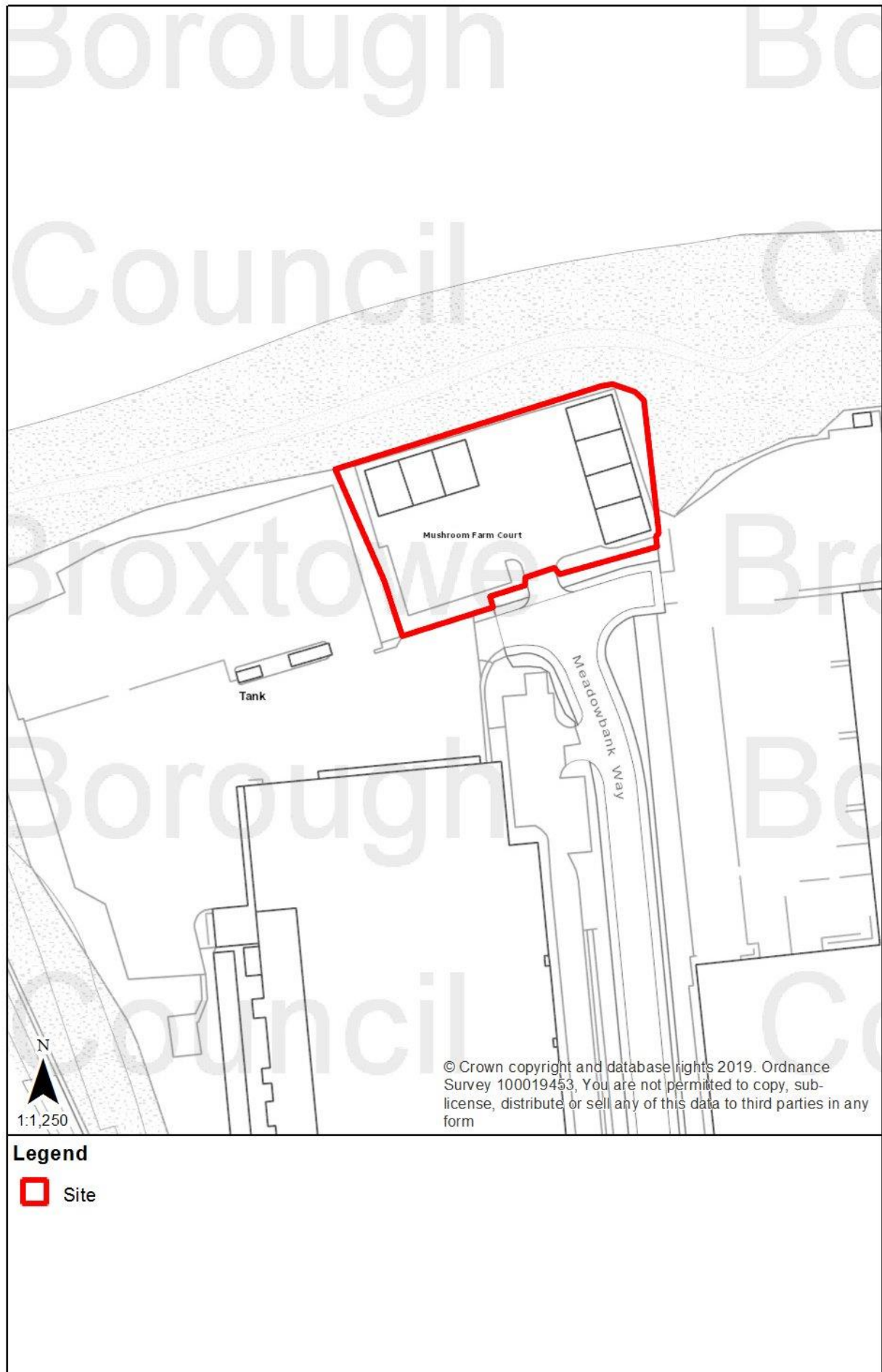
- 7.2 Whist the development will result in a more intensive use of the site and create some additional vehicle movements it is considered that the site is of a size that can withstand the scale of development proposed and adequate parking provision is made for the increase in vehicles at the site.

8 Conclusion

- 8.1 To conclude, it is considered that the proposal is in keeping with the character of the area and makes efficient use of brownfield land. It is therefore considered that the scheme is acceptable and planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered CW20:008:001 (1:1250), CW20:008:003 REV.A (1:500), CW20.008.004 REV.A (1:100), CW20.008.006 REV.A (1:100), CW20.008.005 REV.A (1:100); received by the Local Planning Authority on 26 July and 5 September 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby approved shall be constructed using materials to match the existing units on the application site.</p> <p><i>Reason: To ensure a satisfactory standard of appearance is achieved in accordance with Broxtowe Aligned Core Strategy (2014) Policy 10.</i></p>
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	<p>authority that necessary remedial measures have been implemented in full.</p> <p><i>Reason: In the interest of public health and safety.</i></p>
5.	<p>The 3 additional industrial units hereby permitted shall not be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number CW20:008:003 REV A. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p> <p><i>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.</i></p>
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Existing Units 1-3



Proposed position of Unit 8

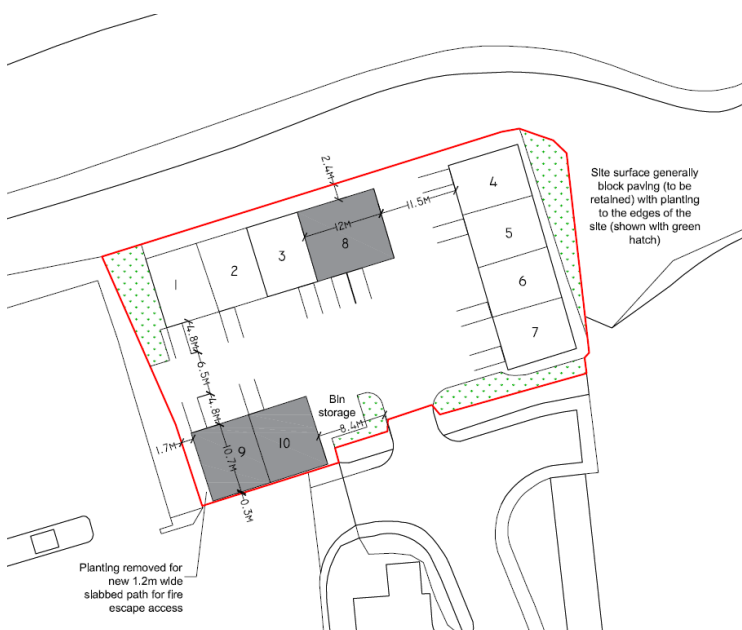


Proposed position of Units 9 and 10 (looking south west)

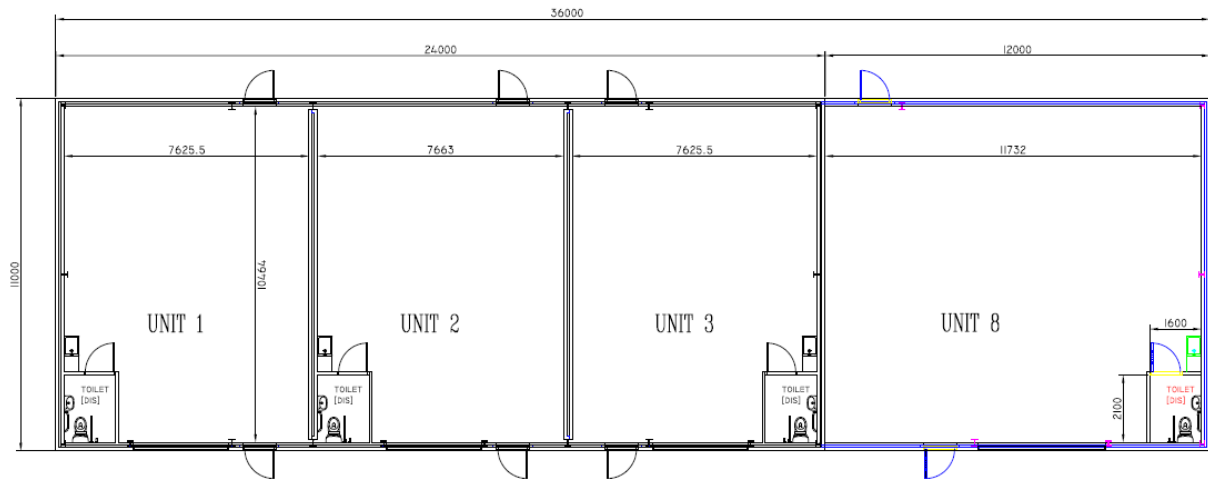


Proposed position of Units 9 and 10 (looking south)

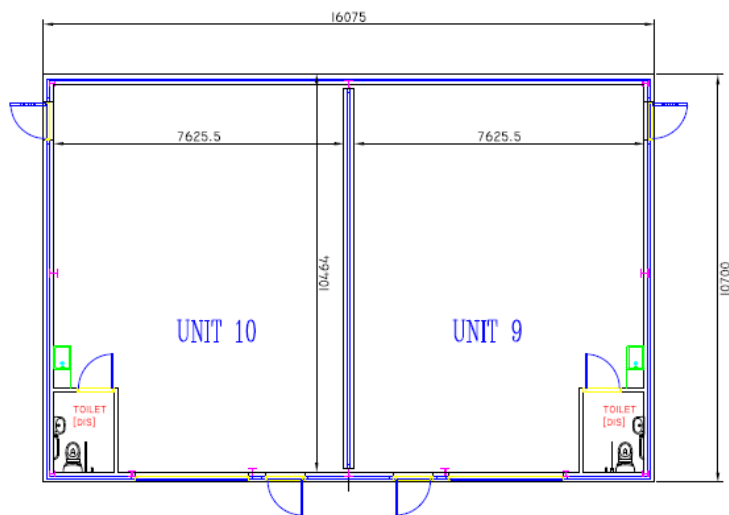
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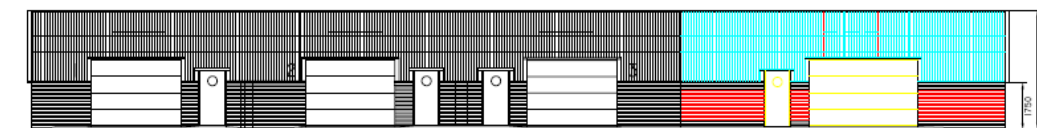
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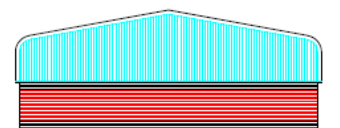
UNIT 1-3&8 PROPOSED GROUND FLOOR PLAN 1:100



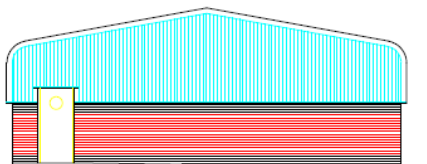
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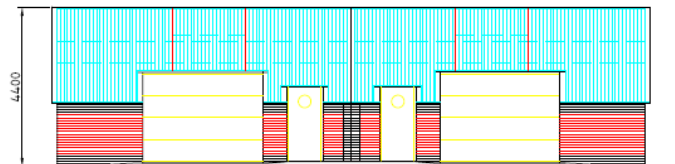
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BLOCK 1-3&8 PROPOSED EAST ELEVATION 1:100



PROPOSED EAST ELEVATION 1:100



PROPOSED NORTH ELEVATION 1:100

Units 9 and 10 proposed front and side elevations

Report of the Chief Executive

PLANNING ENFORCEMENT PLAN

- 1.1 A Draft Planning Enforcement Plan was presented to members at 24 July 2019 Planning Committee for consideration. The Enforcement Plan identifies how reports of breaches of planning control will be prioritised, how cases will be investigated, the timescales for investigation and the powers available to the Council to take action.
- 1.2 As resolved at that meeting on 24 July 2019, a six week period of consultation has taken place which included consultation with Town and Parish Councils, and planning consultants/agents. The draft planning enforcement plan was also published on the Council's web site. The consultation period ended on 20 September 2019.
- 1.3 Since last reported to the Planning Committee, changes have been made to the plan to address concerns previously discussed. Specifically these changes are;
 - Paragraph 6.3 - Officers will always endeavour to gain sufficient evidence to support a case without reliance upon the complainant, however there may still be circumstances in which evidence from complainants is also required, for example for noise complaints where a noise diary can be used as evidence.
 - Paragraph 6.4 - Anonymous complaints will be considered on a case by case basis and officers will take steps to encourage complainants who do not wish to provide their details by providing assurances regarding confidentiality.
 - Paragraph 8.4 - Enforcement complaints will be registered and allocated to an officer within 5 working days.
 - Paragraph 13.1 - Any action to be undertaken will be in liaison with the Chair and Vice Chair of Planning Committee and Ward Councillors, in accordance with the Council's Scheme of Delegation.
- 1.4 The Enforcement Plan will provide an important document to inform decisions about when to take enforcement action, will provide greater transparency regarding how the Council acts in respect of its enforcement powers and will provide greater certainty for all parties engaged in the process.

Recommendation

The Committee is asked to RESOLVE that the Planning Enforcement Plan be approved.

Background papers

Nil

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Broxtowe
Borough
COUNCIL

Planning Enforcement Plan



Contents

1: Background and Overview	4
2: What is 'Development'?	5
3: What is a Breach of Planning Control?	5
4: Matters that are not Breaches of Planning Control	6
5: Is it an Offence to carry out works without Planning Permission?	6
6: How to Report an Alleged Breach of Planning Control	7
7: What can you expect if you Report an Alleged Breach of Planning Control?	8
8: How we will Prioritise your Complaint?	8
9: What are the Possible Outcomes of an Investigation?	10
10: What happens if an Allegation is made against you?	11
11: Power of entry onto land	11
12: Time limits for taking Formal Action	12
13: Formal Action	12
14: Action under Anti-Social Behaviour Legislation	13
15: What happens following the service of an Enforcement Notice?	13
16: Monitoring and Compliance	14
17: Monitoring Section 106 Agreements	15
18: Reviewing the Enforcement Plan and Service	15

1: Background and Overview

1.1 The Broxtowe Borough Council Planning Enforcement Plan sets out the Council's policy and procedure for enforcement action so that the Council's resources are put to best use dealing with breaches of planning control that threaten the local built and natural environment or the amenities of neighbours. This document sets out what officers, councillors and the general public can expect from the Borough Council as the Local Planning Authority in relation to enforcement and will provide greater clarity for all parties engaged in the development process.

1.2 The plan has been produced having regard to the Council's Corporate Enforcement Policy to reflect the Council's on-going commitment to openness, transparency, proportionality, accountability, helpfulness and consistency. It recognises the importance of ensuring that these principles are implemented corporately in close working relationships between all regulatory functions. The Corporate Enforcement Policy was formally approved by Council on 20 April 2017.

1.3 This plan has also been devised in accordance with the advice contained within the National Planning Policy Framework (NPPF) issued by the Ministry of Housing, Communities and Local Government.

1.4 Local Planning Authorities have a general discretion and must only take enforcement action where they regard that it would be expedient to do so. In each case, the Council must decide whether in planning terms it is expedient and in the public interest to take enforcement action in respect of a breach. It is not the role of planning enforcement to take action against breaches of planning control which do not significantly harm residential amenity, the environment and/or public safety. The Council must also ensure that any decision to take action in respect of a planning breach is reasonable and proportionate having regard to the harm caused.

1.5 The Council will always endeavour to reach a position, by negotiation, whereby an acceptable development/outcome can be achieved without the need for enforcement action. Wherever possible, the Council will endeavour to work with developers/property owners to achieve a positive outcome.

1.6 In general terms, the Council do advise that, if you are proposing a development, in the interests of good neighbourhood relations, you first discuss your proposals with any neighbours who are likely to be affected. Early engagement with neighbours can often stop any complaints or issues at a later date.

1.7 Additionally, the Council provide a planning duty officer service each weekday to offer informal advice as to whether a development is likely to be acceptable and/or require planning permission.

2: What is ‘Development’?

21 Section 55(1) of The Town and Country Planning Act 1990 defines development as: *“the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.*

22 Any works or change of use which are not ‘development’ as defined above do not constitute a breach of planning control and in these instances, the Council has no power to take any further action.

23 Development is not:

- Works which only affect the interior of a building; or
- Works which do not materially affect the external appearance of a building.

N.B. Any works to a listed building, including to the interior, are likely to require listed building consent.

3: What is a Breach of Planning Control?

31 A breach of planning control is defined in section 171A (1) of the Town and Country Planning Act 1990 as:

“carrying out development without the required planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted”.

32 Planning enforcement investigations need to establish whether, as a matter of fact, a breach of planning control has occurred. Breaches may consist of the following:

- Whether ‘operational development’ such as a building or engineering works, have been carried out without planning permission;
- Whether a material change of use of land or buildings has taken place without planning permission;
- Deliberate concealment of unauthorised building works or changes of use;
- Whether development has not been carried out in full accordance with an already approved planning permission;
- Failure to comply with a planning condition or a legal agreement attached to a planning permission;
- Unauthorised works to a Listed Building;
- The display of signs or advertisements without consent;
- Failure to comply with the requirements of an enforcement notice;
- Neglect of land or buildings to an extent which causes significant harm to local amenity.

4: Matters that are not Breaches of Planning Control

4.1 The following list provides examples of matters which are not breaches of planning control:

- Any works which constitute Permitted Development under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended);
- Advertisements that benefit from either deemed or express consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;
- Parking of caravans on residential driveways or within the curtilage of a domestic property providing that they are incidental to the enjoyment of the property;
- Land ownership disputes or trespass issues;
- Loss of value to land or property;
- Disputes relating to damage to land or property;
- Internal works to a non-listed building;
- Obstruction of a highway or public right of way;
- Parking of a commercial vehicles on the highway or on grass verges;
- Running a business from home which is genuinely ancillary to the primary use of the property;
- Dangerous structures or other health and safety issues;
- Fly tipping;
- Nuisance caused by light, noise, odour or vermin;
- High Hedge disputes – these are dealt with by the enforcement team but under Part 8 of the Anti-Social Behaviour Act 2003.

5: Is it an Offence to carry out works without Planning Permission?

5.1 Unauthorised development is not a criminal offence, with the exception of works to a listed building without consent. The display of an unauthorised advertisement is a criminal offence and it is also an offence to fail to comply with the requirements of a formal enforcement notice.

6: How to Report an Alleged Breach of Planning Control

6.1 The Council consider in excess of 300 planning enforcement complaints per year. In order to enable us to deal with your complaint as promptly as possible, it is important that you provide us with as much information as you can. Information that will assist us in dealing with your complaint includes:

- A full and accurate description or address for the site in question;
- A detailed description of the activities taking place that are cause for concern;
- Names, addresses and telephone numbers of those persons responsible for the alleged breach (if known) or land owner's details;
- The date and time when the alleged breach took place;
- Details of how the alleged breach impacts your amenity/amenity of the area.
- Any other information or evidence that may assist our investigation;
- Your name, address, email address and contact telephone number. Anonymous complaints will be considered on a case by case basis.

6.2 Complaints regarding alleged breaches of planning control will be accepted either;

- By Email to pabc@broxtowe.gov.uk
- By letter addressed to: Planning Enforcement, Broxtowe Borough Council, Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB
- By telephone: Main switchboard number 0115 9177777 ask for Planning Enforcement.
- In Person at the Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB. It may not always be possible to see an enforcement officer without prior appointment but details of your complaint may be left with reception staff, or with a duty planning officer if available.

6.3 Officers will always endeavour to gain sufficient evidence without reliance upon the complainant, however in some cases where this is not possible, the complainant will be asked to provide evidence which may be relied upon in order to take action. In such circumstances, you will need to consider whether you are prepared to assist the Council by collecting evidence and potentially acting as witness at an appeal or in Court. The Council's Planning Enforcement Officer will explain what may be required in these cases. You may be asked to keep a log of your observations of the relevant activities noting, times, dates, names, addresses and details of any vehicles involved.

6.4 Anonymous complaints - These will be dealt with on a case by case basis. Officers will however take steps to encourage complainants who do not wish to provide their details by providing assurances regarding the confidentiality of details provided and/or by referring complainants to their local Ward Member or Parish/Town Council who may then raise the concerns on their behalf. Personal details will be kept confidential at all times, unless required to disclose as part of court proceedings.

6.5 Vexatious, malicious or repetitive complaints - that do not have any substantive planning reasons for the complaint will not be investigated.

7: What can you expect if you Report an Alleged Breach of Planning Control?

7.1 The Council will endeavour to:

- Investigate all alleged breaches of planning control reported to the Council in accordance with Part 6 of the Enforcement Plan.
- Keep your personal details confidential at all times, unless required to disclose as part of court proceedings.
- Register your complaint within five working days of receipt, provide you with an acknowledgement either by letter or email and a unique case reference number with a named officer as point of contact.
- Keep you informed of the progress of the case and of any decisions made with regard to whether to take action or of what action will be taken and estimated time scales.
- Negotiate with those responsible for any breach of planning control, allowing them reasonable opportunity to resolve the issues before service of a formal notice is considered, unless the breach is so serious that it warrants immediate action or where negotiations become protracted with no real prospect of success.

8: How we will Prioritise your Complaint?

8.1 In order to make the best use of the Council's limited resources it is important to prioritise the complaints received in accordance with the seriousness of the alleged breach. This will initially be decided by the Council following receipt of the complaint based on the likelihood of action to follow. This may however be subject to change following a site inspection or if/when further information comes to light during the duration of the investigation.

8.2 The most serious breaches are categorised within category A. These are breaches which could cause irreversible damage to a nationally designated building, are within the criminal regime and could result in prosecution. They are therefore treated as high priority.

8.3 There is no suggestion that breaches of planning control falling within lower categories are not serious. The initial prioritisation of complaints is on the basis that those within categories C or D are more likely to have remedies available to resolve the matter without the need for formal enforcement action.

Priority Categories

Category A

- Unauthorised demolition or partial demolition or works to a Listed Building or demolition or partial demolition of a building within a Conservation Area;
- Unauthorised felling of or works to trees covered by a Tree Preservation Order;

Category B

- Breach of a condition;
- Unauthorised development within an area designated within the adopted Local Plan (i.e. Green Belt, Conservation Areas, sites protected by an environmental designation or covered by an Article 4 Direction);
- Any unauthorised development where it appears that the time limit for enforcement action will expire within the next six months;

Category C

- Other unauthorised built development;
- Other unauthorised changes of use of land or buildings;
- Unauthorised advertisements;

Category D

- Untidy land, gardens and buildings.

NB: Some breaches may fall within more than one of the above categories. In these cases they will be prioritised in line with higher category.

Timescales for Investigation

8.4 Following receipt of the complaint, the Council will endeavour to ensure that it is registered and allocated to an officer to investigate within five working days. We will then endeavour to carry out a site visit within the following timescales:

Category A

- On the day of registration wherever possible, or as soon as is reasonably practicable.

Category B

- Within 10 working days of registration.

Category C

- Within 15 working days of registration.

Category D

- Within 20 working days of registration.

8.5 Whilst we will do our utmost to ensure that these timescales are met, on occasion this may not be possible

9: What are the Possible Outcomes of an Investigation?

9.1 A breach of planning control is established - If this is the case then negotiations will take place with a view to finding a solution – In accordance with Central Government guidance, the first priority is to try and resolve any breaches of planning control through negotiation. Only when negotiations fail to secure a resolution should formal action be considered. Formal action is always a last resort, in line with Government guidance. (For further information on formal action see section 13).

9.2 Retrospective Planning Applications - One such resolution may be to invite a retrospective planning application for the Council's consideration. A retrospective planning application will be invited where it is considered that the breach does not cause significant harm and where there is a reasonable prospect that planning permission may be granted or where a development could be made acceptable subject to the imposition of conditions.

9.3 There is a breach of planning control but it is not considered expedient to pursue – If a breach is found to exist, it does not automatically mean that formal action will be taken. Enforcement powers are discretionary and minor technical breaches or breaches which have little or no impact on the environment or neighbouring properties may be considered too minor to warrant the time and resource of pursuing. In these cases, we would liaise with ward councillors to gain their views on the matter in line with the Council's Constitution.

9.4 The development is lawful and has become immune from enforcement action with the passage of time – This is when an unauthorised development or change of use has occurred over a long period of time without being brought to the attention of the Council. There are certain time limits involved in relation to operational development and changes of use which are further alluded to in Section 12.

9.5 Permitted Development - Under the provisions of The Town and Country Planning (General Permitted Development) Order 2015, certain developments and changes of use are permitted and do not require planning permission. These include some residential extensions, outbuildings and changes of use of commercial premises, subject to limitations. This is known as Permitted Development.

9.6 No breach established – Following a site inspection it may be found that no breach of planning control has occurred because for example, the unauthorised use has ceased or the development is permitted development.

10: What happens if an Allegation is made against you?

10.1 If a complaint is received that affects your property then the first thing that will happen is that you or your agent will be contacted by the enforcement team (if your details are known) or a visit will be made to the site by an enforcement officer. The initial site inspection may be undertaken without any prior notification.

10.2 In some cases, breaches of planning control are unintentional and may have resulted from a misunderstanding of the planning regulations or a person being unaware of the requirements. Therefore if you receive a letter or visit from an Enforcement Officer, you will be encouraged to respond in a positive manner and provide the information required to resolve the matter in a timely manner.

10.3 The Council have a duty to investigate alleged breaches of planning control even if they prove to be unfounded. The Council are not able to disclose the identity of the complainant to you.

10.4 The purpose of the initial visit is to establish the facts and whether there is any basis for the allegation. During this visit, the officer is likely to take measurements and photographs of the development or activity taking place.

10.5 If there is a breach of planning control, you will be advised of the details of the breach and what steps need to be taken to either rectify the breach or regularise the situation. Subject to the nature of the breach, you will be given a reasonable time period to resolve the issue. We will always endeavour to resolve matters by way of amicable negotiation or by the submission of a retrospective planning application. However where compliance cannot be achieved through these channels, formal action may be instigated.

10.6 If you are served with an enforcement notice, the case officer will be able to explain the meaning and to help you to understand the implications. However enforcement officers cannot act as your advisor. In these circumstances it is strongly advised that you seek independent advice from a legal professional and/or qualified planning consultant.

11: Power of entry onto land

11.1 Section 196A of the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Area) Act 1990 and Part 8 of the Anti-Social Behaviour Act 2003 provides officers' of the Council the legal power to enter land and/or premises at all reasonable hours in order to undertake his/her official duties. Wilful obstruction of a person exercising a lawful right of entry is an offence.

12: Time limits for taking Formal Action

12.1 Section 171B of the Town and Country Planning Act (1990) provides time limits for taking enforcement action. The Council cannot serve a notice after four years where the breach of planning control involves operational development, for example, extensions to dwellings, new buildings, laying of hard standings; or for a change of use of any building to a single dwelling house, from the date of commencement of the breach. Other unauthorised changes of use and breaches of conditions are subject to a ten year time limit. There are certain circumstances where these time limits do not apply, for example in the case of listed buildings or where there has been deliberate concealment.

13: Formal Action

13.1 The Council has a range of formal powers under the provisions of the Town and Country Planning Act 1990 that may be used to remedy breaches of planning control. Any action undertaken would be in liaison with the Chair and Vice Chair of the Planning Committee and ward councillors, in accordance with the Council's Scheme of Delegation. The more common forms are listed below:

- A Notice under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requires information relating to owners, occupiers or any other persons with an interest in the land.
- The service of a planning contravention notice (PCN) under Section 171C enables the service of a notice requiring persons to provide information in relation to land or activities on land where a breach of planning control is suspected.
- The service of an Enforcement Notice – Section 172 enables the service of a notice which requires specific steps to be undertaken to remedy a breach of planning control within a specific timeframe.
- The service of a Breach of Condition Notice (BCN) – Section 187A enables the service of a notice to secure compliance with conditions imposed within a planning permission.
- The service of a Section 215 notice – this enables the service of a notice requiring the proper maintenance of land and buildings.
- The service of a stop notice or temporary stop notice – Section 183 and section 171E enables the service of a notice requiring the immediate cessation of unauthorised activities. A stop notice may only be served alongside an enforcement notice. Stop notices should not be used routinely. Where the associated enforcement notice is quashed, varied or withdrawn or the stop notice is withdrawn compensation may be payable in certain circumstances and subject to various limitations (Section 186 of the Town and Country Planning Act 1990).
- Advertisements – The display of advertisements that do not meet the criteria set out in the Town and Country Planning (Control of Advertisements) (England) Regulation are illegal unless they have been granted express consent and may be subject to prosecution.

This list is not exhaustive.

13.2 The Council also have powers to serve injunctive proceedings, to take direct action to remedy breaches and to prosecute for non-compliance where it is in the public interest and deemed necessary.

13.3 The Council will comply with the provisions of the Police and Criminal Evidence Act 1984 when interviewing persons suspected of a criminal offence and with the Criminal Procedures and Investigations Act 1996 and Section 222 of the Local Government Act 1972, when carrying out prosecutions.

14: Action under Anti-Social Behaviour Legislation

14.1 Further powers are available to the Council in the form of Community Protection Warnings (CPW) and Community Protection Notices (CPN) under Section 43 of the Anti-Social Behaviour Crime and Policing Act 2014. These may be used for a number of purposes but are intended to prevent unreasonable behaviour that is having a negative, persistent and continuing impact on the local community's way of life. Recipients of the notice have a right of appeal to the Magistrates Court within 21 days of service. Failure to comply with a CPN can result in a fine or the issue of a fixed penalty notice.

14.2 High Hedge Remedial Notice under Section 69 of the Anti-Social Behaviour Act 2003 – These notices may be served following a High Hedge complaint if action is considered to be warranted. The recipient has a right of appeal against such a notice and failure to comply can result in prosecution.

15: What happens following the service of an Enforcement Notice?

- 15.1** Once an Enforcement Notice is served the recipient will either:
- Comply with the requirements of the notice;
 - Appeal to the Planning Inspectorate against the service of the notice;
 - Fail to comply with the notice either in part or in whole and risk prosecution or direct action being taken to remedy the breach.

The Appeal Process

15.2 Following service of an enforcement notice, the recipient has 28 days in which to appeal to the Planning Inspectorate against the enforcement notice. An appeal can be a lengthy and time consuming process and may be dealt with by the Inspectorate in one of the following three ways:

- by written representations;
- the hearing process, or
- by a formal inquiry process.

15.3 There are seven grounds of appeal under Section 174 Town and County Act 1990 available against an enforcement notice. These are:

- **Ground A** That planning permission should be granted for the development;
- **Ground B** That the breach of planning control alleged in the notice has not occurred as a matter of fact;
- **Ground C** There has been no breach of planning control and the development undertaken does not amount to development under Section 55 of the Town and Country Planning Act, or that the change of use is not a material one i.e., it is;
 - Permitted by the Town and country Planning (General Permitted Development) (England) Order 2015, or;
 - that the change of use is permitted by the Town and Country Planning (Use Classes) Order 1987 (as amended);
 - Has been carried out in accordance with a planning permission.
- **Ground D** When the enforcement notice was issued it was too late to take enforcement action;
- **Ground E** The notice was not properly served;
- **Ground F** That the steps in the notice exceed what is required to remedy the breach of planning control;
- **Ground G** That the time for compliance is unreasonable and more time should be allowed to achieve compliance.

15.4 If an appeal against a notice is unsuccessful then the enforcement notice will come into effect. If the appeal is successful and/or if planning permission is granted, then this will usually conclude the matter save for monitoring compliance with any conditions which may have been imposed. If the notice is upheld or there is no appeal but compliance has still not been achieved, then the Council can take steps to prosecute in court.

15.5 For further information regarding the appeal process please refer to The Planning Inspectorate section on the gov.uk website.

Direct Action

15.6 Direct action may be used where necessary to ensure that remedial works are undertaken to secure compliance with an enforcement notice. In such cases, the Council will seek to recover the costs of taking direct action from the offender and this may result in a legal charge being placed on the land or property to enable the monies to be recovered at a later date.

16: Monitoring and Compliance

16.1 In some instances when planning permission is granted, it may be necessary to impose conditions for example requiring further details of materials or landscape scheme to be submitted for agreement or for a development to be undertaken in a certain way. The onus is on the developer to ensure that all necessary consents are in place and that conditions are fully complied with. A failure to do this risks avoidable action being taken to remedy the matter.

17: Monitoring Section 106 Agreements

17.1 In addition to planning conditions which may be imposed on a development, it may be that a legal agreement will be signed between parties involved in a development which aims to provide either a financial contribution (for example to provide local facilities), or to undertake work that cannot be conditioned as part of the development. As with the planning conditions, there will be triggers for the requirements of the agreements to be complied with and these will be monitored to ensure that contributions are paid to the Council and the requirements of the agreement are completed. Failure to comply will result in action being taken.

18: Reviewing the Enforcement Plan and Service

18.1 The plan will be reviewed from time to time and at least every three years taking into account changes to legislation, government guidance and the Council's Constitution and procedures.

18.2 The Council is committed to providing the highest possible quality of service delivered in a fair and consistent matter. However, problems may occur from time to time and issues concerning the enforcement service should be brought to the attention of the planning team leader in the first instance.

18.3 If you are still dissatisfied you may wish to submit a complaint following the Council's complaints procedure, details of which are available on the Broxtowe Borough Council web site <https://www.broxtowe.gov.uk/about-the-council/consultations-feedback-complaints/make-a-comment-complaint/complaints-procedure/>

18.4 Subsequently, complaints may be reported to the Local Government Ombudsman.



Broxtowe
Borough
COUNCIL

Broxtowe Borough Council
Planning and Economic
Development, Council Offices,
Foster Avenue, Beeston,
Nottingham NG9 1AB
Tel: 0115 917 7777

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Report of the Chief Executive

UPDATE REPORT ON APPEAL STATISTICS IN RELATION TO THE CRITERIA FOR DESIGNATION OF LOCAL PLANNING AUTHORITIES.

1. Background

This matter was initially reported to members in January 2017 and an update was provided in September 2019. Members of the committee at the September meeting requested a full two-year summary of appeal decisions with any major applications highlighted. This is included in the appendix.

As reported to the 4 September 2019 meeting appeal overturns of five major applications in the preceding two years is almost certain to result in the Council being designated as 'underperforming' and therefore placed into 'special measures'. If this were to occur, it would have serious reputational and financial implications which were summarised previously and are not repeated here. At the time of drafting this report there have been no appeals allowed for major planning applications in the preceding two years. There is one outstanding appeal for 10 apartments on Queens Road, Beeston (18/00516/FUL) and there have been three recently refused major applications at Bramcote Nursery, Trowell Garden Centre and Park House Kimberley, and all of these decisions are in time for an appeal to be lodged. There are no major applications on this committee agenda.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

APPENDIX

Appeal Decisions Since November 2017

Decision Type	Allowed	Dismissed	Split Decision	Total
Refusals by Officers under delegated powers	3	14	1	18
Refusals by Committee contrary to officer recommendation	9	5	0	14
Total Appeal Decisions	12	19	1	32

There have been no appeal decisions on major planning applications since November 2017.

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	18/00470/OUT
LOCATION:	23 Bridle Road Bramcote Nottingham NG9 3DH
PROPOSAL:	Outline application for the erection of 3 dwellings (with some matters reserved) following demolition of existing dwelling

APPEAL ALLOWED

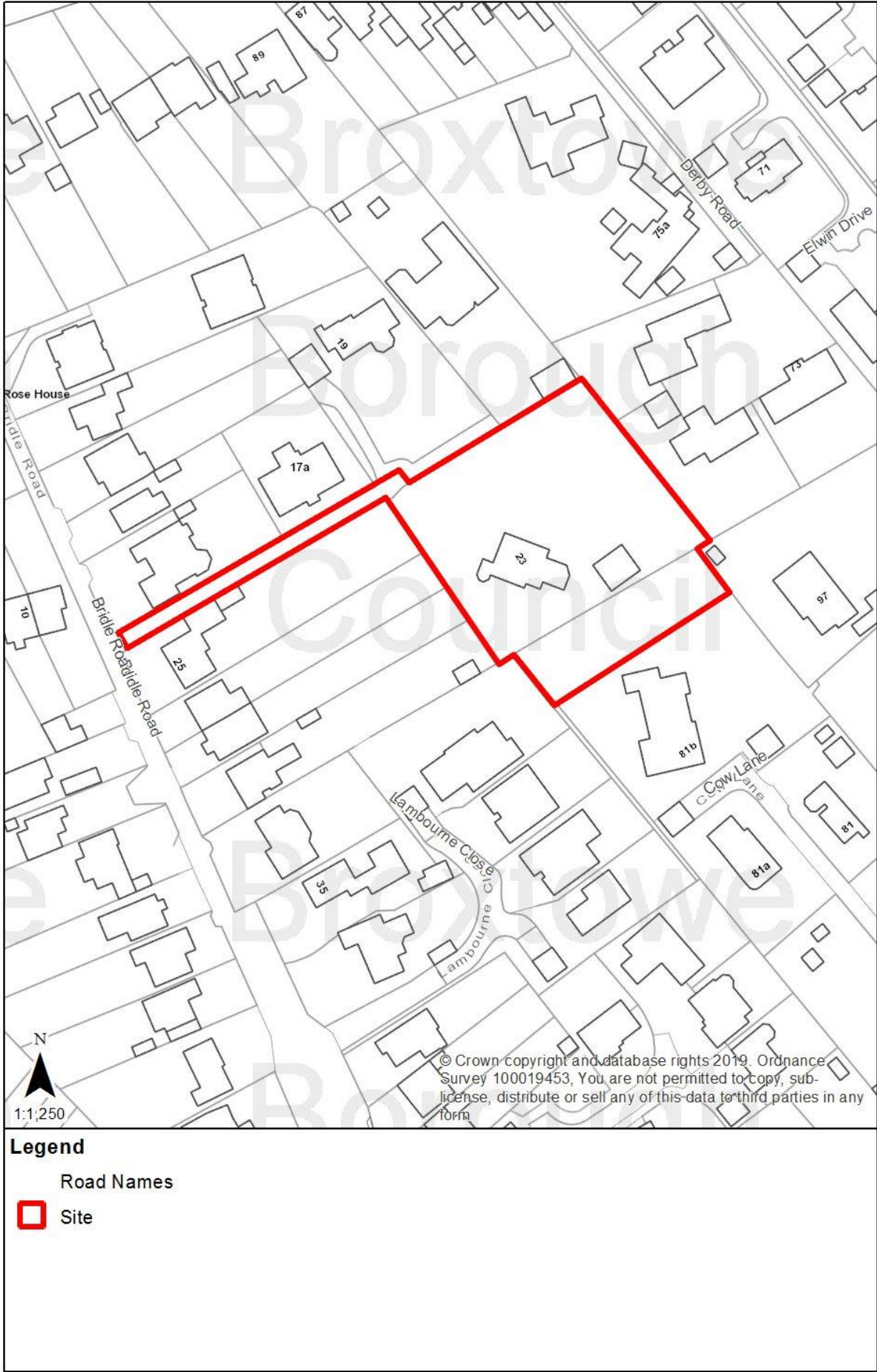
The outline application (access to be considered) to erect 3 dwellings following the demolition of a bungalow was refused on 1 February 2019 for the following reason:

The proposed development would lead to an unacceptable impact on highway safety, resulting in an increase of danger to users of the highway due to the access being of insufficient width to accommodate two way traffic and restricted visibility for vehicles entering and exiting the site, contrary to Policy 10 of the Broxtowe Aligned Core Strategy 2014, Policies H7 and T11 of the Broxtowe Local Plan 2004 and Policy 17 of the draft Part 2 Local Plan (2018).

The Inspector considered the main issue to be the effect of the proposal on highway safety, with particular regard to access.

Bridle Road is a narrow lane which links Cow Lane to the A52. The application site is served by a secondary drive off Bridle Road.

The Inspector concluded that whilst visibility along the whole length of Bridle Road is constrained, the nature of the lane is such that vehicles are unlikely to be travelling at high speed, and road users are aware that there is the potential for vehicles accessing or exiting residential drives. As such, the Inspector concluded that the overall impact of the development on safety along Bridle Road or the access off it is unlikely to be significant. Subject to conditions, the appeal was allowed.



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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

**PLANNING APPLICATIONS DEALT WITH FROM
21 SEPTEMBER 2019 TO 25 OCTOBER 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 Jon Birch	19/00267/OUT
Site Address	:	198 Cator Lane Chilwell Nottinghamshire NG9 4BE	
Proposal	:	Outline application with some matters reserved for construction of a building containing 10 flats with parking (following demolition of existing commercial premises)	
Decision	:	Conditional Permission	

Applicant	:	Dorothy Brown	19/00457/FUL
Site Address	:	8 Burnham Avenue Chilwell Nottinghamshire NG9 5AH	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Kevin Pearce	19/00482/FUL
Site Address	:	41 Riverdale Road Attenborough Nottinghamshire NG9 5HU	
Proposal	:	Retain single storey extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Christine Kerrigan	19/00486/FUL
Site Address	:	23 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Retain single storey rear extension and boundary fence	
Decision	:	Conditional Permission	

Applicant	:	Mr M Start	19/00487/FUL
Site Address	:	28 Clarkes Lane Chilwell Nottinghamshire NG9 5BL	
Proposal	:	Construct two storey side extension and retain porch	
Decision	:	Conditional Permission	

Applicant	:	Mr P Elliott	19/00491/FUL
Site Address	:	17 Hallams Lane Chilwell Nottinghamshire NG9 5FH	
Proposal	:	Construct first floor extension, porch to front, convert garage to living accommodation, install cladding and infill sunken garden to side to create terrace	
Decision	:	Conditional Permission	

Applicant	:	Mr Connor Lynch 1st Chilwell & Attenborough Scout Group	19/00598/FUL
Site Address	:	1st Chilwell & Attenborough Scout Group Scout Hall Attenborough Lane Chilwell Nottinghamshire NG9 5JW	
Proposal	:	Construct single storey storage building	
Decision	:	Conditional Permission	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mrs Gill & Mrs Wade	19/00429/FUL
Site Address	:	Cossall Road Cossall Nottinghamshire	
Proposal	:	Retain change of use from agricultural field to equestrian and four structures	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Nichols	19/00499/FUL
Site Address	:	49 Attewell Road Awsworth Nottinghamshire NG16 2SY	
Proposal	:	Construct two storey side and single storey rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr Fitzsimmons	19/00504/FUL
Site Address	:	The Gate House 29 Awsworth Lane Cossall Nottinghamshire NG16 2SA	
Proposal	:	Construct two storey front/side extension and single storey extensions to side and rear and detached garage	
Decision	:	Conditional Permission	

Applicant	:	Mr Marsh	19/00506/FUL
Site Address	:	65 Ilkeston Road Trowell Nottinghamshire NG9 3PY	
Proposal	:	Construct 2 storey extension & detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mr Bill Tomson Railway Paths Ltd	19/00517/LBC
Site Address	:	Bennerley Viaduct Newtons Lane Cossall Nottinghamshire	
Proposal	:	Listed Building Consent for reconstruction of missing and fallen masonry parapets to the east end abutment	
Decision	:	Conditional Permission	
Applicant	:	Mr G Pallett	19/00502/PNH
Site Address	:	4 Derbyshire Avenue Trowell Nottinghamshire NG9 3QD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.5 metres, with a maximum height of 3.5 metres, and an eaves height of 2.4 metres	
Decision	:	Prior Approval Not Required	
BEESTON CENTRAL WARD			
Applicant	:	Mr Mansoor Ahmed Beeston Unity Centre	19/00209/FUL
Site Address	:	Beeston Unity Centre Unit 2 Humber Works Humber Road Beeston Nottinghamshire	
Proposal	:	Change of use from warehouse (Class B8) to community centre use (Class D1) and external alterations	
Decision	:	Conditional Permission	
Applicant	:	Mrs Roopam Carroll Beeston Nursery	19/00221/FUL
Site Address	:	Beeston Nursery 211 Station Road Beeston Nottinghamshire NG9 2AB	
Proposal	:	Retain two cabins, shed and front fence and gate	
Decision	:	Conditional Permission	
Applicant	:	Whitesail Ltd C/O DL Design Studio	19/00297/FUL
Site Address	:	1 Queens Road East Beeston Nottinghamshire NG9 2GN	
Proposal	:	Construct student accommodation building (providing 28 bedrooms) following demolition of bungalow and single storey extension (at 3 Queens Road East)	
Decision	:	Conditional Permission	
Applicant	:	Mrs Georgina Mabel Carlyle Road Properties Limited	19/00314/FUL
Site Address	:	Former 8th Beeston Scout Group 8th Beeston Scout Group Headquarters Waverley Avenue Beeston Nottinghamshire	
Proposal	:	Construct three storey apartment block containing four 2 bed units and two 1 bed units	
Decision	:	Refusal	
Applicant	:	Mr Wen 3HS Properties Ltd	19/00332/FUL
Site Address	:	Flewitt House Middle Street Beeston Nottinghamshire	
Proposal	:	Construct two storey and single storey rear extensions, to form one five bed unit.	
Decision	:	Refusal	
BEESTON NORTH WARD			
Applicant	:	Mr Zaffeer Ahmed	19/00407/FUL
Site Address	:	88 Abbey Road Beeston Nottinghamshire NG9 2HP	
Proposal	:	Construct first floor side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Azizi	19/00492/FUL
Site Address	:	1 Tracy Close Beeston Nottinghamshire NG9 3HW	
Proposal	:	Convert garage to habitable room and raise garage roof	
Decision	:	Conditional Permission	
Applicant	:	Mr S S Gill	19/00501/FUL
Site Address	:	40A Derby Road Beeston Nottinghamshire NG9 2TG	
Proposal	:	Construct front and side extensions and increase height of existing extension including roof alterations (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Shabbir Kataria	19/00534/FUL
Site Address	:	55 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Construct first floor rear extension, increase roof height to create rooms in roof and insert first floor side window	
Decision	:	Conditional Permission	
Applicant	:	Mr Luke Raftery	19/00548/FUL
Site Address	:	242 Wollaton Road Beeston Nottinghamshire NG9 2PL	
Proposal	:	Construct dropped kerb	
Decision	:	Conditional Permission	
BEESTON RYLANDS WARD			
Applicant	:	Mr & Mrs Michael and Nicolle Straight	19/00479/FUL
Site Address	:	29 Dunsmore Close Beeston NG9 1LU	
Proposal	:	Construct dwelling (revised scheme)	
Decision	:	Refusal	
BEESTON WEST WARD			
Applicant	:	Mr Ian Raven Raven Group	18/00538/FUL
Site Address	:	The Raven Group Ellis Grove Beeston NG9 1EP	
Proposal	:	Construct 15 apartments, following demolition of warehouse	
Decision	:	Conditional Permission	
Applicant	:	Mr Brown Redeemer Church	19/00263/FUL
Site Address	:	Broxtowe Borough Council Town Hall Foster Avenue Beeston Nottinghamshire NG9 1AB	
Proposal	:	Change of use from town hall (Class B1) to church (Class D1) and construct single/two storey rear/side extensions, including alterations, following demolition of detached garages	
Decision	:	Conditional Permission	
Applicant	:	Mr Landa DSL Holdings Ltd	19/00389/FUL
Site Address	:	Lock Up Garages Middleton Street Beeston Nottinghamshire	
Proposal	:	Change of use from lock up garages to commercial car park and retention of lighting columns, CCTV and barrier	
Decision	:	Conditional Permission	
Applicant	:	Mr Mitrovica	19/00437/FUL
Site Address	:	3 Barrydale Avenue Beeston Nottinghamshire NG9 1GN	
Proposal	:	Construct side extension, front and rear dormers, front canopy and boundary wall/fence. Raise roof height and level of rear garden	
Decision	:	Conditional Permission	
Applicant	:	Miss Parminder Sandhu	19/00472/FUL
Site Address	:	72 Wollaton Road Beeston Nottinghamshire NG9 2NZ	
Proposal	:	Retain air-conditioning unit to rear of property	
Decision	:	Conditional Permission	
Applicant	:	Mr Rudolf Howell	19/00483/FUL
Site Address	:	The Cricketers 70 Wollaton Road Beeston Nottinghamshire NG9 2NR	
Proposal	:	Change of use to allow car park to be used for car boot sales	
Decision	:	Conditional Permission	
Applicant	:	Mr Ahmed	19/00495/FUL
Site Address	:	83 Park Road Chilwell Nottinghamshire NG9 4DE	
Proposal	:	Replace existing front timber windows with upvc sash windows	
Decision	:	Conditional Permission	
Applicant	:	Professor M Heffernan	19/00512/FUL
Site Address	:	28 Cromwell Road Beeston Nottinghamshire NG9 1DE	
Proposal	:	Construct wall with railings and gates (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Proctor	19/00539/FUL
Site Address	:	Poundmart 71 - 73 High Road Beeston Nottinghamshire NG9 2LE	
Proposal	:	Change of use of offices (Class B1) to kitchenette and WC for ground floor retail unit (Class A1) and 5 bed house in multiple occupation (Class C4) to first and second floor.	
Decision	:	Conditional Permission	

BRAMCOTE WARD

Applicant	:	Mr & Mrs Hillier	19/00396/FUL
Site Address	:	139 Derby Road Bramcote Nottingham NG9 3GZ	
Proposal	:	Construct pitched roof over rear extension, partial demolition of rear outbuilding and new roof to existing porch	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Hillier	19/00397/LBC
Site Address	:	139 Derby Road Bramcote Nottingham NG9 3GZ	
Proposal	:	Construct roof to rear extension, partial demolition of rear outbuilding, new roof to existing porch and internal alterations to form WC and utility room	
Decision	:	Conditional Permission	

Applicant	:	Mr B Ladwa	19/00410/FUL
Site Address	:	38 Latimer Drive Bramcote Nottingham NG9 3HS	
Proposal	:	Construct single storey rear extension and retain raised decking area	
Decision	:	Conditional Permission	

Applicant	:	Mr A Riyahi-Boni	19/00416/FUL
Site Address	:	10 Eastcote Avenue Bramcote Nottinghamshire NG9 3FD	
Proposal	:	Convert garage to habitable room and retain single storey side and rear extension and proposed front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Marc Webb	19/00467/FUL
Site Address	:	11 Sandy Lane Bramcote Nottinghamshire NG9 3GT	
Proposal	:	Retain dropped kerb extension	
Decision	:	Conditional Permission	

Applicant	:	REDACTED	19/00475/FUL
Site Address	:	19 Troutbeck Crescent Bramcote Nottinghamshire NG9 3BP	
Proposal	:	Construct pitched roof above existing front porch and garage	
Decision	:	Conditional Permission	

Applicant	:	Mrs Elspeth Watson	19/00485/FUL
Site Address	:	8 Town Street Bramcote Nottinghamshire NG9 3HA	
Proposal	:	Construct two storey side extension and front porch	
Decision	:	Conditional Permission	

Applicant	:	Mrs O'Flynn	19/00500/FUL
Site Address	:	24 Thornhill Close Bramcote Nottinghamshire NG9 3FS	
Proposal	:	Construct two storey rear extension and replace existing flat roof with pitched roof	
Decision	:	Conditional Permission	

Applicant	:	Mr P Moore Woodland Builders	19/00514/OUT
Site Address	:	Land At 38 Claremont Avenue Bramcote Nottinghamshire NG9 3DG	
Proposal	:	Construct two dwellings with some matters reserved	
Decision	:	Withdrawn	

Applicant	:	Mr Terry Wibberley	19/00525/FUL
Site Address	:	112 Thoresby Road Bramcote Nottinghamshire NG9 3EP	
Proposal	:	Construct single storey rear extensions and alterations to front elevation	
Decision	:	Conditional Permission	

Applicant	:	Ms Jane Claire Eaton	19/00547/FUL
Site Address	:	2 Deans Croft Bramcote Nottinghamshire NG9 3FL	
Proposal	:	Construct two storey front and side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Niland	19/00558/FUL
Site Address	:	74 Rivergreen Crescent Bramcote Nottinghamshire NG9 3ET	
Proposal	:	Construct side dormer, single storey side and rear extensions, alter existing rear bedroom window and reclad rear & side elevations with render finish	
Decision	:	Conditional Permission	

BRINSLEY WARD

Applicant	:	Mr C Christoforou	19/00365/FUL
Site Address	:	Land Adjacent To 1 Moor Road Brinsley Nottinghamshire NG16 5AZ	
Proposal	:	Construct two semi detached dwellings	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant	:	Mr & Mrs Kulesza	19/00511/FUL
Site Address	:	239 Chilwell Lane Bramcote Nottinghamshire NG9 3DU	
Proposal	:	Construct single storey front and side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Paula Jackson	19/00560/OUT
Site Address	:	Land Adjacent To 89 Sunnyside Road Chilwell Nottinghamshire NG9 4FQ	
Proposal	:	Outline application to construct detached dwelling with all matters reserved	
Decision	:	Conditional Permission	

EASTWOOD HALL WARD

Applicant	:	Mr Robert Davidson Jubilee House Christian School	19/00503/FUL
Site Address	:	Durban House Heritage Centre Mansfield Road Eastwood Nottinghamshire NG16 3DZ	
Proposal	:	Change of use from spa and beauty salon to school (Class D1)	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Mr R Clark	19/00439/FUL
Site Address	:	35 Nottingham Road Eastwood Nottinghamshire NG16 3AN	
Proposal	:	Install new shop front	
Decision	:	Conditional Permission	

Applicant	:	Mrs Carolyn Melbourne The D H Lawrence Birthplace Museum	19/00552/ADV
Site Address	:	Nottingham Road Eastwood Nottinghamshire	
Proposal	:	Display 6 banners on existing banner poles (3 outside the Sun Inn & 3 outside Eastwood Library)	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mr Gregory Elkin	19/00418/FUL
Site Address	:	Greasley Castle Farm 120 Church Road Greasley Nottinghamshire NG16 2AB	
Proposal	:	Change of use from agricultural field to recreational use and erect four buildings	
Decision	:	Conditional Permission	

Applicant	:	Oaktree Motorhomes Ltd	19/00456/ADV
Site Address	:	Oaktree Motorhomes Ltd Gin Close Way Awsworth Nottinghamshire NG16 2HH	
Proposal	:	Retain 2 non-illuminated advertisement signs	
Decision	:	Conditional Permission	

Applicant	:	Mrs Rita Levey	19/00458/FUL
Site Address	:	Land Adjacent To 541 Nottingham Road Giltbrook Nottinghamshire NG16 2GS	
Proposal	:	Construct dwelling with associated access, car parking and garden area (re submission)	
Decision	:	Refusal	

Applicant	:	Mr Dale	19/00494/ADV
Site Address	:	Next 2 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP	
Proposal	:	Display 2 illuminated signs	
Decision	:	Conditional Permission	

Applicant	:	Mr A Knowles	19/00518/FUL
Site Address	:	64 Baker Road Newthorpe Nottinghamshire NG16 2DP	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Miss Grace Clarkson Persimmon Homes Nottingham	19/00519/MMA
Site Address	:	Beamlight Automotive Seating Ltd Tricom House Newmanleys Road Eastwood Nottinghamshire NG16 3JG	
Proposal	:	Minor Material Amendment to reference 18/00252/REM for Plots 25 to 30 have been moved closer to the site boundary and Gardens of plots 2, 7, 25 and 30 have been made larger, Improved parking of plot 10 and plots 27-29; introducing turning facility, Plot 5 has been handed due to levels, Plot 25 has been given a double garage	
Decision	:	Conditional Permission	
Applicant	:	Miss Grace Clarkson Persimmon Homes Nottingham	19/00520/MMA
Site Address	:	Beamlight Automotive Seating Ltd Tricom House Newmanleys Road Eastwood Nottinghamshire NG16 3JG	
Proposal	:	Minor Material Amendment to reference 19/00176/REM. Removal of Layout B (superseded), site layout L replacing site layout K, replace Warwick house type with Winster house type and various minor layout changes across the site to plots 79081, 103 and 116-118 and plot 102 has been handed	
Decision	:	Conditional Permission	
Applicant	:	Mr Leigh Smith	19/00533/FUL
Site Address	:	81 Acorn Avenue Giltbrook NG16 2WJ	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr K Birks	19/00589/PNH
Site Address	:	450 Nottingham Road Giltbrook Nottinghamshire NG16 2GE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.6 metres, and an eaves height of 2.25 metres	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr Nick Smith Swallow Hill Homes	19/00607/DEM
Site Address	:	80 Dovecote Road Newthorpe Nottinghamshire NG16 3QN	
Proposal	:	Prior Notification to demolish bungalow, outbuilding, steel frame building and timber sheds	
Decision	:	Prior Approval Approved	
KIMBERLEY WARD			
Applicant	:	Mr Neil Oakden	18/00210/OUT
Site Address	:	Park House 15 Nottingham Road Kimberley Nottinghamshire NG16 2NB	
Proposal	:	Outline application with all matters reserved to construct a maximum of 14 dwellings	
Decision	:	Refusal	
Applicant	:	Mr & Mrs Simon Thatcher	19/00231/FUL
Site Address	:	21 Edgwood Road Kimberley Nottinghamshire NG16 2JR	
Proposal	:	Construct detached garage with ancillary living accommodation above	
Decision	:	Conditional Permission	
Applicant	:	Mr Tony Sanderson	19/00508/FUL
Site Address	:	Babbington Hall Westby Lane Babbington Village Nottingham NG16 2SS	
Proposal	:	Retain poly-tunnel	
Decision	:	Conditional Permission	
Applicant	:	Mrs E Peat	19/00507/P3CPA
Site Address	:	7 James Street Kimberley Nottinghamshire NG16 2LP	
Proposal	:	Prior notification under Part 3 Class C for change of use from retail (Class A1) to cafe (Class A3)	
Decision	:	Prior Approval Approved	

Applicant	: Mr R Lukas	19/00592/FUL
Site Address	: 26 Oak Drive Nuthall Nottinghamshire NG16 1FJ	
Proposal	: Construct single storey front extension	
Decision	: Conditional Permission	
NUTHALL EAST & STRELLEY WARD		
Applicant	: Mr NAEEM AMJAD	19/00528/FUL
Site Address	: 2 Highfield Road Nuthall NG16 1BS	
Proposal	: Construct single storey rear extension	
Decision	: Conditional Permission	
STAPLEFORD NORTH WARD		
Applicant	: Mrs Bev Cameron	19/00403/FUL
Site Address	: 279 Ilkeston Road Stapleford Nottinghamshire NG9 8JD	
Proposal	: Construct single storey side / rear extension	
Decision	: Conditional Permission	
STAPLEFORD SOUTH EAST WARD		
Applicant	: Richard Price Niche Architecture Ltd	18/00752/OUT
Site Address	: 88 Nottingham Road Stapleford NG9 8AQ	
Proposal	: Outline application to construct two bungalows (with all matters reserved)	
Decision	: Conditional Permission	
Applicant	: Mr David Gilley	19/00510/LBC
Site Address	: Cloud Villa 102 Nottingham Road Stapleford Nottinghamshire NG9 8AQ	
Proposal	: Listed Building Consent to replace windows and doors in additional living accommodation to rear of property	
Decision	: Conditional Permission	
Applicant	: Ms Sandy Gafner	19/00535/FUL
Site Address	: 21 Cemetery Road Stapleford Nottinghamshire NG9 8AP	
Proposal	: Construct single storey rear extension	
Decision	: Conditional Permission	
STAPLEFORD SOUTH WEST WARD		
Applicant	: Ms Philippa Fecowycz	19/00450/FUL
Site Address	: 7 Carnforth Close Stapleford Nottinghamshire NG9 7EZ	
Proposal	: Construct single storey front extension and porch	
Decision	: Conditional Permission	
Applicant	: Mr Liam Stark	19/00454/FUL
Site Address	: 158 Brookhill Street Stapleford Nottinghamshire NG9 7GN	
Proposal	: Construct single storey rear extension	
Decision	: Conditional Permission	
Applicant	: Mr Tom Broster Peveril Homes Limited	19/00466/REM
Site Address	: Land To The West Of Toton Lane Stapleford Nottinghamshire	
Proposal	: Construct 4 dwellings together with associated infrastructure (approval of reserved matters relating to planning reference 12/00585/OUT & 17/00131/ROC)	
Decision	: Conditional Permission	
Applicant	: Mr Tom Broster Peveril Securities Limited	19/00493/REM
Site Address	: Land To The West Of Toton Lane Stapleford Nottinghamshire	
Proposal	: Construct 3 retail units (Class A1), care home (Class C2), day nursery (Class D1) and public house (Class A4) (approval of reserved matters relating to planning ref: 17/00131/ROC - layout and access only)	
Decision	: Conditional Permission	
Applicant	: Mr Julfiqar Ali	19/00516/FUL
Site Address	: 208 Derby Road Stapleford Nottinghamshire NG9 7AY	
Proposal	: Retain roller shutter (revised scheme)	
Decision	: Conditional Permission	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr Paul Rudd	19/00474/FUL
Site Address	:	8 Grayson Mews Chilwell Nottinghamshire NG9 6RU	
Proposal	:	Construct single / two storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Ward	19/00480/FUL
Site Address	:	19 Bispham Drive Toton Nottinghamshire NG9 6GH	
Proposal	:	Construct two storey side and single storey rear extensions and front porch	
Decision	:	Conditional Permission	

Applicant	:	Mr W Elliott	19/00498/PNH
Site Address	:	7 Birkin Avenue Toton Nottinghamshire NG9 6ET	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.5 metres, with a maximum height of 3 metres, and an eaves height of 3 metres	
Decision	:	Prior Approval Not Required	

Applicant	:	Mr J Barker	19/00588/PNH
Site Address	:	26 Hickton Drive Chilwell Nottinghamshire NG9 6DD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.4 metres, and an eaves height of 2.4 metres	
Decision	:	Prior Approval Not Required	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mrs Linda Price	19/00471/FUL
Site Address	:	1 Northfield Cottages Back Lane Nuthall Nottinghamshire NG16 1BT	
Proposal	:	Construct stables	
Decision	:	Conditional Permission	

Applicant	:	Mr E Parker	19/00537/PNH
Site Address	:	15 Edward Road Nuthall Nottinghamshire NG16 1DB	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.77 metres, with a maximum height of 3.3 metres, and an eaves height of 2.7 metres	
Decision	:	Refusal	

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