



Tuesday, 10 March 2020

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 18 March 2020 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 Interim 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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 8)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 12 February 2020.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 19/00808/FUL (Pages 9 - 40)

Construct 9 One Bedroom Apartments (Revised Scheme)
147 - 151 Queens Road, Beeston, Nottinghamshire, NG9 2FE

5.2 19/00799/FUL (Pages 41 - 56)

Construction of student accommodation building (providing 32 bedrooms) following demolition of a bungalow and single storey extension (at 3 Queens Road East) (revised scheme)
1 Queens Road East, Beeston, Nottinghamshire, NG9 2GN

5.3 19/00243/FUL (Pages 57 - 70)

Change of use from equestrian to mixed use equestrian and the keeping of fully licenced wild cats and retain the secure enclosure required for their safe keeping.
Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire

5.4 20/00059/FUL (Pages 71 - 76)

Construct first floor side extension and rear dormer (revised scheme)
88 Abbey Road Beeston Nottinghamshire NG9 2HP

5.5 19/00774/ROC (Pages 77 - 86)

Variation of condition 3 of planning REF:08/00347/FUL to extend delivery and collection hours
135 Pasture Road, Stapleford, Nottinghamshire, NG9 8HZ

5.6 19/00779/FUL (Pages 87 - 96)

Change of use from former Dyeworks (Class B2) to storage and distribution (Class B8) for a temporary period of 3 years
Former Dyeworks Site, West End Street, Stapleford, NG9 7DA

5.7 19/00685/ADV (Pages 97 - 104)

Retain hoarding
Basford LTD, Nottingham Road, Attenborough,
Nottinghamshire, NG9 6DP

6. INFORMATION ITEMS

6.1 APPEAL STATISTICS (Pages 105 - 106)

Update report on appeal statistics in relation to the criteria
for designation of Local Planning Authorities

6.2 DELEGATED DECISIONS (Pages 107 - 116)

7. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

8. ENFORCEMENT CASE (Pages 117 - 120)

9. UNILATERAL UNDERTAKING - APPENDIX 2 (Pages 121 - 122)

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PLANNING COMMITTEE

WEDNESDAY, 12 FEBRUARY 2020

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

Councillors: S J Carr (Substitute)
D Bagshaw
D Grindell
M Handley
R I Jackson
R D MacRae
J M Owen (Substitute)
P J Owen
D D Pringle
H Skinner (Substitute)
C M Tideswell
R D Willimott

Apologies for absence were received from Councillors L A Ball BEM, T A Cullen and D K Watts.

70 **DECLARATIONS OF INTEREST**

Councillor M Handley declared a non-pecuniary interest in item 5.3 due to speaking as a ward member on the item, minute number 73.3 refers.

71 **MINUTES**

The minutes of the meeting held on 15 January 2020 were approved as a correct record and signed.

72 **NOTIFICATION OF LOBBYING**

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

73 **DEVELOPMENT CONTROL**

73.1 **19/00808/FUL**

Construct 9 one bedroom apartments (revised scheme)
147 - 151 Queens Road, Beeston, Nottinghamshire, NG9 2FE

This application sought planning permission to construct 9 one bedroom apartments (revised scheme) and had been brought before the Committee at the request of Councillor P Lally.

Members considered the late items for the application which included two additional objections which raised concerns over the loss of privacy, the building height, the overpowering nature of the building and the loss of parking.

Ms H Blackwell (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 proposal was over intensive for the surrounding area.
- Further parking issues that would arise from the increased number of residents.
- There would be a loss of neighbour amenity.

It was proposed by Councillor R I Jackson and seconded by Councillor S J Carr that the application be deferred to allow officers to consult with the Highways Authority and further consider the parking issues.

RESOLVED that the application be deferred.

73.2 19/00619/FUL

Construct pump house and sluice gate

Temple Lake House, 53A Kimberley Road, Nuthall, Nottinghamshire, NG16 1DA

This application sought planning permission to construct a pump house and sluice gate and had been considered by the Committee on 15 January 2020.

Members considered the late items for the application which included three letters of support, two letters of objection and photographs provided by the applicant to highlight flooding within the area.

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

- The proposed pump house had been reduced in size.
- There was concern that the pump house was located too close to the existing residential properties and the roof would be visible above the boundary fence.

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 drawing numbered 1902(S)01 F (1:1250), 1902(S)06 B (1:50, 1:200), 1902(S)02 E (1:200), 1902(S)05 E (1:100), 1902(S)03 D (1:200), 1902(S)07 (1:100); received by the local planning authority on 14 October, 6 December 2019 and 28 January 2020.**

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 agreed determination timescale.**
- 2. The development involves building works and given the proximity of residential properties to the site the applicant is reminded to ensure contractors limit noisy work to between 08.00 and 18.00 hours Monday to Friday, 08.00- 13.00 hours on Saturday and no noisy works on Sundays. There should be no bonfires at any time.**

73.3 19/00738/FUL

Construct two storey rear extension
21 Hilltop Rise, Newthorpe, Nottinghamshire, NG16 2GD

This application sought planning permission to construct a two storey rear extension and had been brought before the Committee at the request of Councillor M Handley.

Members considered the late items for the application which included an additional four objections which raised concerns over the loss of privacy, the building height, the overpowering nature of the building and a loss of parking.

Mr White (objecting), Mr Nibblet (applicant) and Councillor M Handley (Ward Member) addressed the Committee prior to the general debate.

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

- The proposal was appropriate for the area.
- The design of the roof appeared awkward.
- The proposal would lead to a loss of neighbour amenity.
- A query was raised as to whether windows should be obscurely glazed.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the site location plan (1:1250) and drawings numbered JW4/11/19 (1:100),**

JW2/11/19 (1:50), JW3/11/19 (1:50); received by the Local Planning Authority on 15 November and 5 December 2019.

- 3. The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.**
- 4. The windows at first floor level on the existing side elevations and the south east side elevation of the extension hereby approved shall be obscurely glazed to Pilkington level 4 or 5 and non-opening to 1.7m above the floor level and retained as such for the lifetime of the development.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**
- 4. In the interest of protecting the privacy of neighbouring properties and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).**

Notes to applicant

- 1. The council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
- 2. The development involves building works and given the proximity of residential properties to the site the applicant is reminded to ensure contractors limit noisy work to between 08.00 and 18.00 hours Monday to Friday, 08.00- 13.00 hours on Saturday and no noisy works on Sundays. There should be no bonfires at any time.**

73.4 19/00700/FUL

Construct a two storey side/first floor rear extensions, front porch including garage conversion (revised scheme)

3 Canterbury Close, Nuthall, Nottinghamshire, NG16 1PU

This application sought planning permission to construct a two storey side/first floor rear extensions, front porch including garage conversion (revised scheme) and had been brought before the Committee at the request of Councillor P J Owen.

Members considered the late items for the application which included further information, from a neighbouring property, demonstrating the impact of the proposed extension.

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

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

- The proposal was appropriate for the area.
- There was an acceptable loss of neighbour amenity.
- There was insufficient parking at the site.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the site location plan (1:1250), block plan (1:200), roof plan (1:100), proposed elevation plan (1:100), proposed ground floor plan (1:50), proposed first floor plan (1:50); received by the Local Planning Authority on 12 November 2019.
3. The extensions shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.
4. No openings above ground floor level shall be installed in either of the side elevations of the two storey rear extension hereby approved without the written consent of the local planning authority.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
4. In the interest of protecting the privacy of neighbouring properties and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).

Notes to applicant

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

73.5 19/00775/FUL

Dropped kerb

34 Moorbridge Lane Stapleford Nottinghamshire NG9 8GU

This application sought planning permission to construct a dropped curb and had been brought before the Committee at the request of Councillor R MacRae.

Members debated the application and commented that the proposal was appropriate for the area.

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 the block plan received by the local planning authority on 18 December 2019.
3. The dropped kerb shall be constructed in accordance with the highway authority specification.
4. The dropped kerb shall not be brought into use until all the drive/parking areas have been surfaced in a hard-bound material for a minimum of 5.5 metres behind the highway boundary. The surfaced drive/parking areas shall then be maintained in such hard-bound material for the life of the development.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and in the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

Notes to 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 proposal makes it necessary to construct a vehicular and verge crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Customer Services on telephone 0330 500 80 80 to arrange for these works to be carried out.
3. 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
4. There is operational gas apparatus within the application site boundary. You are required to contact Cadent's Plant Protection Team for advice. Email: plantprotection@cadentgas.com Tel: 0800 688 588

74 INFORMATION ITEMS

74.1 APPEAL STATISTICS

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.

74.2 DELEGATED DECISIONS

The delegated decisions were noted.

75 EXEMPT ITEM

This item was withdrawn from the agenda, at the request of the Chair, due to additional information that was submitted shortly before the meeting with insufficient time to enable decision making.

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Report of the Chief Executive

APPLICATION NUMBER:	19/00808/FUL
LOCATION:	147 - 151 QUEENS ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2FE
PROPOSAL:	CONSTRUCT 9 ONE BEDROOM APARTMENTS (REVISED SCHEME)

1 Executive Summary

- 1.1 This application was deferred at the Planning Committee on 12 February 2020 due to a request to obtain the comments of the Highway Authority. They have been consulted and raise no objections with the details in appendix 1. The 12 February 2020 report is attached as appendix 2, with a recommendation for approval.
- 1.2 The application is brought back to Planning Committee with no additional changes to the plans.
- 1.3 A failure to determine this application at this committee or to refuse permission will almost certainly result in an appeal to the Secretary of State and a likely award of costs.
- 1.4 With regard to a policy in determining the application the National Planning Practice Guidance (NPPG) gives advice on the types of behaviour that may give rise to a substantive award (of costs) against the Local Planning Authority. This includes:

‘Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.’
- 1.5 With regard to the possibility of refusing the application the same guidance states the following may also give rise to a substantive costs award.

‘Persisting in objection to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.’
- 1.7 The Committee is therefore asked to resolve that planning permission be granted subject to the conditions outlined in appendix 1.

APPENDIX 1

1 Details of the Application

- 1.1 The Highways Authority have been consulted on this application and have raised no objection. There is no evidence to demonstrate there would be a highway safety issue as a result of approving this application.
- 1.2 The Inspector concluded on the appeal decision for 18/00516/FUL that the site is in an accessible location which would discourage the use of the private car and as the apartments would be likely occupied by 1-2 people, it would not generate a significant parking requirement. The Inspector concluded that the development would not lead to a rise in nuisance or dangerous parking in the area and a sufficient amount of parking had been provided. The Inspector stated the following, *"I conclude that the development would not significantly contribute to on street parking stress. It would therefore accord with the relevant sections of Policy 17 of the Broxtowe Part 2 Local Plan (2019), which requires that new development provides sufficient parking."* As this application is for one less apartment than the previous scheme with the same amount of parking, it is difficult to see how a reason for refusal based on insufficient parking could be substantiated.
- 1.3 To conclude with regard to highway and parking issues, it is the opinion of the Highways Authority, the Inspector and the Planning Officers, that the scheme is acceptable on highway safety and parking grounds.

2. Other

- 2.1 Two letters of objection were received as late items which can be summarised as follows:
- the building is high and will make the rooms in the neighbouring property dark and overlooked,
 - the building will create a long dark alley and maintenance/access will not be possible due to insufficient space to erect scaffolding; and
 - insufficient parking.
- 2.2 These comments have been addressed in the original committee report in appendix 2.

3. Conclusion

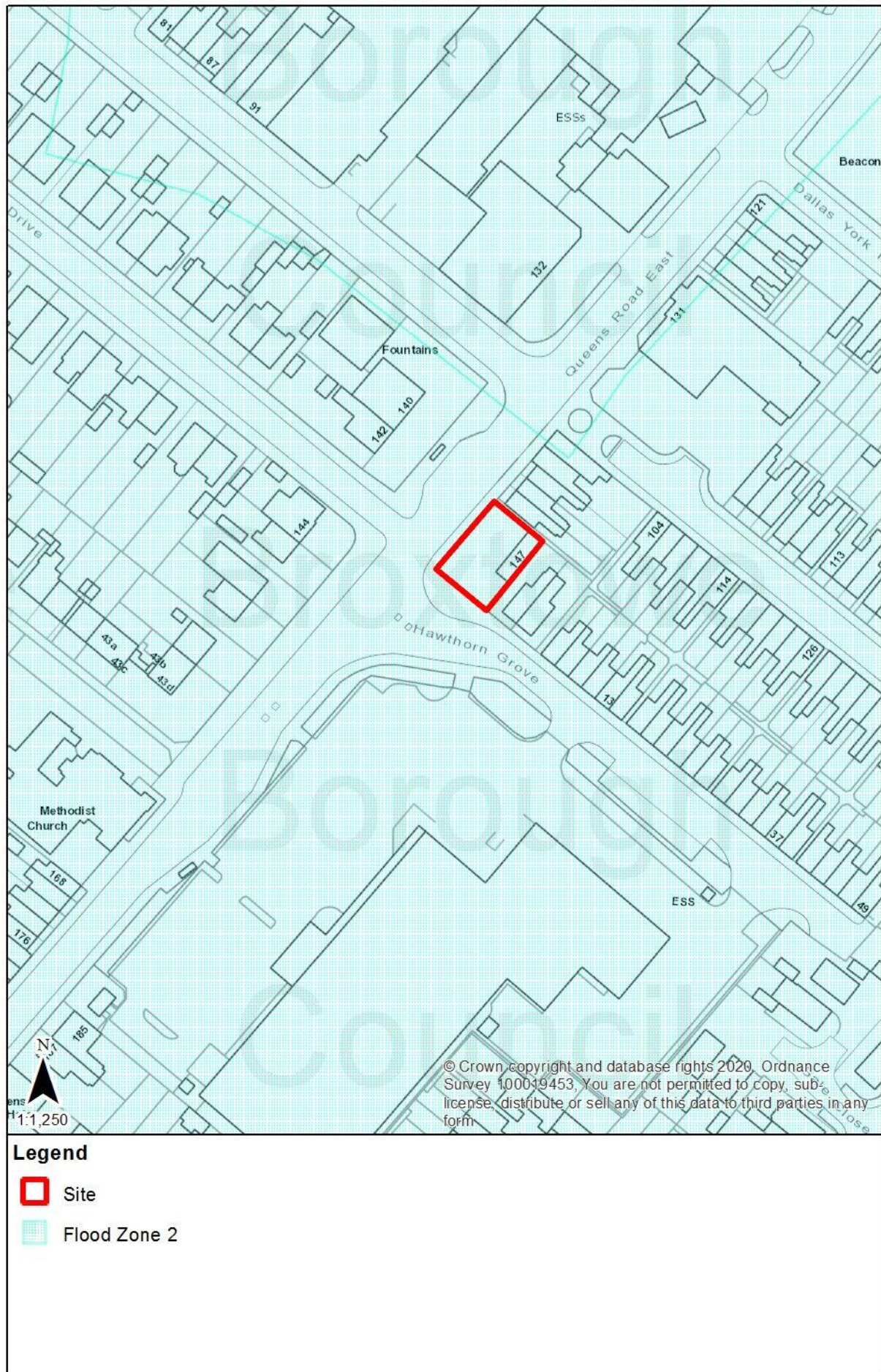
- 3.1 To conclude on other matters, the Inspector outlined in the appeal decision for 18/00516/FUL that the sole reason for dismissing the appeal was due to the insufficient internal floor space for each flat which would have led to a poor standard of amenity for future occupants. This issue has been addressed within this application with each flat now meeting the minimum space requirement as set out in the Government's Technical Housing Standards. Any refusal based on amenity, design, size or scale of the building as with parking could incur costs

being awarded against the Council (should a costs appeal be submitted if the application is refused). It is considered the proposed apartments are of an acceptable size, scale and design, that there will not be an adverse effect on neighbour amenity and an acceptable standard of amenity for future occupants of the apartments will be provided.

<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 drawing numbers: 005 Rev L, 002 Rev U and 004 Rev S received by the Local Planning Authority on 20 December 2019 and 003 Rev O and 006 Rev T received by the Local Planning Authority on 23 January 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>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.</p> <p><i>Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments; c. proposed hard surfacing treatment and d. planting, seeding/turfing of other soft landscape areas. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the</p>

	<p>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.</p> <p><i>Reason: 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 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment prepared by SCC Consulting Engineer dated 18 December 2019. Flood resilient measures and design techniques shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 27.57m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>The building hereby approved shall be constructed to include the noise mitigation measures as detailed within section 4 of the noise assessment report ref: 12581.02.v1 dated December 2019. Confirmation of the installation of these measures shall be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.</p> <p><i>Reason: To protect future occupiers from excessive environmental noise and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
7.	<p>The windows in the north east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and fixed shut and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The first floor window in the south east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning</p>

	<p>Authority) with any opening elements 1.7m above the finished floor level.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>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.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</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 eight week determination timescale.
2.	The prospective building manager/occupants should register to receive flood warnings.
3.	Wheel washing facilities should be installed on site in order to prevent mud being deposited on the road from construction vehicles.
4.	The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
5.	The applicant is advised to contact Severn Trent Water on tel: 0800 707 6600 prior to development commencing.



Photographs



View of site facing east



View of north west boundary and side elevation of no. 1 Hawthorn Grove on right and side elevation of no. 145 on left



View of south west site boundary with side elevation of no. 145 Queens Road in centre (side elevation of no. 145 to the left) and no. 1 Hawthorn Grove on right



Pathway beyond north east site boundary

Photographs

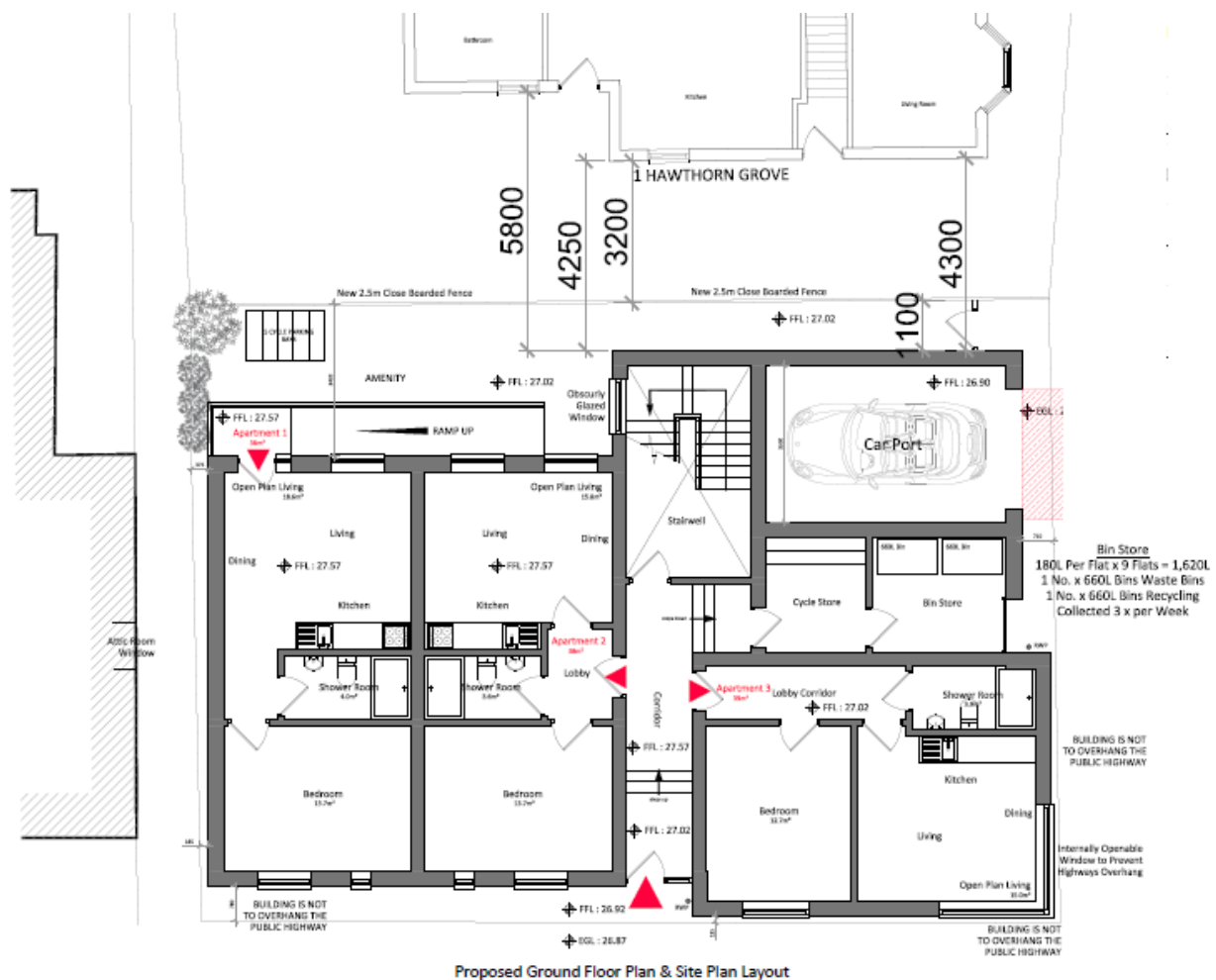


View of site from rear garden of no. 3 Hawthorn Grove



Hawthorn Grove facing southeast

Plans (not to scale)



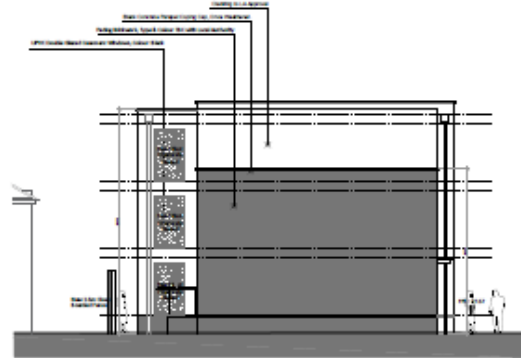
Plans (not to scale)



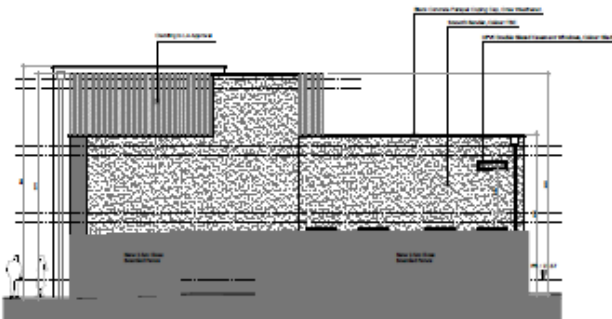
Proposed Front Street Scene Elevation (Queens Road)



Proposed Side Street Scene Elevation (Hawthorn Grove)



Proposed Side Elevation



Proposed Rear Elevation



Proposed Site Block Plan 1:500



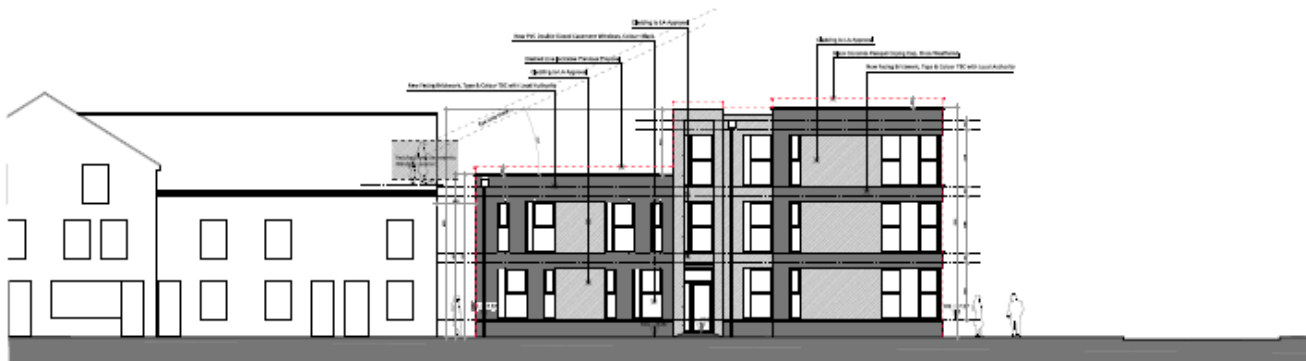
Proposed Site Location Plan 1:1250

Previous refused application 18/00516/FUL – 10 apartments



Plans (not to scale)

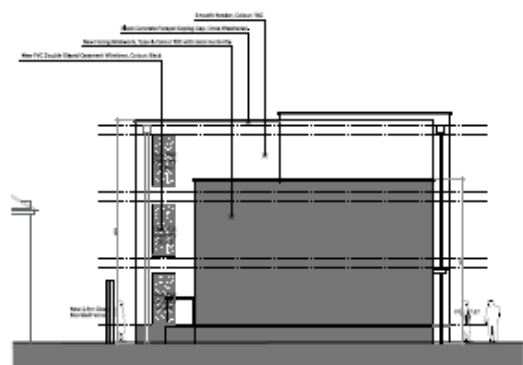
Previous refused application 18/00516/FUL – 10 apartments



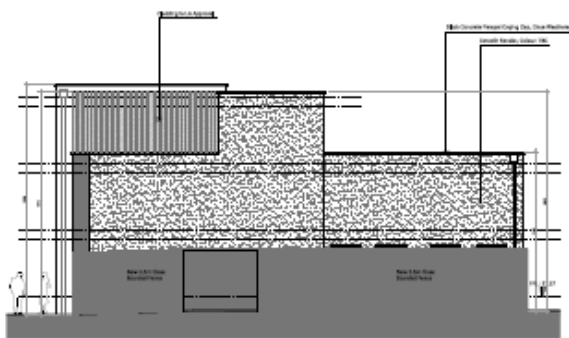
Proposed Front Street Scene Elevation (Queens Road)



Proposed Side Street Scene Elevation (Hawthorn Grove)



Proposed Side Elevation



Proposed Rear Elevation



Proposed Site Block Plan 1:500



Proposed Site Location Plan 1:1250

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Report of the Chief Executive

APPENDIX 2

APPLICATION NUMBER:	19/00808/FUL
LOCATION:	147 - 151 QUEENS ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2FE
PROPOSAL:	CONSTRUCT 9 ONE BEDROOM APARTMENTS (revised scheme)

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

1 Executive Summary

- 1.1 This application seeks permission to construct a two/three storey, flat roof building comprising nine, one bedroom apartments. Each apartment will have a bedroom, kitchen/dining/living room and shower room with toilet. A 2.5m high fence will extend along the boundary with no. 1 Hawthorn Grove. A communal internal bin store will be provided at ground floor level. Five cycle stands will be located to the rear of the building and a cycle store is proposed within the building. One car port parking space is proposed. The proposal is for self-contained apartments and not for HMO accommodation.
- 1.2 This is a revised application following the refusal of an application (18/00516/FUL) for 10 apartments at Planning Committee in March 2019.
- 1.3 The main issues relate to whether the principle of nine apartments is acceptable and if the development is acceptable in terms of flood risk, parking issues and impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean nine additional homes within a sustainable, urban location with access to regular sustainable transport links which would be in accordance with policies contained within the development plan which is given significant weight. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity and available parking but these matters are considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct a two/three storey, flat roof building comprising nine, one bedroom apartments. Each apartment will have a bedroom, kitchen/dining/living room and shower room with toilet. A 2.5m high fence will extend along the boundary with no. 1 Hawthorn Grove. A communal internal bin store will be provided at ground floor level. Five cycle stands will be located to the rear of the building and a cycle store is proposed within the building. One car port parking space is proposed.
- 1.2 The main difference between this application and the previously refused application (18/00516/FUL) is the omission of one apartment and re-design of the internal layout to increase the internal floor space. Each apartment will have an internal floor space of 37 square metres which is in line with the Government's Technical Housing Standards. Relatively minor changes have been made to the fenestration and shape of the building but the dimensions of the building have largely stayed the same. One first floor window will be inserted in the south east (rear) elevation. This will be conditioned to be obscurely glazed and the opening element 1.7m above the finished floor level.

2 Site and surroundings

- 2.1 The application site operates as a car sales business with a forecourt for cars and a single storey flat roof building located beside the south eastern boundary. 2m high metal railings extend across the boundary with Queens Road and Hawthorn Grove. A 2m high fence and the single storey building extend across the boundary with no. 145 Queens Road. A path extends between the north east boundary next to the side elevation and garden of no. 145 Queens Road.
- 2.2 The site lies within a predominantly residential area with some commercial units. The site is within walking distance of Beeston town centre and is in close proximity to the tram and regular bus services along Queens Road. The site is relatively flat and is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding.
- 2.3 No. 145 is an end terrace dwelling positioned to the north east and has a second floor window in the south west elevation. No. 1 Hawthorn Grove is a semi-detached dwelling with a first floor window and ground floor window and door in the north west (side) elevation. No. 3 Hawthorn Grove is a semi-detached dwelling positioned to the south east. On the north west side of Queens Road, no. 140 is an off-licence (Booze Express), no. 140A is a takeaway (Better than home) and no. 142 is a takeaway (King Cod). All these premises have first floor flats above. Nos. 144 and 146 are semi-detached properties positioned to the west. A bingo hall and retail outlet with associated car park are located to the south.

3 Relevant Planning History

- 3.1 An application for a sales office (74/00185/FUL) was granted permission in July 1974.
- 3.2 An application for an extension to an office to form a car valeting bay (81/00504/FUL) was granted permission in August 1981.
- 3.3 An application for 10, one bedroom apartments (18/00516/FUL) was refused permission in March 2019 for the following reasons: *“The proposed building by virtue of its size and scale represents an over intensive development of the site which would be out of keeping with the character of the area. Insufficient parking has been provided on site which would result in parking problems in the immediate area. Accordingly, the proposal is contrary to the aims of Policies H7 and T11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 of the Draft Part 2 Local Plan (2018).”*
- 3.4 The application (18/00516/FUL) was appealed and dismissed. The Inspector concluded that the reason for dismissing the appeal was based solely on inadequate living conditions for future occupiers with regards to internal living space for five out of 10 of the apartments.

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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

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

- Policy 1: Flood Risk
- Policy 9: Retention of Good Quality Existing Employment Sites
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 20: Air Quality

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 11 – Making Effective Use of Land

- Section 12 – Achieving Well-designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

5 Consultations

- 5.1 **Council's Environmental Health Officer:** raises no objection subject to a condition requiring implementation of noise mitigation measures.
- 5.2 **Council's Waste and Recycling Officer:** raises no objection due to the bins being privately managed.
- 5.3 **Environment Agency:** no comments provided as standing advice applies due to the site being located within Flood Zone 2.
- 5.4 **Severn Trent Water Ltd:** advise that in order to connect to existing sewers the applicant should contact Severn Trent Water to discuss a solution which protects the public sewer and the building.
- 5.5 14 neighbouring properties were consulted and a site notice was displayed. Three objections were received and can be summarised as follows:
- Plans too similar to previous application
 - Loss of daylight/ sunlight
 - Loss of privacy
 - Sense of enclosure
 - Imposing due to flat roof
 - Parking along Hawthorn Grove is a continued problem
 - More parking is required due to other development being undertaken close by
 - Parking problems were not given the adequate consideration by the Planning Inspector
 - The number of parking spaces should equal the number of apartments
 - Concerns with security and privacy due to people accessing the rear of the building
 - Census data is out of date and should not be used to dismiss parking problems
 - Increase in density of population along Queens Road due to number of applications
 - Sense of community is being lost
 - Concerned that the developer can appeal to the Secretary of State who only sees the legal side of the application.

6 Assessment

- 6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking, the loss of employment land and the relationship to neighbouring properties.

6.2 Principle

- 6.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (2014) 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 area. Queens Road is characterised by varying styles and sizes of properties including houses, flats and some commercial buildings. This development would add to the housing mix and it is considered that the character of the area would not be harmed.
- 6.2.2 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a need to boost housing supply which sites such as this can help deliver. The provision of nine apartments on this brownfield site is considered to be a benefit in terms of contributing to the provision of homes in the borough.
- 6.2.3 Whilst it is acknowledged there will be a loss of a small car sales business, it is considered the loss is outweighed by the proposal of residential units which make an efficient use of the land. Whether there is sufficient space for nine apartments and the impact a development of this size will have on neighbouring properties will be discussed below.
- 6.2.4 Concerns were raised in the representation received that there is an increasing amount of applications being submitted for development along Queens Road. Whilst it is acknowledged there are a number of applications that have been considered for development along Queens Road, this is a main road with a wide mix of properties, including commercial. It is considered the approval of this application would add to the housing mix and would not impede a sense of community.
- 6.2.5 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional nine residential units within an existing settlement in a highly sustainable location, close to Beeston town centre and public transport links. It is considered the proposed apartments will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable (as detailed below). The principle of the development is therefore considered to be acceptable.

6.3 Flood Risk

- 6.3.1 The site is relatively flat and is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application. The Environment Agency were consulted on this application and did not provide comments due to the site being located within Flood Zone 2 and being subject to standing advice.

- 6.3.2 Paragraphs 155 – 158 of the NPPF state 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. All plans should apply a sequential, risk-based approach to the location of development in order to steer new development to areas with the lowest risk of flooding. A Sequential Test has been submitted with the application which concludes that there are no alternative sites available within areas located in zones with a lower probability of flooding.
- 6.3.3 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. The FRA has addressed the probability of flooding, climate change, flood resilience measures within the design of the building, floor levels in relation to the probability of flooding and off-site and residual risks. The FRA states that new hardstandings are to be constructed using porous paving and the existing site is mostly made of impermeable surfacing so the proposal will not increase run-off.
- 6.3.4 To conclude, within Beeston there are substantial areas which are within Flood Zone 2 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites are on previously-developed land and some may bring the opportunity to provide housing in areas of substantial need. Sequentially, it is considered the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Therefore when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint. It is considered the development is acceptable in terms of dealing with the issues of flooding.

6.4 Amenity

- 6.4.1 Concerns have been raised in regards to the impact the building will have on a loss of light, privacy and sense of enclosure.
- 6.4.2 No. 1 Hawthorn Grove is a semi-detached dwelling adjoining the south east of the site. The proposed building will be 1.3m higher than no. 1 and will be relatively in line with the main east (rear) elevation of no. 1 and set back 1.1m from the adjoining boundary. Beyond this, the building reduces to two storeys and is set back 3.4m from the boundary with no. 1. A 2.5m high fence is proposed across the boundary with no. 1 which will largely obscure the ground floor windows from view. Whilst it is acknowledged the building is positioned to the north west of no. 1 and will cause some loss of light to the rear garden, it is considered the separation distance, and relatively comparable height of the building to no. 1 with the reduction to two storeys to the rear will mean an acceptable amount of amenity will be retained and there will not be a detrimental impact on sunlight or daylight. No. 1 has an obscurely glazed second floor window in the north west (side) elevation. It is acknowledged the three storey element of the building will be opposite this window causing a loss of light but it is considered the separation distance of 4.25m between the two storey part of the building and this neighbouring house is sufficient that it would not be detrimental to the light received into this window that would warrant refusal of the application.

- 6.4.3 During the course of the previous application (18/00516/FUL), amendments were made to the scheme in order to improve the relationship with the neighbouring property which are reflected in this proposal. A large portion of the third floor of the building facing the north east was removed in order to reduce the bulk of the building and improve the relationship with no. 1 Hawthorn Grove and no. 145 Queens Road. It is acknowledged that no. 145 has a second floor window in the south west (side) elevation which is the only source of light to a primary room. However, the third floor element is positioned 9.6m from this window and therefore it is considered this relationship is acceptable as light can still be received into this window. Whilst it is acknowledged that no. 145's garden is positioned to the south east of the building, it is considered the main impact of the building will be the two storey element which could be compared to the impact a house may have.
- 6.4.4 In relation to the impact on neighbour amenity, the Inspector stated in the appeal decision for 18/00516/FUL that the first floor window in the north west (side) elevation of no. 1 would not experience a significant loss of outlook as it is obscurely glazed. In relation to the second floor window in the south west (side) elevation of no. 145, the Inspector was satisfied that sufficient amendments had been made to the application in order to allow for an adequate outlook from this bedroom window. In relation to the impact of the building overall on these two neighbouring properties, the Inspector concluded the following *"At the rear, the development would reduce to 2 stories in height and would be set in further from the boundary than the existing single storey building, which would limit any additional loss of light. Overall, I consider that the proposal would not significantly harm the living conditions of the occupiers of either No 145 Queens Road or No 1 Hawthorn Grove."* The Inspector was satisfied that the impact on neighbour amenity was acceptable and the scheme now proposed is largely reflective of the previous scheme. Any refusal based on amenity grounds could therefore incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused).
- 6.4.5 To conclude, it is acknowledged that no. 1 Hawthorn Grove and no. 145 will be the most directly affected by the development. However, it is considered the scheme ensures a satisfactory level of amenity can be retained for these neighbours.
- 6.4.6 It is considered the proposed building is a sufficient distance from the remaining neighbours consulted that there will not be a detrimental impact on their amenity or cause a significant sense of enclosure.
- 6.4.7 With regards to the amenity of the prospective occupiers, each apartment will have a minimum of 37 square metres gross internal floor space which is in line with the Government's Technical Housing Standards. Furthermore, it is considered each flat will have an acceptable outlook.
- 6.4.8 Although no outdoor amenity space is provided, this is commonly accepted with apartments. However, the building is within walking distance to Broadgate Recreation Ground. It is considered the amenity of the future occupants has been considered adequately. The Inspector stated the following in the appeal decision for 18/00516/FUL *"The development does not propose any outdoor*

amenity or garden space. However, the appeal site is only a short walk from Broadgate Recreation Ground, which is a high quality open space. This would provide adequate access to outdoor recreation for future occupiers. Moreover, given the size of the proposed dwellings, they would be unlikely to appeal to a family with children."

- 6.4.9 To conclude, it is accepted the difference of a car sales business to an apartment block on this plot of land is relatively significant but it is considered in line with the Inspectors conclusion that the development is acceptable in regards to impact on neighbour amenity.

6.5 Design and Layout

- 6.5.1 It is considered the proposed building positively addresses the street scene from the frontage. The three storey part of the building creates a focal point for the development without creating an overbearing appearance to the adjoining residential properties. The surrounding area has a mix of buildings alongside the typical residential dwelling. Mecca bingo is a large flat roof building positioned to the south and there is a terrace of flat roof buildings to the north (Subway/KFC/One Stop/Papa Johns). There is a three storey apartment block (Fountains Court) positioned to the north west. The Methodist Church positioned to the south west is a prominent building along Queens Road. Considering the mix of designs, materials and variance in heights and number of flats roofs, it is considered a contemporary, flat roof building would not appear out of character with the surrounding area.
- 6.5.2 The design and size of the scheme largely reflects that of the previous scheme (18/00516/FUL). The reason for refusal made reference to the building appearing out of character with the area due to its size and scale. The Inspector stated the following in regards to the design and size of the development for 18/00516/FUL *"The development would have a modern design with a three storey flat roof element on the corner. It would be constructed predominantly in brick, which is the main material in the vicinity, with areas of cladding and glazing. Its scale and height would be broadly in keeping with the surrounding properties, and its position next to a main road provides an opportunity for a slightly taller element on the corner. The surrounding area contains a mix of architectural styles and built forms, and there are a number of other flat roof buildings nearby. In this context, I do not consider that the development would appear out of place. In my view, it would be well designed and would not unduly dominate its surroundings."* Any refusal based on the design, size and scale could therefore incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused).
- 6.5.3 The building will be constructed from bricks with cladding features but specific details of the materials have not been stated and therefore it is considered necessary to include a condition to request these in advance of construction.
- 6.5.4 It is considered the recessed windows and cladding on the front and side elevations break up the massing of the building and provide visual interest. The varying height from three to two storeys ensures the building is in keeping with the appearance of the street scene. To conclude, it is considered the proposed

building achieves an acceptable level of design that is not out of keeping with the surrounding area.

6.6 Parking

- 6.6.1 Concerns were raised by neighbours in the previous application (18/00516/FUL) that the development did not include sufficient parking provision which would have led to an increased demand for on-street parking which would be detrimental to the area. Part of the reason for refusal for the previous application stated “...*Insufficient parking has been provided on site which would result in parking problems in the immediate area...*”
- 6.6.2 In respect of parking, the Inspector concluded on the appeal decision for 18/00516/FUL that the site is in an accessible location which would discourage the use of the private car and as the apartments would be likely occupied by 1-2 people, it would not generate a significant parking requirement. The Inspector concluded that the development would not lead to a rise in nuisance or dangerous parking in the area and a sufficient amount of parking had been provided. The Inspector stated the following, “*I conclude that the development would not significantly contribute to on street parking stress. It would therefore accord with the relevant sections of Policy 17 of the Broxtowe Part 2 Local Plan (2019), which requires that new development provides sufficient parking.*” As this application is for one less apartment than the previous scheme with the same amount of parking, any reason for refusal based on insufficient parking could incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused).
- 6.6.3 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 (2014) states that development should be designed to reduce the dominance of motor vehicles.
- 6.6.4 The site lies within a sustainable location with access to regular bus services along Queens Road and within walking distance of the tram and Beeston town centre. Hawthorn Grove has double yellow lines restricting parking which would deter an increase of parking along this road. The Highways Authority did not raise any objection to the previous application in relation to a lack of parking and this application is for one less apartment. As the apartments are one bedroom each, it is considered likely that car ownership associated with the building will be low. However, it is acknowledged that there is likely to be an increase in parking in the surrounding area but for the reasons set out above it is considered this would not be detrimental to highway safety. Therefore, it is considered that a pragmatic approach needs to be taken in respect of developing this plot of land for residential development, particularly given the Inspector’s comments on parking provision.

6.7 Other issues

- 6.7.1 Concerns were raised within the neighbour consultation response that the Census data from 2011 was too old to be considered. The same supporting information that was provided with the 18/00516/FUL application has been submitted with this application which includes a travel plan statement, parking survey and review of census data. The Inspector acknowledged the data from the 2011 Census and although it is accepted this information was not collated in recent years, it is the most up to date Census information available. Furthermore, this only forms part of the justification of providing one parking space due to private car ownership in the area.
- 6.7.2 As with any application, there is a right to appeal where the decision could either be upheld or overturned by an Inspector.
- 6.7.3 It is considered the site will have adequate security due to the 2.5m high fence which will extend across the south east boundary. Although there will be a modest sized gap between the rear of the building and the pathway to the north east, this will encourage natural surveillance from occupiers of the building entering and exiting this part of the site.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide nine additional homes within an existing urban area and would support short term benefits such as jobs during the construction of the proposed dwellings and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours and on-street parking, this is outweighed by the benefits of the scheme and due to its location within a highly sustainable area.

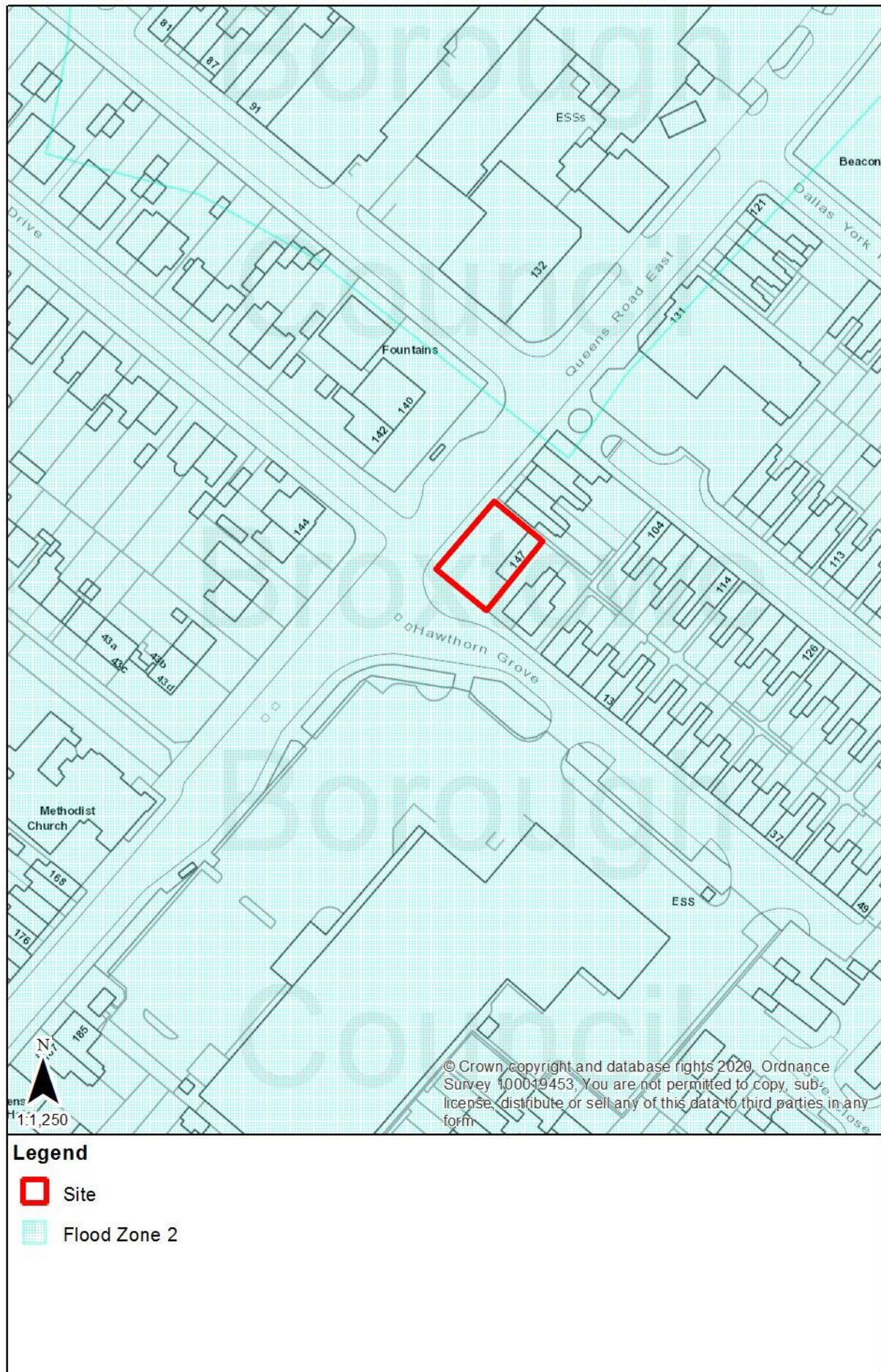
8 Conclusion

- 8.1 To conclude, the Inspector outlined in the appeal decision for 18/00516/FUL that the sole reason for dismissing the appeal was due to the insufficient internal floor space for each flat which would have led to a poor standard of amenity for future occupants. This issue has been addressed within this application with each flat now meeting the minimum space requirement as set out in the Government's Technical Housing Standards. Any refusal based on amenity, parking, design, size or scale of the building could incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused). It is considered the proposed apartments are of an acceptable size, scale and design that there will not be an adverse effect on neighbour amenity and an acceptable standard of amenity for future occupants of the apartments will be provided.

<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 drawing numbers: 005 Rev L, 002 Rev U and 004 Rev S received by the Local Planning Authority on 20 December 2019 and 003 Rev O and 006 Rev T received by the Local Planning Authority on 23 January 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>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.</p> <p><i>Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments; c. proposed hard surfacing treatment and d. planting, seeding/turfing of other soft landscape areas. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p>

	<p><i>Reason: 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 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment prepared by SCC Consulting Engineer dated 18 December 2019. Flood resilient measures and design techniques shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 27.57m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>The building hereby approved shall be constructed to include the noise mitigation measures as detailed within section 4 of the noise assessment report ref: 12581.02.v1 dated December 2019. Confirmation of the installation of these measures shall be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.</p> <p><i>Reason: To protect future occupiers from excessive environmental noise and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
7.	<p>The windows in the north east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and fixed shut and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The first floor window in the south east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) with any opening elements 1.7m above the finished floor level.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>

9.	<p>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.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</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 eight week determination timescale.
2.	The prospective building manager/occupants should register to receive flood warnings.
3.	Wheel washing facilities should be installed on site in order to prevent mud being deposited on the road from construction vehicles.
4.	The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
5.	The applicant is advised to contact Severn Trent Water on tel: 0800 707 6600 prior to development commencing.



Photographs



View of site facing east



View of north west boundary and side elevation of no. 1 Hawthorn Grove on right and side elevation of no. 145 on left



View of south west site boundary with side elevation of no. 145 Queens Road in centre and no. 1 Hawthorn Grove on right



Pathway beyond north east site boundary (side elevation of no. 145 to the left)

Photographs

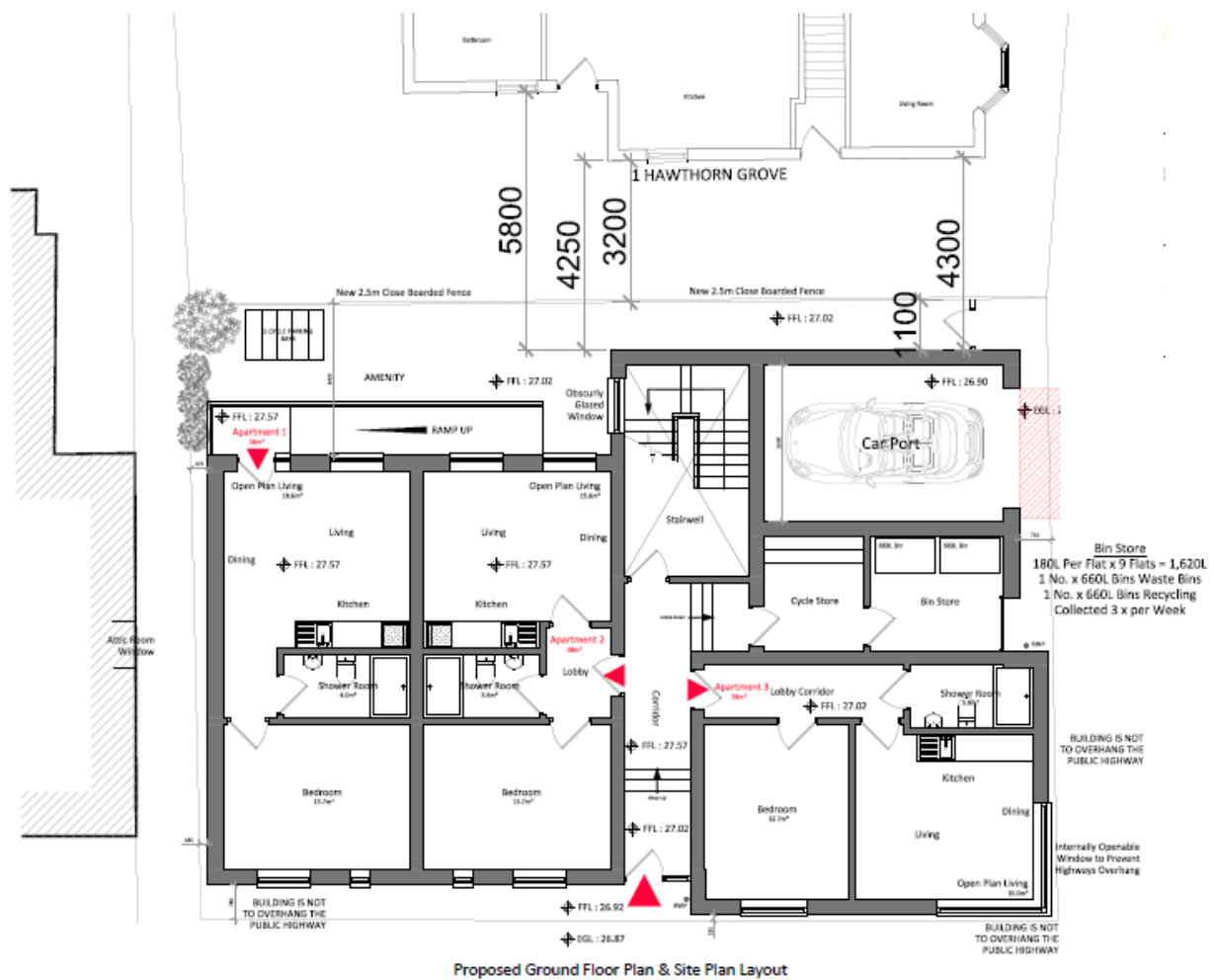


View of site from rear garden of no. 3 Hawthorn Grove



Hawthorn Grove facing southeast

Plans (not to scale)



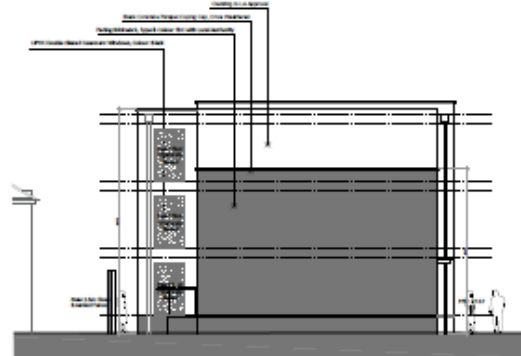
Plans (not to scale)



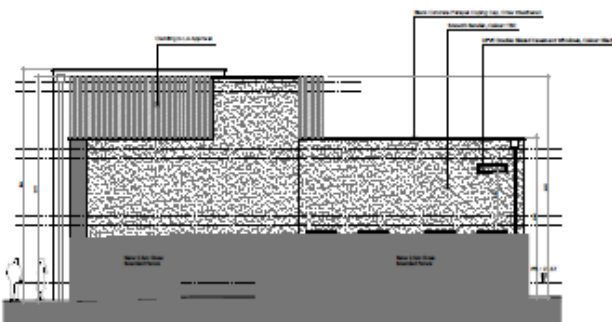
Proposed Front Street Scene Elevation (Queens Road)



Proposed Side Street Scene Elevation (Hawthorn Grove)



Proposed Side Elevation



Proposed Rear Elevation



Proposed Site Block Plan 1:500

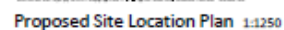
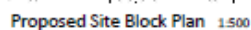
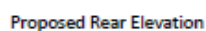
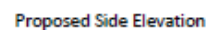
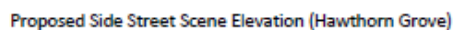
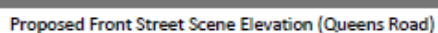


Proposed Site Location Plan 1:1250

Previous refused application 18/00516/FUL – 10 apartments



Previous refused application 18/00516/FUL – 10 apartments



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Report of the Chief Executive

APPLICATION NUMBER:	19/00799/FUL
LOCATION:	1 QUEENS ROAD EAST, BEESTON, NOTTINGHAMSHIRE, NG9 2GN
PROPOSAL:	CONSTRUCTION OF STUDENT ACCOMMODATION BUILDING (PROVIDING 32 BEDROOMS) FOLLOWING DEMOLITION OF A BUNGALOW AND SINGLE STOREY EXTENSION (AT 3 QUEENS ROAD EAST) (REVISED SCHEME)

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

1 Executive Summary

- 1.1 Planning permission was granted by Committee in October 2019 to construct a 28-bedroom apartment block (app ref 19/00297/FUL). This application is a revised scheme of this proposal, with the main amendment being the increase in the number of bedrooms to 32. The principle of the development is therefore considered acceptable with the main considerations being any additional impact on neighbouring amenity of the 4 additional bedrooms and the design and appearance of the amended proposal.
- 1.2 Limited external alterations are proposed and the building will appear largely as previously approved from the public realm. It is therefore considered that the design of the proposal is acceptable.
- 1.3 It is considered that the additional 4 bedrooms will not result in any significant additional impact on the amenity of neighbouring properties. The internal layout of the proposal has been amended to provide 4 x 6 bedroom apartments and 1 x 8 bedroom apartments, replacing the 10 x studio apartments previously approved. It is considered that the revised internal layout will result in less potential for noise pollution with a lower number of individual households occupying the site. The revised layout is also considered to provide an improved level of amenity for the future occupiers of the development.
- 1.4 The proposal includes provision for 10 parking spaces, one more than the previously approved scheme. This exceeds the number of parking spaces as required by the Highways Authority and the additional space is considered to be sufficient to address the additional 4 bedrooms proposed.
- 1.5 Taking into account the relatively limited external alterations to the scheme, no additional concerns are raised regarding flood risk or impact on the natural environment.
- 1.6 It is therefore recommended planning permission is granted in accordance with the resolution contained within the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application is a revised scheme of planning application 19/00297/FUL, which was granted permission by the Planning Committee at the meeting on Tuesday 8th October. The approved application was for a development comprising 28 bedrooms, with the accommodation being made up of 3 x 6 bedroom apartments and 10 x studio apartments. The approved scheme provides 9 parking spaces.
- 1.2 The main change to the proposal for the revised scheme is that it will provide 32 bedrooms, with the accommodation being made up of 4 x 6 bedroom apartments and 1 x 8 bedroom apartment. The proposed scheme also provides an additional parking space, with the total number proposed being 10.
- 1.3 The external alterations to the approved building will be minimal with the size, scale and design of the building remaining largely the same. The balconies to the upper floors have been removed, with Juliet balconies proposed on the first floor and third floor, servicing apartments 1 and 2. The location of the entrance to apartment 5 has been revised, now being on the front elevation, and the height of apartment 5 has been reduced by 0.5m. The position of the bin store has also been altered slightly to move it away from No. 3 Queens Road and allow for the additional parking space.

2 Site and surroundings

- 2.1 1 Queens Road East was formerly a detached residential dwelling that was derelict due to damage caused by a fire. This dwelling has now been demolished with building works having commenced in accordance with planning permission 19/00297/FUL. The site is located at the end of a cul-de-sac and accessed via a slip road off Tattershall Drive which runs parallel to Queens Road East.
- 2.2 To the south of the site is a row of detached, 2 storey residential dwellings with Serina Court, a 3 storey apartment block, being positioned on the corner of Tattershall Drive. The University of Nottingham sports ground is situated to the north and east of the site, with Queens Road East adjoining the west boundary. The west side of Queens Road East is largely characterised by two storey semi-detached dwellings. The west boundary of the site is currently made up of a low level wall with conifer trees, with mature trees and vegetation making up the north and east boundaries.
- 2.3 The application site is located to the north east of the main built up area of Beeston, with the University of Nottingham being located directly to the north of the site. The University Boulevard tram stop is to the north of the site, providing access to the centre of Beeston as well as the University campus and Nottingham city centre.

3 Relevant Planning History

3.1 In January 2019, planning permission 18/00571/FUL was granted to construct a new residential dwelling at No. 3 Queens Road East. The dwelling would adjoin the north side elevation of the existing dwelling at No. 3, essentially making it a pair of semi-detached dwellings. This planning application covers the area of land required to construct this additional dwelling. Development has now commenced on the originally approved scheme for these apartments and therefore the new dwelling will no longer be able to be developed as any attempt to do so would conflict with the planning permission for the apartment block.

3.2 In October 2019 planning permission 19/00297/FUL was granted to construct a student accommodation building providing 28 bedrooms.

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 1: Climate Change
- Policy 8: Housing Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 Broxtowe Part 2 Local Plan 2019

- Policy 1: Flood Risk
- Policy 15: Housing size, mix and choice
- 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 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.
- Sections 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 Lead Local Flood Authority (Nottinghamshire County Council):

No objections raised.

5.2 Environment Agency:

Raises no objection subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment (HLEF68488/001R, 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 27.25mAOD;
- Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD.

5.3 Council's Tree Officer:

No comments received. Comments to planning permission 19/00297/FUL were as follows:

Raises no objection to the proposal, the trees to the rear belong to Nottingham University which is outside of the Broxtowe Borough Council boundary.

5.4 Nottingham City Council Tree Officer:

No comments received. Comments to planning permission 19/00297/FUL were as follows:

Advises that if planning permission is given then conditions should be applied requiring a site specific method statement in respect of the protection of the trees to the rear of the proposal during construction work. A plan should be produced showing the retained tree's Root Protection Areas in respect of the new building, hard surfaces etc. and mitigating data provided, where necessary. A tree protection plan should also be required describing where the tree protection measures will be sited in the context of the new structures and the trees. Site specific detail of what pruning works might be necessary to facilitate the development.

Reports, surveys and plans submitted in fulfilment of planning conditions should be carried out to the standards set out in the BS5837 and submitted to and approved by the LPA in writing.

5.5 Private Sector Housing Officer:

The proposed apartments should meet the minimum space standards.

5.6 Highway Authority:

Raises no objections to the proposal subject to a number of conditions requiring the access to be widened prior to the first use of the site, the finishing of the parking bays and turning areas in a bound material and to prevent unregulated discharge onto the public highway, the construction of the cycle stores prior to first use of the development, the use of flush/pin kerb to clearly show the boundary of Highway land and the provision of the visibility splays for the pedestrian access.

5.7 NET:

The development is far enough away from the tramway to not need any comments from NET.

5.8 Nottingham University Hospital Trust:

Financial contribution of £12,423 sought to provide additional health care services to meet patient demand.

5.9 Council's Environmental Health Officer:

Has no objections to planning approval being granted subject to conditions relating to noise mitigation measures.

5.10 Severn Trent Water

No objection subject to condition relating to the submission of and approval of drainage plans for the disposal of surface water and foul sewage.

5.11 38 properties either adjoining or opposite the site or who provided comments on the previous application were consulted and a site notice was displayed at the site on 9 January 2020. 7 letters of objection have been received in respect of this application. The reasons stated for the objections can be summarised as follows:

- The scheme has totally changed from the previous application.
- Design not in keeping with the area.
 - Over intensive development on the site.
 - Height of the development is out of keeping with the other properties on the road.
- Unbalanced mix of residents in the area – too many students.
- Noise pollution created by daily activities of students.
- Insufficient parking for the development.
- Increased traffic generation – negative impact on cycle and pedestrian routes.
- Loss of privacy for neighbouring residents.
- Loss of trees and hedgerows.

6 Assessment

6.1 Planning permission 19/00297/FUL has already been granted for the development of a student accommodation block in this location, and therefore the principle of the development is considered acceptable. The main issues for consideration with this application are the impact of the additional bed spaces on neighbouring amenity and the amenity of the future occupiers of the development, impact on highway safety, and the design and appearance of the scheme taking into account the proposed external alterations.

6.2 Amenity

6.2.1 The application site has no neighbouring properties immediately to the north or east of the site. The dwellings to the west of the site are set away from the boundary of the site by the intervening road, resulting in a separation distance of approximately 20m. This is considered sufficient to ensure that the proposal will not result in any unacceptable loss of amenity for the neighbouring properties to the west of the site.

- 6.2.2 The south side elevation of the proposed accommodation building will be approximately 13.4m from the south boundary of the site, adjoining No. 3 Queens Road East. The height of the proposed building is 13.01m, with the south block stepped down to 9.81m. The proposed building is at an oblique angle to No. 3, further increasing the separation between the properties to the rear of the site. It is considered that the separation distance from the proposed building to No. 3 is sufficient to ensure it will not result in an unacceptable loss of light or sense of enclosure for the residents at No. 3.
- 6.2.3 No windows are proposed on the principal south side elevation of the application building and therefore it is considered that it will not result in an unacceptable loss of privacy for the neighbouring property at No. 3 Queens Road East. The oblique angle of the proposed dwelling to the No. 3 will further reduce any potential overlooking from the openings on the rear elevation. Taking these factors into account it is considered that the proposal will not result in an unacceptable loss of amenity for the neighbouring residents to the south.
- 6.2.4 Objections have been raised on the grounds that student accommodation will result in a loss of amenity for neighbouring residents due to the amount of noise and levels of activity it will create. This matter was considered in the determination of the previous application and therefore the principle of the impact of students on the amenity of neighbouring properties is considered acceptable.
- 6.2.5 The addition of 4 bedrooms to the scheme is not considered to result in a significant further impact on neighbouring amenity than the previously approved scheme. The amended scheme has removed the 10 x studio apartments and instead has a total of 5 apartments. It is considered that the provision of only shared living spaces is less likely to attract people living independently of each other and may therefore reduce the potential for noise from the site. It is also considered that the provision of a reduced number of apartments will result in an improved standard of living for the future occupiers of the development, bringing additional safety and security measures that come from people sharing a common living space as opposed to living independently.
- 6.2.6 In regard to living standards for future occupiers, the apartments offer sufficiently spacious communal areas and adequately sized bedrooms that meet housing space standards and all of which have en suites. The bedrooms and living areas will have access to sufficient access to natural light and to outlooks that would provide a satisfactory living environment. The development incorporates access to outdoor amenity space immediately surrounding the building. Overall it is considered that the proposal will provide a satisfactory standard of amenity for the future occupiers of the properties.

6.3 Design and Appearance

- 6.3.1 The proposed design of the scheme differs very little from that which was previously approved. Steps providing access to Flat 5 have been moved from the south side elevation to the front and rear elevations and the balconies to the rear elevation have been removed, with Juliet balconies now proposed on the first and fourth floor, serving apartments 1 and 2. The height of the south block of the proposed development has also been reduced by 0.5m. It is considered that

these alterations to the proposed scheme are relatively minor and will not have a significant impact on the overall appearance of the building from the public realm.

- 6.3.2 The proposed building is of a contemporary design that is not harmful to the street scene or out of keeping with the character of the area. High quality materials that are in keeping with style of the development are proposed that will result in an acceptable overall standard of appearance being achieved.

6.4 Access

- 6.4.1 The proposal makes provision for 10 parking spaces, which is one more than the original scheme proposed. The Highways Officer has stated that parking requirements for HMOs require on site car parking to be provided at a ratio of 1 space per 6 to 8 beds. The proposed number of spaces therefore exceeds the requirement, and it is considered the additional space provided for the 4 additional bedrooms sufficiently addresses any additional potential demand for the revised scheme.

6.5 Trees and Hedgerows

- 6.5.1 The alterations to the proposal as part of the revised scheme are not considered to have any further impact on trees and hedgerows in and around the site. The applicant is now proposing to remove some of the hedgerow along the west boundary adjoining Queens Road East to make space for the car parking spaces. The tree report provided by the applicant identifies this hedgerow as newly planted, and therefore it is not considered to have any significant value that could not be provided by replacement screening along this boundary in the future if required. It is therefore not considered this proposal will be harmful to the overall character of the area and the benefits of providing additional parking are considered to outweigh any potential harm. The applicant has provided a tree report which sets out required pre-development preparation works to protect the trees and specifications for hard surfacing and foundations to prevent damage to the trees. It will be conditioned that the works are carried out in accordance with the recommendations of this report to ensure the protection of these trees.
- 6.5.2 Overall it is considered that the proposal will not result in unacceptable harm to the trees within and bordering the application site.

6.6 Flood Risk

- 6.6.1 The application site is located within Flood Zone 3, whereby the annual probability of fluvial flooding is classified as greater than 1 in 100 in any given year in the absence of flood defences. In line with the NPPF, Section 14, any application for new development within Flood Zones 2 and 3 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 includes a table which identifies all the sites allocated for development in the SHLAA. It is accepted that none of the sites identified within a lower flood zone than the application site are suitable for the proposed development. The vast majority of the sites are not suitable as they would be too

small, a significant distance from the university or result in the underdevelopment of the site and therefore would be detrimental to meeting housing targets.

6.6.2 The Environment Agency requested that the finished floor levels of the original scheme be raised by 60mm to bring the development in line with the requirements for a development in a 1 in 100 year flood event zone. As part of the amended proposal the applicant has complied with this request. The Environment Agency has therefore recommended a condition be attached to any planning permission granted that the development be carried out in accordance with the Flood Risk Assessment provided.

6.6.3 Subject to compliance with this proposed condition it is considered that the proposal will be acceptable in terms of flood risk.

6.7 Financial Contributions

6.7.1 The Nottingham University Hospital Trust has requested a financial contribution of £12,423 to provide additional healthcare services to meet additional patient demand as a result of this development. Due to the size of the development financial contributions by way of Section 106 agreements are not required and would not be policy compliant. The development is not a major application and therefore the applicant is not required to make these payments.

7 Planning Balance

7.1 The proposal will increase the number of bedrooms approved on the site from 28 to 32. However, this is below the number of bedrooms originally applied for under planning application 19/00297/FUL, which was 36. It is considered the additional 4 bedrooms proposed will not result in a significant additional impact on neighbouring amenity, and the addition of 1 parking spaces is sufficient to address the increase in bedrooms. It is also considered that the change in layout of the internal accommodation, removing the 10 studios and instead having 5 apartments with shared living spaces will improve the amenity for the future occupiers of the development, and reduce the potential for couples to occupy the bedrooms.

7.2 On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

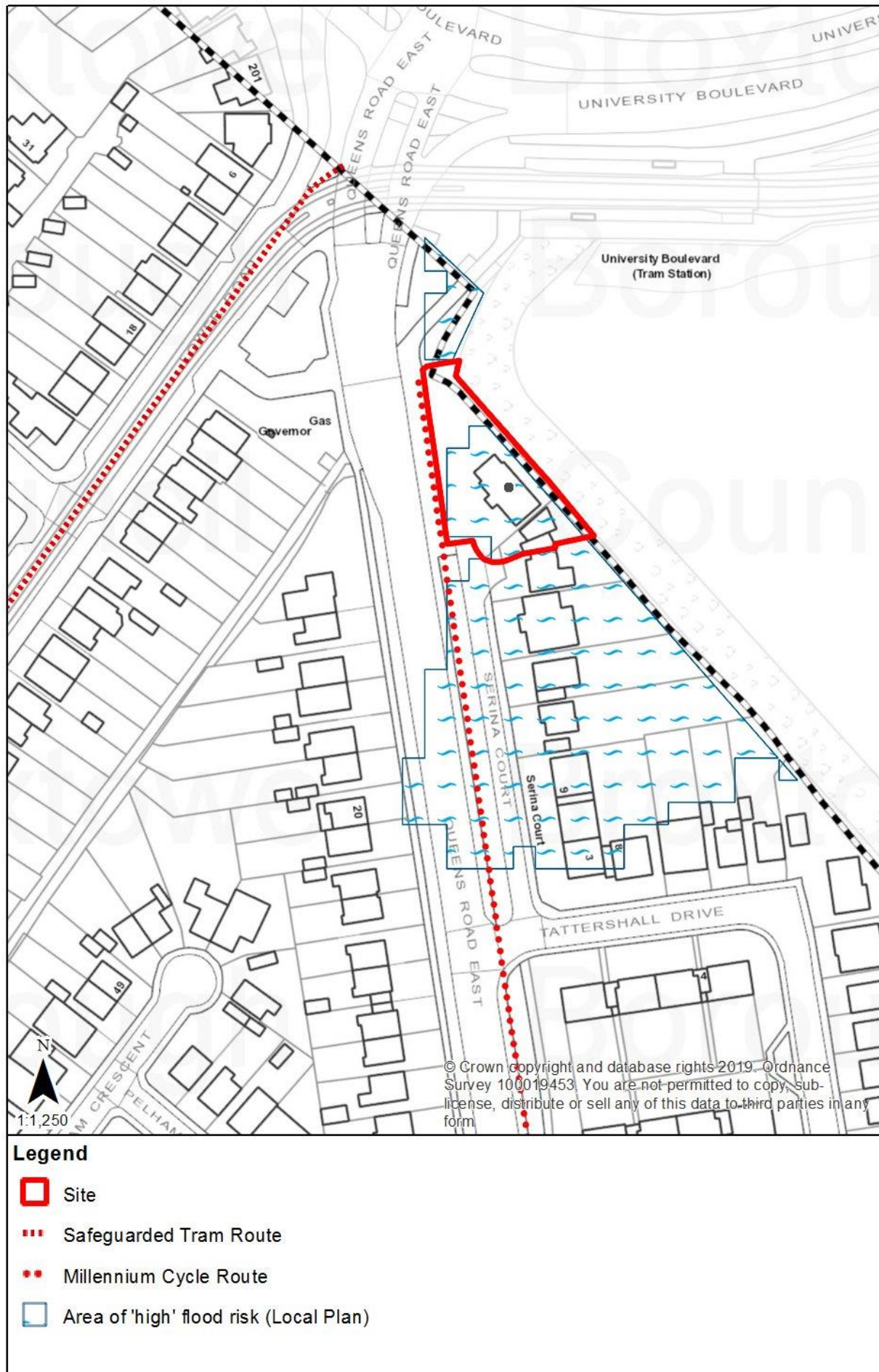
8.1 To conclude it is considered that the proposal has been designed to a satisfactory standard and will not result in an unacceptable impact on neighbouring amenity as a result in the increase in number of bedrooms provided. It is therefore considered that planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered DL/446/303 Rev A, DL/446/306 Rev H, DL/446/307 Rev H, DL/446/308 Rev F, DL/446/309 Rev G, DL/446/310 Rev C, DL/446/315 Rev B, DL/446/316 Rev A, DL/446/321 Rev A, DL/446/322, DL/446/323; received by the Local Planning Authority on 17 and 19 December 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby approved shall be carried out using Michelmersh 65mm Clayburn Civic and Michelmersh Black Smooth Facing brickwork, Parexal Yellow Ochre monocouche render, black uPVC windows, curtain wall and glazed doors, black powder-coated balustrades.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
4.	<p>The development 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:</p> <ul style="list-style-type: none"> • 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. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants.</i></p>
5.	<p>Deliveries and collections by commercial vehicles shall only be made to or from the site between 07.30-18.00 Monday to Saturday and at no time on Sundays, Bank Holidays and any other public holidays without the prior agreements in writing of the Local Planning Authority.</p> <p><i>Reason: to protect the residents from excessive operational noise.</i></p>
6.	No part of the development hereby permitted shall be brought into

	<p>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.</p> <p><i>Reason: In the interests of Highway safety.</i></p>
7.	<p>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/446/306 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.</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>
8.	<p>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.</p> <p><i>Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.</i></p>
9.	<p>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/446/306 Rev H.</p> <p><i>Reason: To ensure that adequate cycle parking provision is available.</i></p>
10.	<p>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/446/306 Rev H.</p> <p><i>Reason: To ensure that highway and applicants land is clearly defined.</i></p>
11.	<p>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 Drive/pedestrian access has</p>

	<p>had the corduroy paving constructed in accordance with drawing number F19075/04 Rev A.</p> <p><i>Reason: In the interests of general Highway safety.</i></p>
12.	<p>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 17 December 2019.</p>
13.	<p>The development hereby permitted shall carried out in accordance with the Drainage Plan (drawing number MA11113-200); received by the Local Planning Authority on 14 January 2020.</p> <p><i>Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.</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>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.</p>
3.	<p>It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring</p>
4.	<p>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.</p> <p>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</p>

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



Application site from Queens Road East.



Application site from junction of Queens Road East and University Boulevard.



Access to application site.



Application site looking towards No. 3 Queens Road East.

Plans (not to scale)

Site Layout Plan



Site Layout

Proposed Front Elevation



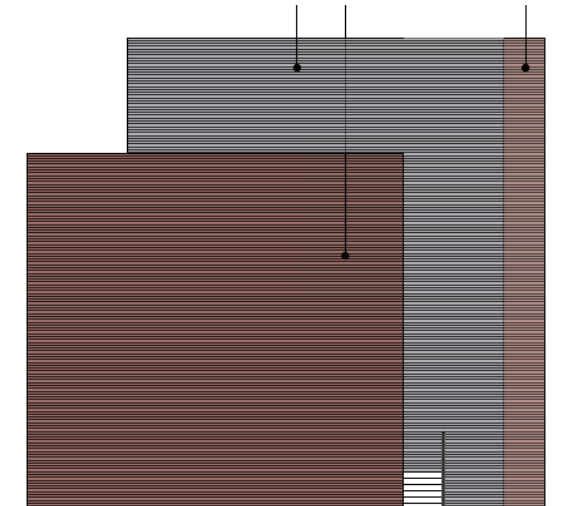
Proposed Front Elevation



North Side Elevation



South Side Elevation



Report of the Chief Executive

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

1.1 This application was originally brought before the Committee on 26 June 2019 with permission being sought to change the use of the site to mixed use equestrian and the keeping of wild cats, and to retain the enclosure required for their safe keeping. This report is attached as appendix 1. The confidential report dated 12 February is attached separately to this agenda as appendix 2.

1.2 The resolution of the Committee was that:

RESOLVED that planning permission be granted with the precise wording of the permission and conditions, including referring to the unilateral undertaking, to be delegated to the Head of Legal Services and the Head of Neighbourhoods and Prosperity, following consultation with the Chair of the Planning Committee.

1.3 The Unilateral Undertaking was provided by the applicant with the aim of committing the owner to carry out the following obligations:

- Not to use the said Wild Cat Enclosure for any purpose other than the keeping of the three Wild Cats in possession of the owner at the time of the application.
- On the death or relocation to premises elsewhere of all the Wild Cats to cease use of the Wild Cat Enclosure and to remove it within 3 months of the cessation of use.

1.4 Upon review of the Unilateral Undertaking provided by the applicant, a search of the Land Registry showed the owner of the land subject to this application was someone other than the Applicant and that there were also two mortgagees with an interest in the land. The Unilateral Undertaking had to be redrafted to include all those with an interest in the land because a Unilateral Undertaking attaches to the land only. The issue of land ownership is not a material consideration in the determination of a planning application, although it is relevant to procedural matters.

1.5 Since the matter was considered by the Committee on 26 June 2019 a number of discussions have taken place with the applicant in an attempt to obtain an acceptable Unilateral Undertaking. The Unilateral Undertaking, signed by all the required parties was eventually submitted to the Council on 10 February 2020.

- 1.6 Members will be aware that the decision made on 26 June 2019 was made on the understanding that the applicant owns the land and also owns the cats. However, since the applicant has no interest in the land it has had to be made by those who have an interest in the land, as opposed to the cats. The evidence provided to the Council shows the cats to be in the ownership of the Applicant who is the current and only Licence holder. Inevitably there is a disconnect between the owner of the land and the owner of the cats, albeit they are members of the same family, which could lead to enforceability issues.
- 1.7 The Owner of the land, arguably has no control over the cats and this too affects enforceability.
- 1.8 Between the Planning Committee meeting on 26 June and the submission of the Unilateral Undertaking, a number of additional matters have come to light which it is considered appropriate to report to the Committee.
- 1.9 As part of the application that was considered by the Planning Committee the applicant provided supporting information providing details on how he obtained the big cats and his reasons for keeping them. The Council has received a claim that the details provided contained untrue information, specifically intended to mislead the Committee. The Council is unable to corroborate the accuracy or otherwise of this.
- 1.10 A site visit was carried out on 22 January following reports of unlawful development at the application site. A number of inconsistencies with the plans of the puma enclosure were observed including the subdivision of the enclosure, the addition of a second link from the enclosure to the stables, and a small addition to the north west corner of the enclosure to create a security door. These additions constitute a material change to the scheme originally considered and therefore an amended planning application would be required to legitimise the enclosure. However, this does not affect the ability of the Council to grant planning permission for the enclosure as originally proposed.
- 1.11 Accordingly, Members are invited to review their decision made on 26 June 2019 in light of the new evidence and the risks associated with such an approach and determine accordingly.

Recommendation

The Committee is asked to CONSIDER this report and RESOLVE accordingly.

Report of the Chief Executive

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

The application has been called in to the Committee by Cllr David Watts.

1 Executive Summary

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

APPENDIX**1 Details of the Application**

- 1.1 This application seeks permission to change the use of the application site from its existing equestrian use to a mixed use of equestrian and the keeping of wild cats. The application also seeks permission to retain the enclosure which has already been erected for their safe keeping. The enclosure is currently home to a puma and it is anticipated by the applicant that two further wild cats will also inhabit the enclosure in the future.

2 Site and surroundings

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

3 Relevant Planning History

- 3.1 The application site has a detailed planning history, with the relevant historical applications being summarised in this section.
- 3.2 In 2011, planning permission (11/00200/FUL) was granted for the change of use of agricultural land to land used for the exercise of horses (construction of a manège) and erection of a replacement field shelter. This planning permission established the equestrian use on the site.
- 3.3 In 2013, planning permission (ref: 12/00646/FUL) was granted to construct stables and erect gates at two access points on the east boundary of the site.
- 3.4 In 2013, planning permission (ref: 13/00476/FUL) was granted to retain two poles to erect CCTV cameras.
- 3.5 In 2016, planning permission (ref: 16/00165/FUL) was refused for the construction of a barn and feed store. The applicant appealed the decision and this appeal was dismissed by the Inspector. One of the reasons for refusal was that the proposal represented inappropriate development in the Green Belt and no very special circumstances applied. The proposal would not have preserved, and therefore would cause harm to the openness of the Green Belt.

- 3.6 In 2017, planning permission (ref: 17/00232/FUL) was granted for the extension of the existing stable block, which is positioned to the south of the wild cat enclosure.
- 3.7 Later in 2017 planning permission (ref: 17/00565/FUL) was granted for the enlargement of the approved extension after the building was being constructed larger than the originally approved plans.
- 3.8 In 2018 planning application 18/00123/FUL was refused for the installation of two gated accesses on the east boundary of the site. The access points are already in place however the proposed gates were considered to be of a size and design that did not have regard for the local context and was out of keeping with the character of the area.

4 Relevant Policies and Guidance

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

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

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

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

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

- Policy E8: Development in the Green Belt

4.3 Part 2 Local Plan (Draft)

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

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

4.4 National Planning Policy Framework (NPPF) 2019:

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

5 Consultations

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

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

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

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

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

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

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

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

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

6 Assessment

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

6.2 **Green Belt**

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

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

6.2.3 The statement suggests that if the wild cats are not able to be looked after by the applicant it is likely that they will be put to sleep as there are no other options for places to look after them. The statement provides no further information to reinforce the claim that there are no other facilities or organisations available in other locations to look after the wild cats in the instance that they cannot be kept at the application site.

6.2.4 The enclosure is a substantial structure constructed of metal mesh fencing with a maximum height of 3.84m and covering a footprint of approximately 380 sq.m. It

is considered that the materials used, along with the height and size of the structure make for a robust appearance that is not in keeping with the rural surroundings and is not of a style that would typically be associated with the existing equestrian use of the site.

- 6.2.5 The east boundary of the site does help to restrict the view of the enclosure from the public realm. However, the Green Belt is characterised by the absence of development and the absence of harmful visual effects from the public realm does not equate to an absence of harm to the openness of the Green Belt.
- 6.2.6 Paragraph 146 of the NPPF states that the material change in use of land can be appropriate in the Green Belt provided that it preserves the openness of the Green Belt. As the proposed change of use is to keep wild cats the enclosure is explicitly required for the applicant to keep the animals in accordance with the licence. Due to the size and design of the enclosure, which is not in keeping with the rural surroundings, it is considered that it results in substantial harm to the openness of the Green Belt. Whilst the case for very special circumstances appears well intentioned it is considered that there is a lack of firm evidence that all other options for the welfare of the animals have been considered which may be more appropriate than the proposed site. It is therefore considered that the considerable harm to the openness of the Green Belt as a result of the enclosure is not outweighed by the circumstances put forward by the applicant.

6.3 Design and Appearance

- 6.3.1 The enclosure has a maximum height of 3.84m and covers a footprint of approximately 380 sq.m. It has metal mesh fencing with a cranked top to prevent the animals escaping and in order to comply with the licence requirements. The enclosure is connected to the rear of the stables to enable the puma to sleep in a secure area.
- 6.3.2 The enclosure is a substantial structure that significantly impacts the character and appearance of the rural environment within which it is situated. The enclosure covers a large area within the site, which in culmination with the stables to the south is considered to have a dominant impact on the application site which is harmful to the character of the surrounding area. Furthermore the materials used and the design of the enclosure with the cranked top give it a robust appearance that is not comparable to enclosures that would be used to keep horses or animals for agricultural purposes in rural areas such as this.

6.4 Amenity

- 6.4.1 The enclosure is approximately 95m from the nearest residential dwelling to the south of the site and approximately 45m from the nearest residential dwelling to the north of the site. Taking these distances into account it is considered that the enclosure by virtue of its presence alone does not result in any loss of amenity for any of the neighbouring properties.
- 6.4.2 A number of objections have been received on the grounds that the keeping of wild cats in this location presents a danger to the public and that the enclosure is unsuitable for the keeping of wild cats. As previously stated the puma and the two

further wild cats that may inhabit the enclosure in the future are fully licenced, meaning the safety elements of keeping them in the enclosure have been considered by the Environmental Health team and has been found to be acceptable. It is therefore considered that a refusal on the basis that the animals represent a danger to public health and safety could not be sustained on appeal.

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

7 Planning Balance

- 7.1 The benefits of the proposal are that it will enable the conservation of wild animals, the welfare of which is allegedly at risk should permission not be granted.
- 7.2 The negative impacts are that the material change of use to keep wild cats at the site explicitly requires a substantial enclosure to keep the animals in. The size and design of the enclosure represents significant harm to the openness of the Green Belt and is not in keeping with the rural nature of the surrounding area. The proposal represents inappropriate development in the Green Belt.
- 7.3 On balance it is considered that the benefits of keeping the animals on the site are not outweighed by the harm to the openness that characterises the Green Belt.

8 Conclusion

- 8.1 The proposed change of use and retention of the enclosure is considered to be inappropriate development that is harmful to the openness of the Green Belt. Whilst the applicant has put forward a case for very special circumstances it is considered that the benefits of the proposal do not outweigh the substantial harm to the openness of the Green Belt.

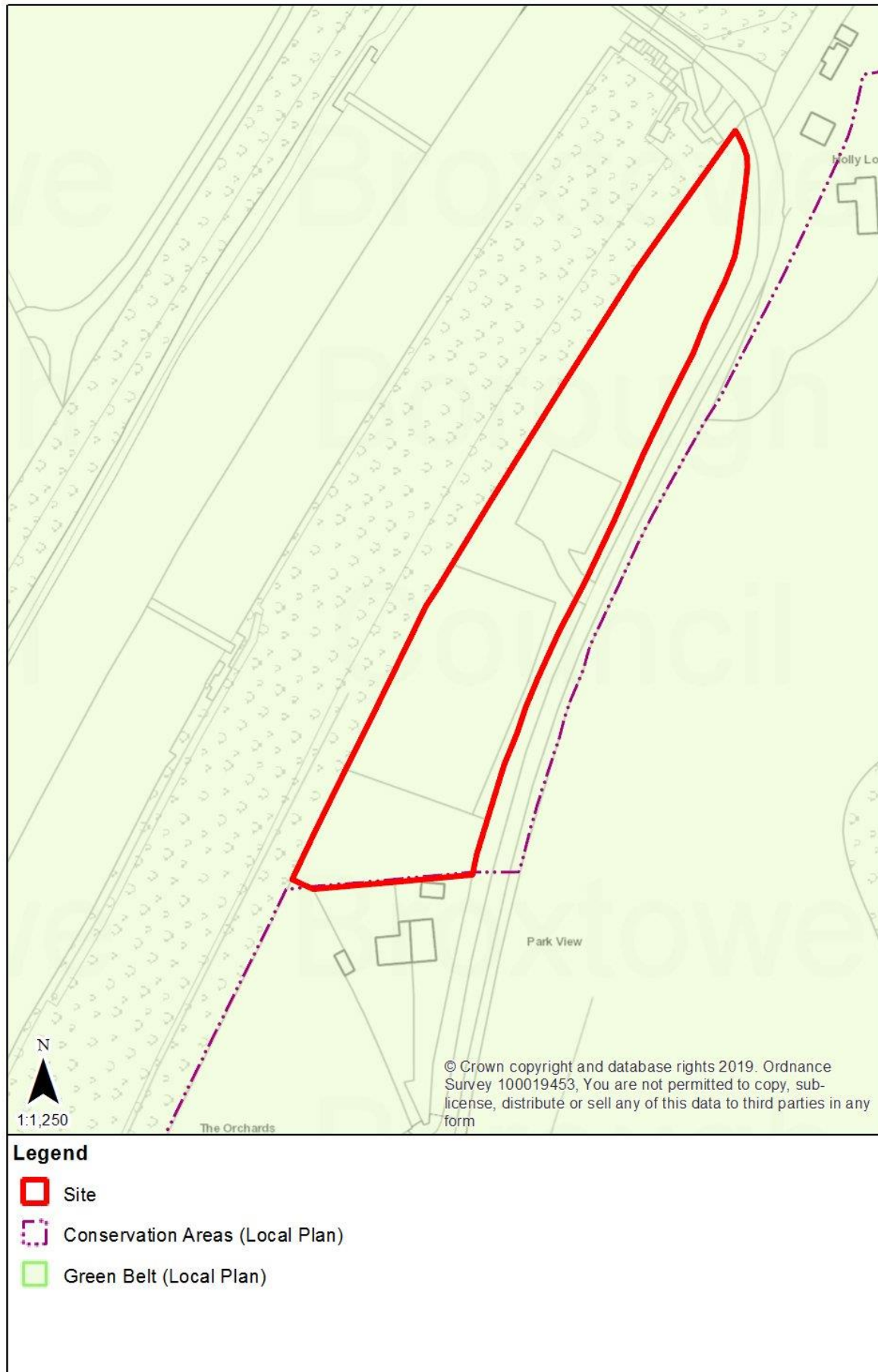
Recommendation

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

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

NOTE TO APPLICANT

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



Photographs



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



Relationship between enclosure and east boundary of site.

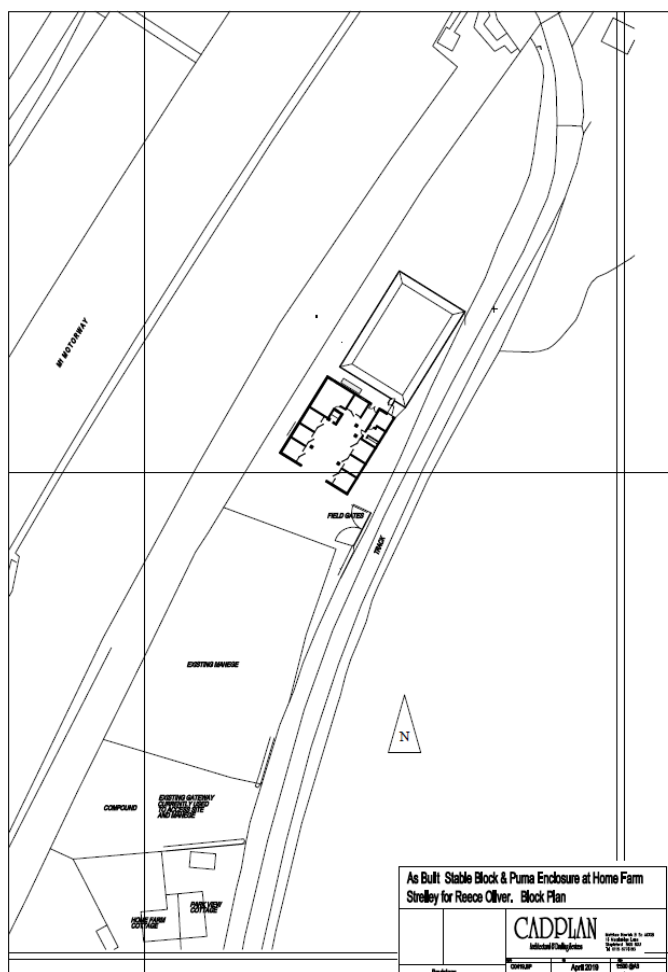


West elevation of enclosure.

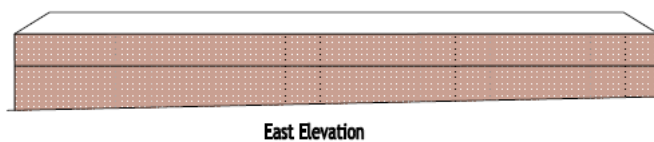
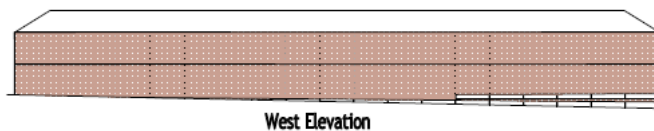
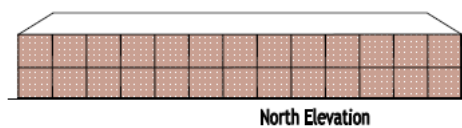
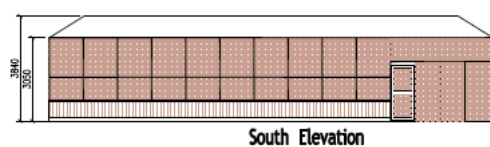


West and south elevation of enclosure.

Block Plan



Elevation Plan



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Report of the Chief Executive

APPLICATION NUMBER:	20/00059/FUL
LOCATION:	88 ABBEY ROAD BEESTON NOTTINGHAMSHIRE NG9 2HP
PROPOSAL:	CONSTRUCT FIRST FLOOR SIDE EXTENSION AND REAR DORMER (REVISED SCHEME)

The application is brought to the Committee as requested by Councillor S J Carr.

1 Executive Summary

- 1.1 The application is a revised scheme to seek planning permission to construct a first floor side extension with a gable roof and rear dormer. The property is a semi-detached two storey dwelling with a flat-roofed single storey rear extension and a hipped roof.
- 1.2 The main issues relate to the design and scale of the extension and the impact on neighbour amenity.
- 1.3 The benefits of the proposal are that it would be an extension to an existing residential dwelling and would not have a significant negative impact on neighbour amenity. The negative impact is the size and design of the extension, due to the large gable roof, would dominate the existing building and appear over-prominent in the street scene and would therefore not be in accordance with the policies contained within the development plan. It is considered that this issue is not outweighed by the benefits of the scheme.
- 1.4 The Committee is asked to resolve that planning permission be refused for the reason outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application is a revised scheme to seek planning permission to construct a first floor side extension and a flat-roofed rear dormer. The extension would be 4.5m wide at the front and would have a gable roof with a total height of 8.2m (0.2m setdown from the ridge). It would be setback 0.4m from the front elevation and flush at the rear elevation. Pillars would support the extension at ground floor. The rear elevation would have a flat roofed rear dormer.

2 Site and surroundings

- 2.1 The application property is a semi-detached two storey dwelling with a flat roofed single storey rear extension. The dwelling has red bricks and red plain tiles. The front boundary with Abbey Road is a 1.5m high fence and the side boundary is a shared garage with no. 86 Abbey Road. There is a shared outbuilding with no. 109 Peveril Road along the rear boundary.
- 2.2 Abbey Road is a residential street of predominately semi-detached two storey dwellings. No. 86 Abbey Road has a first floor side elevation window. No. 109 Peveril Road, the adjoining dwelling, has single storey rear and side extensions and front and rear dormers with hipped roofs (98/00008/FUL and 05/01034/FUL). In terms of similar development, no. 84 Abbey Road has a two storey side extension with a hipped roof (99/00725/FUL). No. 102 Peveril Road has a two storey side extension with a hipped roof (07/00042/FUL).

3 Relevant Planning History

- 3.1 Planning permission was granted to construct a single storey rear extension and retain the store/shed and fence (14/00479/FUL). Prior approval was also not required to construct a single storey rear extension extending 5m from the rear wall (16/00605/PNH).
- 3.2 Planning permission was granted for a first floor side extension (19/00407/FUL). This development was setback 1m from the rear elevation (instead of flush) and had a hipped roof with a 0.4m setdown (instead of 0.2m).

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 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 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 Five neighbours were consulted. One response has been received which raises no objection.

6 Assessment

- 6.1 The main issues for consideration are the design and scale of the extension and the impact on neighbour amenity.

6.2 **Design**

- 6.2.1 The proposed first floor side extension has a similar footprint to the previously approved scheme (19/00407/FUL). Whilst the development is unusual because it is a first floor side extension with brick supports, rather than a more conventional two storey side extension, given the previously approved scheme it is considered the open ground floor with brick supports is an acceptable part of the overall scheme.

- 6.2.2 The revised application proposes a gable roof, which differs to the hipped roof of the main dwelling and the previously approved scheme. The proposed gable roof is large (4.5m wide at the front), in order to provide living space within the roof, and only has a 0.2m setdown from the original ridge. This results in a bulky and prominent roof which is considered to dominate the existing building and appear over-prominent in the street scene of Abbey Road by virtue of its massing and scale.

- 6.2.3 The agent has highlighted other properties throughout Beeston who have received planning permission for hip to gable roof extensions and rear dormers. Whilst similar developments are a material planning consideration, these developments are considered to be materially different because they are alterations to the original roof rather than side extensions with gable roofs.

- 6.2.4 The proposal includes a flat-roofed rear dormer. Although the dormer has a box-like design due to the flat roof, given it only occupies part of the extension roof and does not extend across the original rear roofslope, it is considered not significant enough to be a reason for refusal in itself.

6.3 **Amenity**

- 6.3.1 The extension would be 0.3m from the boundary with no. 86 Abbey Road at its closest point. The proposal includes a window within the gable end which is labelled as obscurely glazed. If permission was recommended for approval, it would be conditioned that this window must be retained as obscurely glazed with any opening sections 1.7m above the floor level for the lifetime of the development.

There is also a Juliet balcony and dormer on the rear elevation. But given there are existing first floor rear elevation windows, it is considered the dormer and Juliet balcony would not have a significant negative impact on no. 86 Abbey Road, compared to the existing situation and the previously approved scheme.

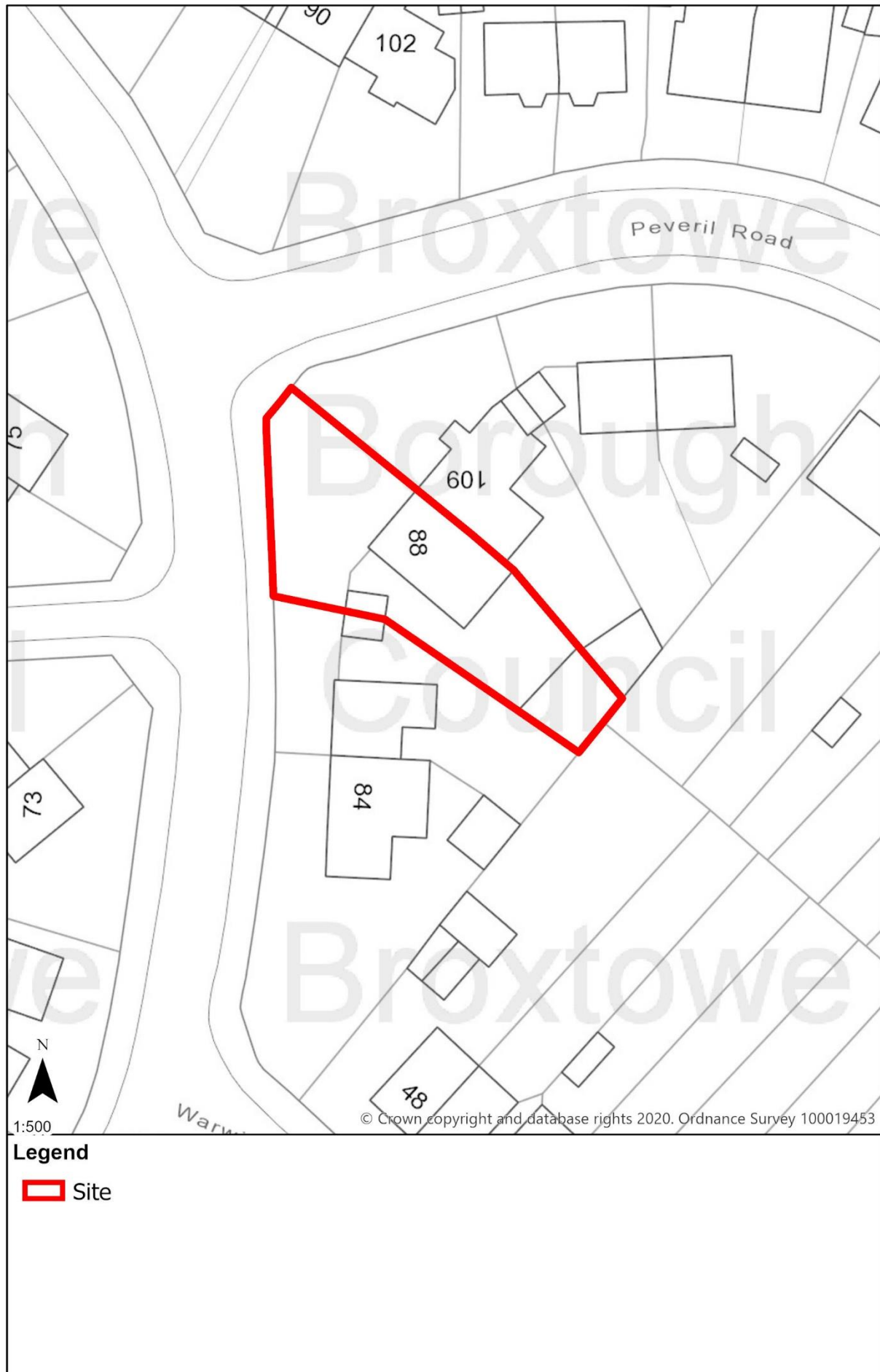
7 Planning Balance

- 7.1 The benefits of the proposal are it would extend an existing residential dwelling, the footprint of the extension is similar to the previously approved scheme and the development would not have a significant negative impact on neighbour amenity.
- 7.2 The negative impact is the design and scale of the gable roof would dominate the existing building and appear over-prominent in the street scene. On balance it is considered that this issue is not outweighed by the benefits of the scheme.

8 Conclusion

- 8.1 The proposed development is considered to be unacceptable and dominate the existing building and appear over-prominent in the street scene of Abbey Road.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reason.	
1.	The first floor side extension, by virtue of the gable roof, would unduly dominate the existing building due to its massing and scale. The size and design of the roof would appear over-prominent in the street scene of Abbey Road and would fail to make a positive contribution to the character and appearance of the area. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.



A photograph of a two-story brick house with a white front door and a paved driveway. A wooden fence is in the foreground, and a timestamp '07/02/2020 15:14' is visible in the bottom right corner.

A photograph of a two-story brick house with a dark roof and white window frames, viewed from across a street. The house is partially obscured by a wooden fence. The date and time '07/02/2020 15:14' are visible in the bottom right corner.

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Report of the Chief Executive

APPLICATION NUMBER:	19/00774/ROC
LOCATION:	135 PASTURE ROAD, STAPLEFORD, NOTTINGHAMSHIRE, NG9 8HZ
PROPOSAL:	VARIATION OF CONDITION 3 OF PLANNING REF: 08/00347/FUL TO EXTEND DELIVERY AND COLLECTION HOURS

Councillor R D McRae has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 The application seeks to vary condition 3 of planning permission 08/00347/FUL to extend the delivery and collection hours for an audio, visual equipment supplier based in Stapleford. Permission was granted to change the use of the building from a car sales and servicing business to a light industry/offices (Class B1) with external alterations in May 2008. Condition 3 of this permission stated *“Deliveries and collections by commercial vehicles shall only be made to or from the site between 07.30-18.00 Monday to Friday, 08.30-17.00 on Saturdays and at no time on Sundays, Bank Holidays or other public holidays.”*
- 1.2 An application to vary condition 3 of planning permission 08/00347/FUL was granted temporary permission in September 2008 which stated the following: *“Deliveries and collections by commercial vehicles shall only be made to or from the site between 06:00-22.00 Monday to Saturday, 07.30-21.00 on Sundays and 07.30-21.00 on public holidays until 1 October 2009.”*
- 1.3 The business has been operating in accordance with the hours as stated in section 1.2. However, as the condition stated “until 1 October 2009” the business has been in breach of this condition and an application has been submitted to regularise these hours permanently. Therefore, the business proposes the following delivery and collection hours of 06:00-22.00 Monday to Saturday and 07.30-21.00 on Sundays and public holidays.
- 1.4 The applicant has confirmed that the business has been operating in line with the hours stated in section 1.2 since receiving permission in 2008. As the business has been operating within these hours for over a period of ten years, it is considered it would not be liable for enforcement action.
- 1.5 The main issues relate to whether the principle of regularising the delivery and collection hours permanently is acceptable and whether there will be an unacceptable impact on neighbour amenity.
- 1.6 The benefits of the proposal are that it would enable the business to continue operating at the same hours it has been since 2008 and therefore continue to

support a local business. Granting the variation of condition would ensure the business is able to continue contributing to the local economy. Whilst it is acknowledged there would be some impact on neighbour amenity, the business has operated under the proposed hours since 2008 and would continue to operate in the same manner meaning the impact on neighbours would be largely unchanged.

- 1.7 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 to vary condition 3 of planning permission 08/00347/FUL to extend the delivery and collection hours for an audio, visual equipment supplier based in Stapleford. Permission was granted to change the use of the building from a car sales and servicing business to light industry/offices (Class B1) with external alterations in May 2008. Condition 3 of this permission stated *“Deliveries and collections by commercial vehicles shall only be made to or from the site between 07.30-18.00 Monday to Friday, 08.30-17.00 on Saturdays and at no time on Sundays, Bank Holidays or other public holidays.”* An application to vary condition 3 (hours restriction for deliveries and collections by commercial vehicles) of planning permission 08/00347/FUL (08/00635/ROC) was granted permission in September 2008. Condition 1 of this permission stated *“Condition 3 on planning permission reference 08/00347/FUL shall be varied to read as follows: Deliveries and collections by commercial vehicles shall only be made to or from the site between 06:00-22.00 Monday to Saturday, 07.30-21.00 on Sundays and 07.30-21.00 on Public Holidays until 1 October 2009.”*
- 1.2 As the application to vary condition 3 of planning permission 08/00347/FUL was granted on a temporary bases and expired on 1 October 2009, an application has been submitted to regularise these hours permanently. Therefore, the proposed delivery and collection hours will be 06:00-22.00 Monday to Saturday, 07.30-21.00 on Sundays and 07.30-21.00 on public holidays.
- 1.3 The applicant has provided a brief statement which sets out the operations of the business and requirement for the hours proposed within the application. The statement sets out the opening hours of the business which are 08:00-17:30 Monday – Friday only (excluding bank holidays). However, due to the nature of the business, one department operates outside these hours at conference events throughout the UK. Therefore, on occasions, vehicles will return to the premises outside of the normal opening hours. The purpose of the extended hours is to allow for business flexibility and security. On average, a vehicle will unload twice a month outside of the normal business working hours throughout a 12-month period. The types of vehicles usually associated with the business are no larger than transit vans. The site is secured by gates which are closed each evening.
- 1.4 The applicant has confirmed that the business has been operating in line with the hours stated in section 1.2 of the Executive Summary since receiving permission in 2008. As there is no evidence to dispute the claim that the business has been operating within these hours for over a period of ten years, it is considered it would not be liable for enforcement action.

2 Site and surroundings

- 2.1 The site lies within a commercial/residential area to the north of Stapleford town centre. No. 133 Pasture Road is a semi-detached property positioned to the south, Sandiacre Garage (used car business) is positioned to the north, Council owned allotments are positioned to the east and a vehicle servicing business and car wash is positioned to the west.
- 2.2 The building consists of two elements, one set back and both with pitched roofs and a two storey flat roof front extension. The building is constructed from red/brown brick with a corrugated metal roof. There are five large doors in the west (front) elevation serving access into the building for large vehicles.
- 2.2 A 1m high brick wall extends across the front of the site, a 1.8m high trellis topped fence extends across the south of the site, a low brick wall and vegetation extends across the east of the site and a 1.5m wall and a single storey building belonging to Sandiacre Garage extends across the north of the site.
- 2.4 The site is identified as part of a good quality employment site in the Part 2 Local Plan.

3 Relevant Planning History

- 3.1 An application to change the use of the building from commercial servicing (Class B2) to a car sales and servicing business (sui generis) (06/00033/FUL) was granted permission in March 2006.
- 3.2 An application to change the use of the building from a car sales and servicing business to light industry/offices (Class B1) and external alterations (08/00347/FUL) was granted permission in May 2008.
- 3.3 An application to remove condition 2 (vehicular access) attached to planning permission 08/00347/FUL (08/00544/ROC) was granted permission in August 2008.
- 3.4 An application to vary condition 3 (hours restriction for deliveries and collections by commercial vehicles) of planning permission 08/00347/FUL (08/00635/ROC) was granted temporary permission (for one year) in September 2008.

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 4: Employment Provision and Economic Development
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

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

- Policy 9: Retention of Good Quality Existing Employment Sites
- Policy 17: Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making

5 Consultations

5.1 **Council's Environmental Health Officer:** raises no objection.

5.2 **Stapleford Town Council:** concerned over the nature of vehicles accessing the site and potential noise and disturbance to local residents.

5.3 Nine neighbouring properties and businesses were consulted. 2 representations were received, one raising no objection and one objecting which can be summarised as follows:

- Concerns with noise between the proposed hours of 6am until 10pm including from loading and unloading
- Sometimes lorries not associated with the business are on site overnight and create noise from engines running to keep warm.

6 Assessment

6.1 The main issue for consideration is if the proposed delivery and collection hours will provide an acceptable standard of amenity for surrounding occupants.

6.2 **Principle**

6.2.1 The site is within an existing residential/commercial area and has been operating within the proposed delivery and collection hours since 2008. Although the business was granted temporary permission for the delivery and collection hours of 06:00-22:00 Monday to Saturday, 07.30-21.00 on Sundays and 07.30-21.00 on public holidays, it has continued to operate under the same hours since 2008 with the Council receiving only one complaint recently.

6.2.2 Policy 10 of the Aligned Core Strategy (2014) states that development will be assessed in terms of its impact on nearby residents or occupiers and Policy 17 of the Part 2 Local Plan (2019) states that development should ensure a satisfactory degree of amenity for neighbouring properties. It is considered that the proposed hours are acceptable in this residential/commercial area and that the regularising of the hours means this can be controlled. As the business usually operates between 08:00-17:30 Monday – Friday only, with

occasional deliveries outside of these times, it is considered the principle is acceptable.

- 6.2.3 To conclude, the site is located within a residential/commercial area and granting permission for the proposed hours would mean the business is able to function in accordance with how it has been for a significant number of years. Conditioning the hours will ensure that control over the delivery and collection hours can be managed and based on how the business operates, the main activity associated with the business takes place within normal weekday working hours so the impact on amenity is likely to not be detrimental.

6.3 **Amenity**

- 6.3.1 The application site forms part of an industrial site within a residential area in Stapleford on a main road and therefore a degree of noise and disturbance is expected from these businesses and the road.
- 6.3.2 No. 133 Pasture Road is the only residential property to adjoin the site to the south and therefore it is acknowledged that this is the property that is mostly affected by the business. This positioning of this property would mean that a degree of noise and disturbance is already experienced from this commercial area. Whilst it is acknowledged that regularising these hours will mean the business will be able to operate outside of normal working hours, the applicant has stated that this is largely on an ad-hoc basis with two transit vans unloading on site twice a month but the business predominantly operates between the hours of 08:30 – 17:00 Monday to Friday only. Therefore, it is considered the impact on this neighbour would not be detrimental in regards to noise and disturbance from vehicles. Furthermore, the applicant has stated that there would be no change to how the business would operate as a result of granting this permission and Environmental Health have raised no objection to the application.
- 6.3.3 The applicant has confirmed that lorries have parked on the site five times within the past 12 months and engines are not left running. There is no proposal for this to increase in frequency. Lorry engines are only required to be left running whilst loading and unloading.
- 6.3.4 It is considered the proposed regularisation of the delivery and collection hours of the business will have minimal impact on the remaining surrounding neighbours and businesses.
- 6.3.5 It is considered the proposed delivery and collection hours of the business are acceptable given the position of the business in a mixed use area, the nature of how the business operates and given the fact the site only adjoins one residential property.
- 6.3.6 To conclude, it is considered the regularisation of the hours will not have a detrimental impact on the amenity of the surrounding neighbours given the business has been operating under the same hours since 2008. Regularising

the hours will ensure there is control over the delivery and collection hours of the site.

7 Planning Balance

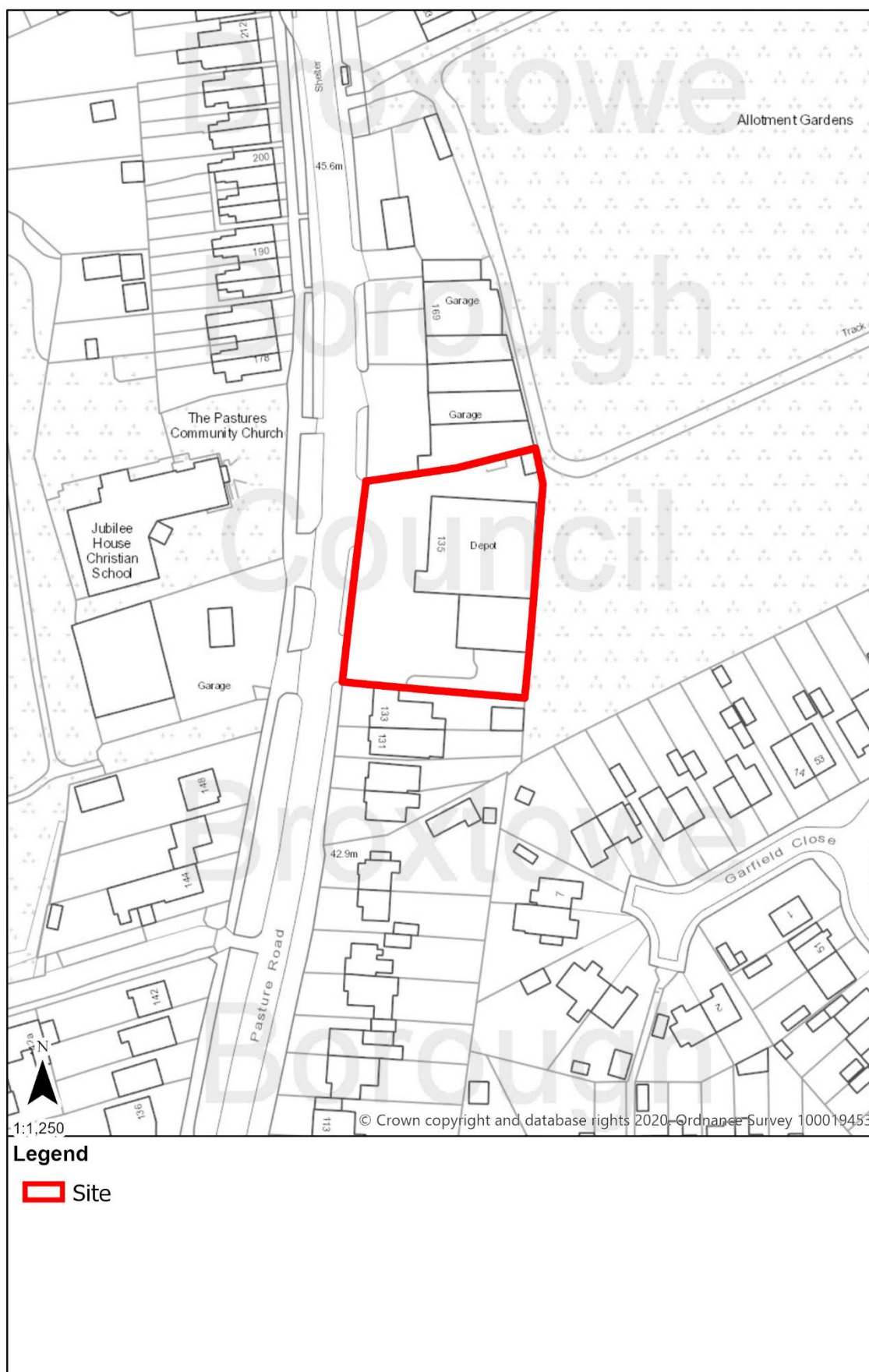
- 7.1 The benefits of the proposal are that it would ensure the business can continue to operate with flexibility and would support the operations of a local business. Whilst it is acknowledged there will be some impact on the neighbouring residential properties, it is considered this will not be detrimental given the nature of how the business operates and the types of vehicles that visit the site. Therefore, on balance, it is considered the variation of condition to regularise the delivery and collection hours permanently is acceptable and should be approved.

8 Conclusion

- 8.1 To conclude, it is considered the regularisation of the delivery and collection hours will not have a detrimental impact on the amenity of the surrounding neighbours given the business has been operating under the same hours since 2008. Regularising the hours will ensure there can be control over the delivery and collection hours of the site. Furthermore, as the applicant has confirmed the business has been operating in line with the hours stated in section 1.2 of the Executive Summary since 2008, which exceeds a period of ten years, it is considered it would not be liable for enforcement action.

<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 carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 11 December 2019. <i>Reason: For the avoidance of doubt.</i>
2.	Deliveries and collections by commercial vehicles shall only be made to or from the site between 06.00-22.00 Monday to Saturday and 07.30-21.00 on Sundays and public holidays. <i>Reason: For the avoidance of doubt.</i>
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.

Map



Photographs



West (front) elevation



West (front) elevation



West (front) elevation



West (front) elevation



West (front) elevation
Pasture



West (front) elevation and no. 133
Road to the right

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Report of the Chief Executive

APPLICATION NUMBER:	19/00779/FUL
LOCATION:	FORMER DYEWORKS SITE, WEST END STREET, STAPLEFORD, NG9 7DA
PROPOSAL:	CHANGE OF USE FROM FORMER DYEWORKS (CLASS B2) TO STORAGE AND DISTRIBUTION (CLASS B8) FOR A TEMPORARY PERIOD OF 3 YEARS

Councillor R D MacRae has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 The application seeks permission to change the use of the land from Class B2 to a storage and distribution use (Class B8) for a temporary period of three years. The proposed delivery and collection hours of commercial vehicles to the site are 08:00 – 17:00 hours Monday to Friday, 08:00 – 13:00 hours on Saturday and closed on Sundays and bank holidays.
- 1.2 Planning permission was previously granted for seven industrial units and an office block (reference 13/00609/FUL). Although this permission was lawfully implemented (see history section), the land is now included with the designated safeguarding zone for HS2 meaning it is highly unlikely that these units will be constructed. The land is largely vacant apart from a two storey flat roof building, some building materials and storage containers on site.
- 1.3 The main issues relate to whether the principle of the change of use would be acceptable, the proximity with a railway line and the HS2 safeguarding zone, flood risk and highway safety and whether there will be an unacceptable impact on neighbour amenity.
- 1.4 It is considered that the application is acceptable in these regards and the Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks permission to change the use of the land from Class B2 to a storage and distribution use (Class B8) for a temporary period of three years. The intention is for the land to be rented out to businesses to store portable cabins and portaloos (but not for these to be repaired, maintained or cleaned on site), building materials (but nothing perishable) and a maximum of five steel containers. The portable buildings will not be stacked on site.
- 1.2 The proposed delivery and collection hours of commercial vehicles to the site are 08:00 – 17:00 hours Monday to Friday, 08:00 – 13:00 hours on Saturday and closed on Sundays and bank holidays.
- 1.3 Planning permission was previously granted for seven industrial units and an office block (reference 13/00609/FUL). Although this permission was lawfully implemented (see history section), the land is now included with the designated safeguarding zone for HS2 meaning it is highly unlikely that these units will be constructed. The land is largely vacant apart from some building materials and storage containers on site.

2 Site and surroundings

- 2.1 The site is predominantly open with the exception of the north east corner where there is a two storey building. The site rises from north to south and the site is accessed from West End Street. The site was historically used as a dye works and the Palace Cinema (now demolished) fronted onto Derby Road.
- 2.2 Beyond the north boundary there is a vacant site which was previously used for industry. The building has since been demolished. To the west of the site there is the railway line and to the south is Derby Road. It is noted that nos. 242, 244, 248, 250, 252, & 254 Derby Road to the south east of the site are vacant buildings which were previously occupied for residential/commercial uses. An application has been granted permission for 11 apartments, external alterations and rear extensions to these buildings which has not yet been implemented.
- 2.3 The northern part of the site lies within Flood Zone 3 (high probability of flooding). The central part of the site lies within Flood Zone 2 (medium probability of flooding) and the southern part of the site lies within Flood Zone 1 (low probability of flooding).
- 2.4 The site is within the HS2 Safeguarding Zone.

3 Relevant Planning History

- 3.1 Planning permission (ref 13/00609/FUL) was granted in 2014 to construct 7 industrial units (Class B2), an office block, 2 bin stores and a new access to Derby Road.

3.2 A Certificate of Lawfulness (17/00523/CLUE) was issued to confirm that the planning permission had been implemented for 13/00609/FUL.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 10: Design and Enhancing Local Identity
- Policy 15: Transport Infrastructure Priorities

4.2 **Part 2 Local Plan**

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

- Policy 1: Flood Risk
- Policy 9: Retention of Good Quality Existing Employment Sites
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 11 – Making Effective Use of Land

5 Consultations

5.1 **Council's Environmental Health Officer:** no objection subject to the premises only operating between: 07:30 – 18:00 Monday to Saturday and at no time on Sundays, bank holidays and other public holidays. Deliveries by commercial vehicles should not be made outside of these hours.

5.2 **Nottinghamshire County Council as Highways Authority:** raises no objection due to there being an estimated 10 trips per day which is considered to be minimal.

5.3 **Network Rail:** no objection.

5.4 **HS2:** raise no objection but recommend an advisory to in respect of the land being compulsory purchased for the construction of the Phase 2b line.

5.5 **Stapleford Town Council:** Incorrect flood risk assessment submitted, vibrations will have a negative impact on the structure of properties fronting the highway and concerns in relation to the size of vehicles using a narrow street.

5.6 33 neighbouring properties were consulted and two responses were received, one raising an objection and one raising observations which can be summarised as follows:

- Questions if the site will have restricted hours
- Noise disturbance late at night and early mornings
- Noise from loading/unloading vehicles
- Lorries, vans and cars access the site all hours of the day and night and can be noisy when parked on West End Street
- Object to unsocial hours for access, loading and unloading
- Object to large vehicles and machinery
- Cars being repaired on site at night
- Questions raised in regards to operational hours, types of storage material, weight of vehicles and businesses that will use the land
- Damage to car from vehicles associated with the site.

6 Assessment

6.1 The main considerations relate to whether the principle of the development is acceptable, with particular regard to the impact on the HS2 safeguarded zone, if there will be an unacceptable loss of amenity to any neighbours, if the development is acceptable in terms of flood risk and if there will be any unacceptable highways impact as a result of the development.

6.2 **Principle**

6.2.1 Policy 15 of the Aligned Core Strategy refers to any development allowing for adequate provision for the construction of the HS2 route and the NPPF refers to the need for any significant impacts from the development on the transport network being able to be mitigated to an acceptable degree. As the permission is for a temporary change of use of the land for storage only and HS2 has not objected to the application, it is considered the granting of this application would not restrict the growth of Phase 2b of HS2.

6.2.2 Planning permission (reference 13/00609/FUL) was previously granted to construct 7 Industrial Units (Class B2) light industry, an office block, 2 bin stores and a new access to Derby Road. This permission has been implemented and therefore could be constructed in full; however, this is highly unlikely given the site now falls within the Safeguarding Directions for Phase 2b of HS2. As part of this application, HS2 Ltd did not object as a decision regarding the route had not yet been finalised. However, they did highlight that the site may in future be required by HS2 Ltd to construct and/or operate the railway. A previous application (reference 18/00308/FUL) was refused due to HS2 Ltd objecting as a substantial part of the site is now established as being located within land subject to the Safeguarding Directions for Phase 2b of HS2.

6.2.3 It should also be acknowledged that the site is identified as a viable employment site for B Class employment uses within Policy 9 the Part 2 Local Plan (2019).

6.2.4 Given the extant planning permission which proposed a more intensive use of the site, it is considered the principle of the site being used for storage for a temporary period of three years is acceptable. Furthermore, conditioning the delivery and collection of commercial vehicles between the hours of 08:00 – 17:00 Monday to Friday, 08:00 – 13:00 on Saturday and closed on Sundays and bank holidays, is considered to be acceptable and would control the number of movements associated with the site within a reasonable timeframe.

6.2.5 As HS2, Network Rail, Environmental Health and the Highways Authority have not objected to the application, it is considered the principle of the temporary change of use for the land to be used as storage is acceptable.

6.3 Amenity

6.3.1 It is evident from the responses received there are concerns in relation to the operational hours of the site and the noise and disturbance created from vehicles travelling up and down West End Street.

6.3.2. The previous planning permission (13/00609/FUL) to construct 7 Industrial Units (Class B2) light industry, an office block, 2 bin stores and a new access to Derby Road has been implemented; however, the site largely remains vacant. Although it is unlikely this permission will be implemented in full due to the site being located in the HS2 safeguarding zone, the principle of a significantly more intensive scheme has already been established. Although the access from West End Street would have been made redundant, the noise and disturbance created from seven industrial units with associated parking (close to residential properties) would likely be greater than the noise and disturbance created from using the land for storage.

6.3.3 The supporting statement outlines that the amount of trips associated with the site will likely be 10 a day. The Highways Authority has raised no objection and consider the amount of trips to be minimal. It is likely that the proposed change of use will not generate a significant amount of trip movements (that is dissimilar to what is already experienced with the site) given the nature of the site being used to store materials.

6.3.4 As the previous permission 13/00609/FUL has been implemented, the delivery and collection hours for commercial vehicles for the site are between 07:30 - 21:00 Monday to Friday, 08:00 - 18:00 Saturday and at no time on Sundays, bank holidays and other public holidays. The proposed hours for this application are more condensed which largely fall within normal weekday working hours and Saturday morning to early afternoon. Therefore, the site will be conditioned to prevent deliveries and collections from commercial vehicles outside of the following hours: 08:00 - 17:00 hours Monday to Friday, 08:00 - 13:00 hours on Saturday and at no time on Sundays, bank holidays and other public holidays. By granting approval for this temporary permission, the site will have more restrictive hours for commercial vehicles and therefore could be an improvement to the current situation.

6.3.5 It is considered the impact of this temporary change of use will not be detrimental to the amenity of the future occupants of the 11 apartments to the south east of the site should this permission be implemented.

6.3.6 To conclude, the Highways Authority and Environmental Health have not objected, the proposed delivery and collection hours will be more restrictive than the current hours and the permission is temporary, therefore, it is considered the proposed change of use is acceptable and there will not be a detrimental impact on the amenity of surrounding neighbours.

6.4 Flood Risk

6.4.1 Parts of the site lie within Flood Zones 2 and 3. The incorrect Flood Risk Assessment (FRA) was submitted with the application; however, a new FRA was submitted.

6.4.2 The site relates to a change of use of the land to storage and distribution and is classified as being 'less vulnerable,' therefore, the Environment Agency classify this as being acceptable for development.

6.4.3 The FRA states the following: *"The proposal does not entail the construction of any new buildings within the site, therefore the potential to increase or decrease localised flooding will remain neutral as the volume within the flood plain will not be affected within the locality. There will be no change in the impermeable areas within the site nor is it intended to alter the local surface water drainage system."*

6.4.4 No employees will be based on the site but any staff associated with the site will be provided with a flood management plan. The applicant will sign up to the Environment Agency Flood 'early warning system.'

6.4.5 To conclude, it is considered that the change of use of the site is acceptable in terms of flood risk, given the fact this is for storage and distribution, no employees will work on site and those associated with the site will be made aware of flooding risks by the site owner.

6.5 Other

6.5.1 There is no requirement for the applicant to provide details of the weight of vehicles accessing the site and in any case, this is a matter that would be dealt with by the Highways Authority.

6.5.2 An incorrect FRA was submitted with the application for a neighbouring site but still contained some relevant flooding information. An additional FRA was submitted specifically for this site.

6.5.3 It is considered the commercial vehicles accessing the site would not cause significant enough vibrations to impact on the structures of neighbouring buildings and properties.

6.5.4 The possibility of cars being repaired on site is subject to a separate complaint.

- 6.5.5 Damage to cars from commercial vehicles is a matter that should be addressed directly with the site owner.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide the applicant with a temporary use to maximise the profitability of the site whilst reducing the delivery and collection hours of commercial vehicles from the previous permission (13/00609/FUL). Whilst it is acknowledged there will be some impact on the neighbouring properties, it is considered this will not be detrimental given the reduced hours and low number of vehicle movements associated with the site. Therefore, on balance, it is considered the temporary change of use is considered to be acceptable and should be approved.

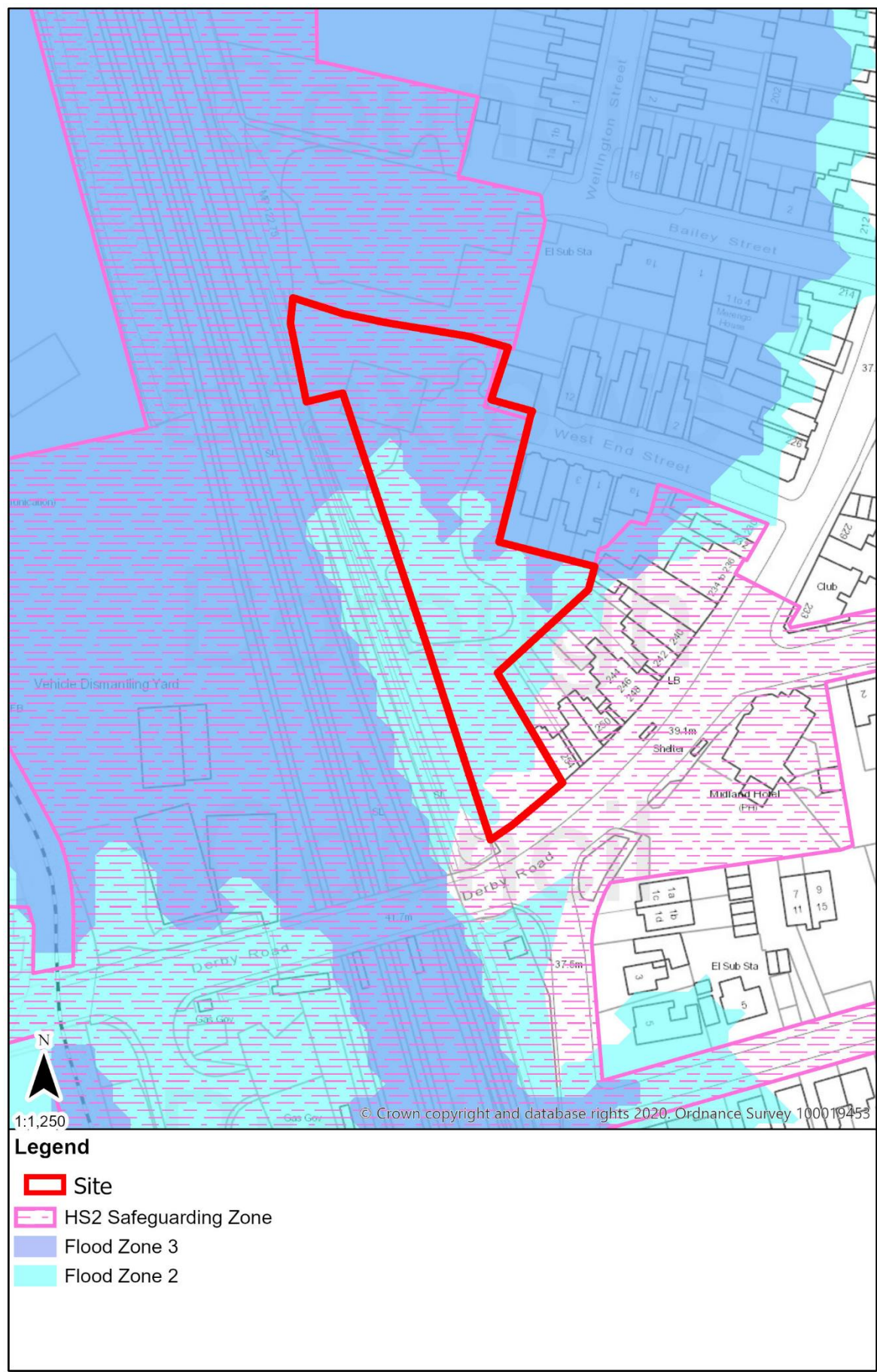
8 Conclusion

- 8.1 To conclude, it is considered the temporary change of use is acceptable, especially given the reduction in the delivery and collection hours for commercial vehicles to the site and the anticipated trips being estimated at no more than 10 a day.

<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 Site Location Plan (1:1250) received by the Local Planning Authority on 6 December 2019 and drawing number DB/MF/010/012/100 received by the Local Planning Authority on 12 December 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>Deliveries and collections by commercial vehicles shall only be made to or from the site between 08:00 - 17:00 hours Monday to Friday, 08:00 - 13:00 hours on Saturday and at no time on Sundays, bank holidays and other public holidays.</p> <p><i>Reason: To protect the immediate residents from excessive operational noise.</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 site falls within land that may be required to construct and/or operate Phase 2b of a high speed rail line known as High Speed Two. Powers to construct and operate High Speed Two are to be sought by promoting a hybrid Bill in Parliament. As a result, the application site may be compulsory purchased. Please visit https://www.gov.uk/government/organisations/high-speed-two-limited for more information.
3.	The site owner should register to receive flood warnings and inform those associated with the site.

Map



Photographs



View of entrance from West End Street facing east



Two storey building to the north of the site



View of site facing north



View of site facing west



View of site facing south west



View of site facing south

Report of the Chief Executive

19/00685/ADV

RETAIN HOARDING

**BASFORDS LTD, NOTTINGHAM ROAD, ATTENBOROUGH,
NOTTINGHAM, NG9 6DP**

Councillor D K Watts has requested this application be determined by Planning Committee.

1 Background

- 1.1 The application seeks to retain a large hoarding which advertises the company, Basfords Ltd. The hoarding is 2.7m above ground level, 5.6m in width, 3m in height and 0.2m in depth. The hoarding is set down marginally from the top of the building.
- 1.2 During the course of the application, the plans were amended to reposition the overhanging element of the hoarding to wrap around the building so it extends 0.5m along the east (side) elevation. A condition will be included so the hoarding is amended to include the wraparound element within eight weeks of the decision date.
- 1.3 This application is the result of the hoarding being displayed without the benefit of advertisement consent. An enforcement case (18/0003/ENF) was raised against the unauthorised hoarding and presented at October's Planning Committee. This was due to previous applications failing to meet the validation requirements for an application. Enforcement action was advised for the removal of the unauthorised hoarding. The minutes documented for this meeting stated the following: *"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."* A new application was submitted which included an amendment to wrap the overhanging element of the hoarding around the corner of the building.
- 1.4 The main issues relate to whether the principle of consent for the hoarding is acceptable and whether there will be an unacceptable impact amenity and public safety.
- 1.5 The benefit of the proposal is that it would enable the business to continue to advertise the company name. Whilst it is acknowledged the hoarding is large the amendment to wrap the sign around the side of the building will improve its visual impact, it is not illuminated and it is set back from Nottingham Road. Furthermore, it is considered unlikely to cause a distraction to drivers, especially considering it is positioned within a largely a commercial area where signs of this nature are generally expected.
- 1.6 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 to retain a large hoarding which advertises the company, Basfords Ltd. The hoarding is 2.7m above ground level, 5.6m in width, 3m in height and 0.2m in depth. The hoarding is set down marginally from the top of the building.
- 1.2 During the course of the application, the plans were amended to reposition the overhanging element of the hoarding to wrap around the building so it extends 0.5m along the east (side) elevation. A condition will be included so the hoarding is amended to include the wraparound element within eight weeks of the decision date.

2 Site and surroundings

- 2.1 The main building is constructed from orange brick with white smooth render on the front/side elevations with large glazing in front elevation. 0.5m high bollards extend along Nottingham Road frontage and around western corner. A 1m high block wall extends across the eastern boundary. The land slopes down slightly across the site from north to south. The car park to the front of the building is accessed through access from the road to the west of the site.
- 2.2 An MOT garage (Highway Garage) and car sales business are positioned to east, Portakabin offices and portakabins are positioned to the west, Stonehouse Tablet (industrial tablet manufacturing company) is positioned to rear and a car sales business is positioned to the north (Evans Halshaw).

3 Relevant Planning History

- 3.1 An application to erect two non-illuminated fascia signs and one non-illuminated sign (11/00204/ADV) was granted consent in May 2011.

4 Relevant Policies and Guidance4.1 **National Planning Policy Framework (NPPF) 2019:**

- Section 12 - Achieving well-designed places

5 Consultations

- 5.1 Six neighbours were consulted on the application and no comments were received.

6 Assessment

- 6.1 Paragraph 132 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements

should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

6.2 No objections have been received.

6.3 Although it is accepted the hoarding is relatively large, the building itself is large with the result that the hoarding does not appear out of keeping or appear disproportionate. The amendment to the application to wrap the sign around the side of the building will improve its visual impact. Furthermore, the hoarding is positioned on the part of the building which is recessed which reduces its prominence. The hoarding is not illuminated and is set back 21m from Nottingham Road and is therefore considered to be an acceptable distance to not cause a visual distraction to drivers.

6.4 Nottingham Road has a number of businesses with advertisements that the hoarding does not appear out of keeping with the area. Whilst it is accepted this will add to the number of advertisements in the area, it is considered it will not represent visual clutter due to the reasons stated above.

7 Planning Balance

7.1 Whilst it is accepted this is an additional hoarding in an area with a number of advertisements, it is considered the hoarding relates to the size of the building that it will not appear out of keeping and is not illuminated and set back from the road to not cause a distraction to drivers. On balance, it is considered the amendment to the application described above is sufficient to ensure that the hoarding does not represent visual clutter and should be approved.

8 Conclusion

8.1 It is concluded that subject to the hoarding being amended in accordance with proposed plans, it is acceptable and should be approved.

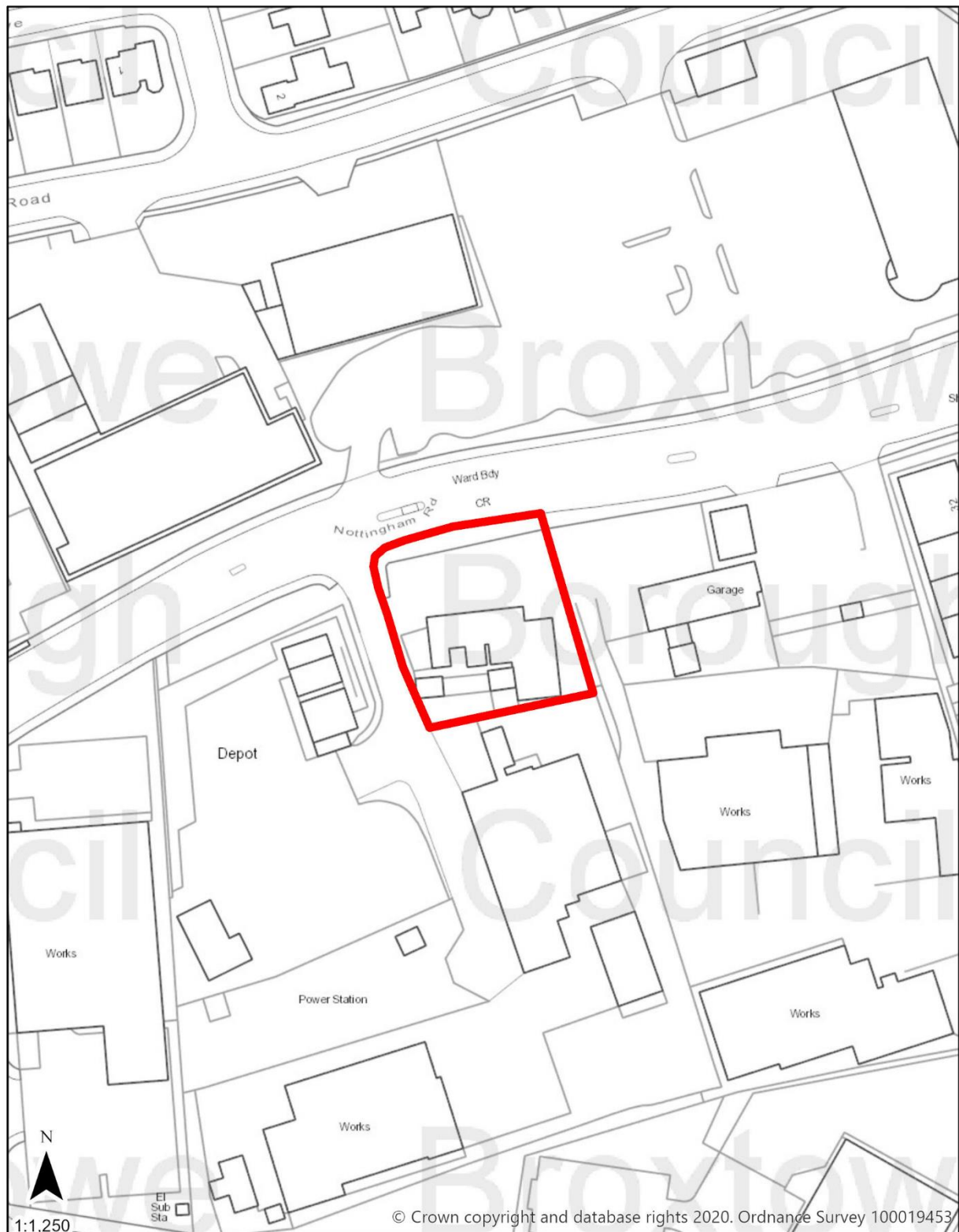
Recommendation

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

- | | |
|----|---|
| 1. | <p>a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>(c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> |
|----|---|

	<p>(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>(e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p> <p><i>Reason: In the interests of amenity and public safety.</i></p>
2.	<p>The development hereby approved shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 25 October 2019 and drawing number: RS/CD/17/10/19/01 Rev E received by the Local Planning Authority on 27 February 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The hoarding hereby approved shall be removed within 8 weeks of the date of this decision notice unless the section of the hoarding which extends beyond the east (side) elevation of the building has been amended so as to accord with drawing number: RS/CD/17/10/19/01 Rev E received by the Local Planning Authority on 27 February 2020.</p> <p><i>Reason: In the interests of amenity.</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>

Map



Legend

Site

Photographs



North elevation

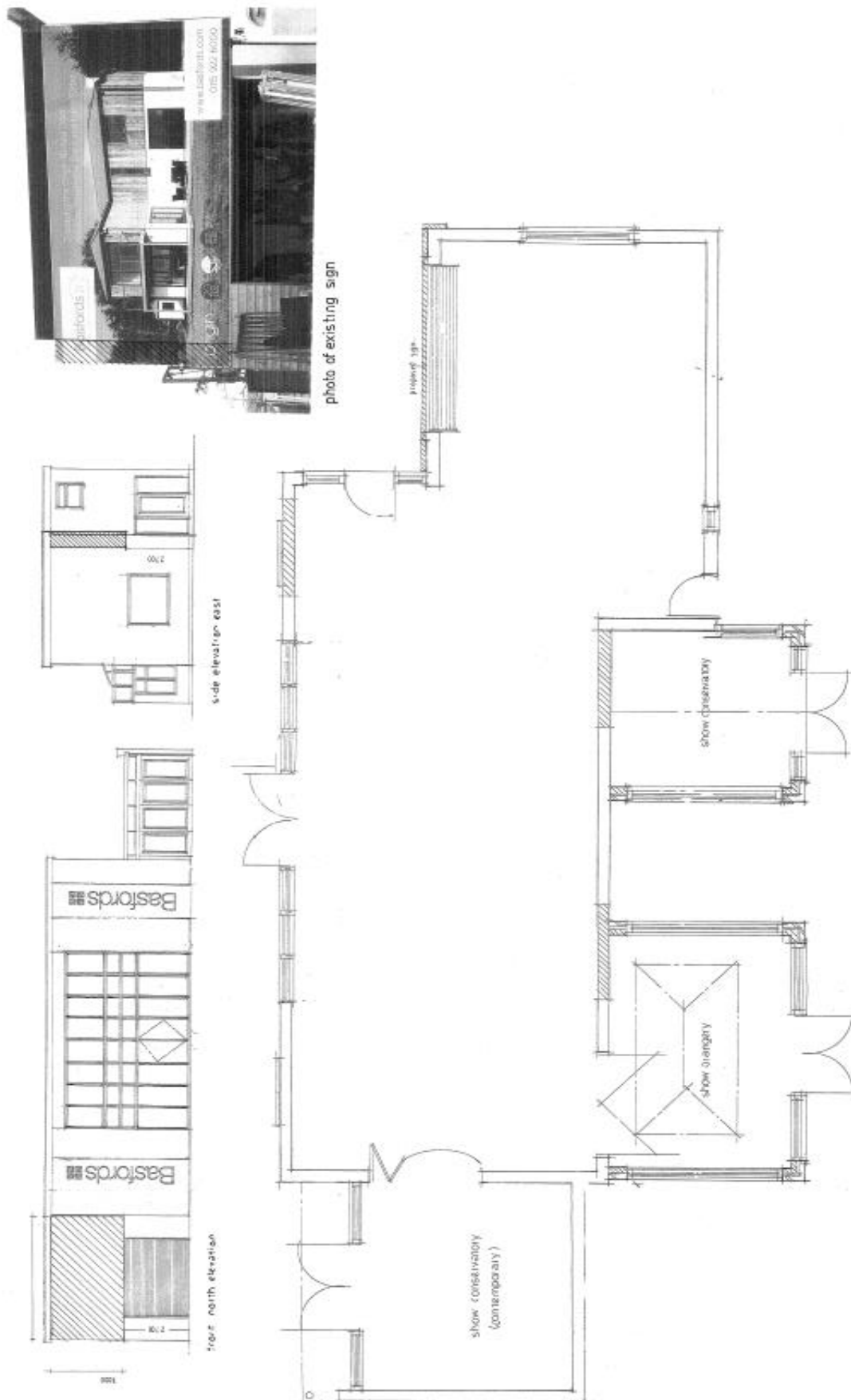


North elevation



North elevation

Plans (not to scale)



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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 are no major applications on this committee agenda.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

APPENDIX

Appeal Decisions

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	6	0	15
Total Appeal Decisions	12	20	1	33

There has been one major appeal decision since October 2017 and the appeal was dismissed.

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
25 JANUARY 2020 TO 28 FEBRUARY 2020**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL

DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	: Mr Richard Hutchinson	19/00684/FUL
Site Address	: 5 Hallams Lane Chilwell Nottingham NG9 5FH	
Proposal	: Construct garden room and retain side extension	
Decision	: Conditional Permission	

Applicant	: Mr Quevani	19/00776/FUL
Site Address	: 51 Mottram Road Chilwell Nottinghamshire NG9 4FW	
Proposal	: Construct two storey side extension and render finish to existing front and rear elevation	
Decision	: Conditional Permission	

Applicant	: Mr D Painter	19/00777/FUL
Site Address	: 8 Scrivelsby Gardens Chilwell Nottinghamshire NG9 5HJ	
Proposal	: Construct first floor rear and single storey rear extensions	
Decision	: Conditional Permission	

Applicant	: Mr S Brown	20/00008/FUL
Site Address	: 35 Farm Road Chilwell Nottinghamshire NG9 5BZ	
Proposal	: Construct single storey rear extension and insert ground floor window in the south east side elevation (revised scheme)	
Decision	: Conditional Permission	

Applicant	: Mr M Robinson	20/00014/PNH
Site Address	: 64 Clumber Avenue Chilwell Nottinghamshire NG9 4BJ	
Proposal	: Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.6 metres, with a maximum height of 3.25 metres, and an eaves height of 2.65 metres	
Decision	: Refusal	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	: Mr Mark Lewis Geo-Matters Ltd Retirement Benefits Scheme	19/00742/FUL
Site Address	: 28 Main Street Awsworth Nottingham NG16 2QT	
Proposal	: Construct single storey side extension, first floor front extension, raising of the roof, canopy to the front and porch to the side	
Decision	: Conditional Permission	

Applicant	: Mr K Oldham	19/00744/LBC
Site Address	: 23 Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	: Listed building consent to retain roof height and replace bricks on gable end of outbuilding to match existing brickwork	
Decision	: Conditional Permission	

BEESTON CENTRAL WARD

Applicant	: Mr S Baldwin Top 365 Ltd	19/00344/MMA
Site Address	: 54 Queens Road East Beeston NG9 2GS	
Proposal	: Minor material amendment to planning permission 16/00157/FUL to amend roof design of extensions, retain revisions to windows and revisions to rear ground levels	
Decision	: Conditional Permission	

Applicant	:	Mr S Baldwin Top 365 Ltd	19/00583/MMA
Site Address	:	28 Queens Road East Beeston Nottinghamshire NG9 2GS	
Proposal	:	Minor Material Amendment to planning permission 17/00017/FUL to retain side extension as built, dormer alterations, revisions to windows and revisions to rear ground levels including retention of rear steps	
Decision	:	Refusal	
Applicant	:	Mr Saeed Ahmed Bubblelt	19/00599/FUL
Site Address	:	Flat At Rear Of 69 Station Road Beeston Nottinghamshire	
Proposal	:	Retain change of use from office (class B1) to residential (studio apartment) (Class C3)	
Decision	:	Conditional Permission	
Applicant	:	Mrs Roopam Carroll Beeston Nursery	19/00732/ADV
Site Address	:	Beeston Nursery 211 Station Road Beeston Nottinghamshire NG9 2AB	
Proposal	:	Retain signs	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Evans	19/00759/FUL
Site Address	:	43 Pelham Crescent Beeston Nottinghamshire NG9 2ER	
Proposal	:	Construct two storey side extension including hip to gable roof, dormer to rear and single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Xu Xuemin	19/00785/CLUE
Site Address	:	32 Albert Road Beeston Nottingham NG9 2GU	
Proposal	:	Certificate of Lawfulness for existing use as a HMO within Use Class C4	
Decision	:	Approval - CLU	
Applicant	:	Mr N Allnutt Property 71 Ltd	19/00804/CLUE
Site Address	:	55 Salisbury Street Beeston Nottingham NG9 2EQ	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Approval - CLU	
Applicant	:	Mr Colin Maber Willow Estates Ltd	20/00015/FUL
Site Address	:	137 - 139 Queens Road Beeston Nottinghamshire NG9 2FE	
Proposal	:	Change of use of ground floor from retail (Class A1) to residential (Class C3) and associated external alterations	
Decision	:	Conditional Permission	
Applicant	:	Property 71 Ltd	20/00028/PNH
Site Address	:	55 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.46 metres, and an eaves height of 2.7 metres	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr C Burton	20/00040/PNH
Site Address	:	25 Read Avenue Beeston Nottinghamshire NG9 2FJ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 4 metres and an eaves height of 3 metres	
Decision	:	PNH Approval Not Required	
BEESTON NORTH WARD			
Applicant	:	Mrs B Sasani	19/00731/FUL
Site Address	:	7 Derby Road Beeston Nottinghamshire NG9 2TA	
Proposal	:	Change of use of first floor from residential (Class C3) to dental surgery (Class D1) and retain hard surfacing	
Decision	:	Conditional Permission	

Applicant	:	Mrs Bita Sasani	19/00768/ADV
Site Address	:	7 Derby Road Beeston Nottinghamshire NG9 2TA	
Proposal	:	Retain one internally illuminated fascia sign	
Decision	:	Conditional Permission	
Applicant	:	Ilya, Cheryl, Neil Frantsuzov, Nicklin, Sculthorpe	19/00787/FUL
Site Address	:	22 Endsleigh Gardens Beeston Nottinghamshire NG9 2HJ	
Proposal	:	Construct two storey side and single storey rear extensions; install external wall insulation to recessed front elevation and rear wall, solar panels and second floor side rooflight and erect shed	
Decision	:	Conditional Permission	
BEESTON WEST WARD			
Applicant	:	Mr & Mrs Elliott	19/00751/FUL
Site Address	:	24 Trevor Road Beeston Nottinghamshire NG9 1GR	
Proposal	:	Construct single storey/two storey side/rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Edward Pidduck	19/00753/FUL
Site Address	:	43 Bramcote Drive Beeston Nottinghamshire NG9 1AT	
Proposal	:	Construct two storey side extension and extend patio	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Grant	19/00771/FUL
Site Address	:	69 Imperial Road Beeston Nottinghamshire NG9 1FE	
Proposal	:	Construct single storey side extension and two storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Ian Coleman	19/00778/FUL
Site Address	:	75 Grove Avenue Chilwell Nottinghamshire NG9 4DX	
Proposal	:	Construct single storey rear extension with raised deck and pergola	
Decision	:	Conditional Permission	
Applicant	:	The Co-operative Food	19/00793/ADV
Site Address	:	The Co-Operative Food Store Wilmot Lane Beeston Nottinghamshire NG9 4AF	
Proposal	:	Display 2 internally illuminated fascia signs	
Decision	:	Conditional Permission	
Applicant	:	Mr Guy Surfleet Everards Brewery	19/00796/FUL
Site Address	:	Crown Inn 20 Church Street Beeston NG9 1FY	
Proposal	:	Demolish Middle Street boundary wall and construct replacement wall	
Decision	:	Conditional Permission	
Applicant	:	Mr Guy Surfleet Everards Brewery	19/00797/LBC
Site Address	:	Crown Inn 20 Church Street Beeston NG9 1FY	
Proposal	:	Listed Building Consent to demolish Middle Street boundary wall and construct replacement wall	
Decision	:	Conditional Permission	
Applicant	:	Mr David Wilcox Key Living Property	19/00807/FUL
Site Address	:	397 Queens Road West Chilwell Nottingham NG9 1GX	
Proposal	:	Construct single storey rear extension and removal of condition 3 of 99/00124/FUL (garage to be used for vehicles only) to allow conversion of existing garage to living accommodation and boundary fence	
Decision	:	Conditional Permission	
Applicant	:	Mrs M Beaumont	20/00002/FUL
Site Address	:	2 Imperial Road Beeston Nottinghamshire NG9 1ET	
Proposal	:	Construct single/two storey rear extension	
Decision	:	Conditional Permission	

BRAMCOTE WARD

Applicant	:	Mr Lowther	19/00642/FUL
Site Address	:	1 Arundel Drive Bramcote Nottingham NG9 3FX	
Proposal	:	Retain side, rear and front extensions and alterations to roof including raising ridge height (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Ms Victoria Hobley	19/00758/FUL
Site Address	:	70 Balmoral Drive Bramcote Nottingham NG9 3FT	
Proposal	:	Replace conservatory and render finish to conservatory and rear elevation and retain render to front elevation and rear open wooden structure	
Decision	:	Conditional Permission	
Applicant	:	Mr K Aldridge	19/00788/FUL
Site Address	:	43 Thoresby Road Bramcote Nottinghamshire NG9 3EN	
Proposal	:	Construct single storey front, side and rear extension, rear shed and external render to house	
Decision	:	Conditional Permission	
Applicant	:	Mr Batt	19/00800/FUL
Site Address	:	104 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Construct single storey and two storey rear extension and pergola	
Decision	:	Conditional Permission	
Applicant	:	Mrs D Grundy	19/00795/OUT
Site Address	:	3 The Jardines Bramcote Nottinghamshire NG9 3BH	
Proposal	:	Outline application to construct one dwelling with all matters reserved	
Decision	:	Conditional Permission	
Applicant	:	Mr Gary Mckenna	19/00809/FUL
Site Address	:	26 Derby Road Bramcote Nottinghamshire NG9 3BA	
Proposal	:	Construct front porch, single storey rear and first floor extensions and relocated detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Boyles	19/00815/FUL
Site Address	:	1 Deddington Lane Bramcote Nottinghamshire NG9 3EW	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Jones	20/00006/FUL
Site Address	:	33 Stanley Drive Bramcote NG9 3JY	
Proposal	:	Alterations and extension to roof including raised ridge height and side dormers (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Nigel Claye	20/00024/FUL
Site Address	:	10 Derby Road Bramcote Nottinghamshire NG9 3BA	
Proposal	:	Construct replacement rear garage extension with pitched roof and convert garage to habitable accommodation	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs R Hancock	20/00026/FUL
Site Address	:	5 Grasmere Road Beeston Nottinghamshire NG9 3AQ	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Passi	20/00046/FUL
Site Address	:	21 Arundel Drive Bramcote Nottinghamshire NG9 3FX	
Proposal	:	Construct single storey annexe in rear garden	
Decision	:	Conditional Permission	

Applicant	:	Mr Andy Hart	20/00066/CLUP
Site Address	:	110 Balmoral Drive Bramcote Nottinghamshire NG9 3FT	
Proposal	:	Construct front porch and canopy roof and convert garage into habitable room	
Decision	:	Withdrawn	

BRINSLEY WARD

Applicant	:	Mr & Mrs A Pulfrey	19/00765/FUL
Site Address	:	44 Mansfield Road Brinsley Nottinghamshire NG16 5AE	
Proposal	:	Construct rear glazed balcony	
Decision	:	Conditional Permission	

Applicant	:	Mr Paul Rollinson	19/00770/FUL
Site Address	:	100 Hobsic Close Brinsley Nottinghamshire NG16 5AX	
Proposal	:	Construct two storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Beresford Brinsley Animal Rescue	19/00803/FUL
Site Address	:	69 Hobsic Close Brinsley Nottingham NG16 5AX	
Proposal	:	Construct single storey front extension to create volunteer room	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant	:	Mr Ben Allen	19/00662/FUL
Site Address	:	7 Hawkswood Close Chilwell Nottinghamshire NG9 5FX	
Proposal	:	Construct single storey front/side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr S Lachhar	19/00772/FUL
Site Address	:	Deepak Foodstore 6 Barn Croft Chilwell Nottinghamshire NG9 4HU	
Proposal	:	Construct extension to existing retail unit and create one flat	
Decision	:	Conditional Permission	

Applicant	:	Mr's Truman, Atkin & Squire	19/00811/OUT
Site Address	:	Land Adjacent 378 High Road Chilwell Nottinghamshire NG9 5EG	
Proposal	:	Outline application to construct dwelling with all matters reserved except for access	
Decision	:	Conditional Permission	

EASTWOOD HALL WARD

Applicant	:	Mrs S Carrington	19/00812/PNH
Site Address	:	87 Garden Road Eastwood Nottinghamshire NG16 3FY	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.6 metres, with a maximum height of 3.6 metres and an eaves height of 2.25 metres	
Decision	:	Prior Approval Not Required	

Applicant	:	Mr Simon Jenkins Panattoni	19/00813/CLUP
Site Address	:	Unit 5 10 Oyster Road Eastwood Nottinghamshire NG16 3UA	
Proposal	:	Create mezzanine floorspace	
Decision	:	Approval - CLU	

EASTWOOD HILLTOP WARD

Applicant	:	Mr Gary Mason	19/00769/FUL
Site Address	:	51 Raglan Street Eastwood Nottinghamshire NG16 3GU	
Proposal	:	Retain single storey rear extension	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant : Miss G Clarkson Persimmon Homes Nottingham 19/00726/MMA
Site Address : Beamlight Automotive Seating Ltd Tricom House Newmanleys Road Eastwood Nottinghamshire NG16 3JG
Proposal : **Minor Material Amendment to reference 19/00520/MMA. 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 David Redgate 20/00009/AGR
Site Address : Coney Grey Farm Mansfield Road Brinsley Nottinghamshire NG16 5AE
Proposal : **Construct steel framed hay barn**
Decision : **Refusal**

Applicant : Mr David Redgate 20/00012/AGR
Site Address : Coney Grey Farm Mansfield Road Brinsley Nottinghamshire NG16 5AE
Proposal : **Construct extension to existing cattle shed**
Decision : **Refusal**

Applicant : Mr Malcolm Hodgkinson 20/00053/AGR
Site Address : Beauvale Manor Farm New Road Greasley Nottinghamshire NG16 2AA
Proposal : **Prior notification to construct agricultural building**
Decision : **Refusal**

Applicant : Mr Malcolm Hodgkinson 20/00055/AGR
Site Address : Beauvale Manor Farm New Road Greasley Nottinghamshire NG16 2AA
Proposal : **Prior notification to construct agricultural building**
Decision : **Refusal**

KIMBERLEY WARD

Applicant : C/o Agent 18/00784/FUL
Site Address : 16 High Spannia Kimberley Nottinghamshire NG16 2LD
Proposal : **Retain air conditioning units and roller shutter doors**
Decision : **Refusal**

Applicant : Mr & Mrs C Coleman 19/00767/FUL
Site Address : 9 Flixton Road Kimberley Nottinghamshire NG16 2TJ
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Jonathan Hickman LCP Estates Ltd 19/00780/ADV
Site Address : Retail Development At Greens Lane Kimberley Nottinghamshire
Proposal : **Display totem sign**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Steve & Penny Hogan 19/00794/FUL
Site Address : 16 Millfield Road Kimberley Nottinghamshire NG16 2LJ
Proposal : **Construct garden room**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Russ & Becky Clarke Buonissima Aperitivo Bar Ltd 19/00805/FUL
Site Address : 28 Valley Road Kimberley Nottinghamshire NG16 2HL
Proposal : **Construct rear dormer and hip to gable roof extension**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mrs L Burgon	19/00783/FUL
Site Address	:	101 Nottingham Road Nuthall Nottinghamshire NG16 1DN	
Proposal	:	Construct garage, two storey and single storey rear extension including balcony and convert existing garage into self contained annex	
Decision	:	Withdrawn	

Applicant	:	Mr & Mrs Kaur	20/00023/FUL
Site Address	:	4 Hillingdon Avenue Nuthall Nottinghamshire NG16 1RA	
Proposal	:	Construct two storey side extension and extend front porch (revised scheme)	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Mrs Sarah Sands	19/00677/FUL
Site Address	:	26 Clarehaven Stapleford Nottinghamshire NG9 7JF	
Proposal	:	Construct single storey side/rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr and Miss James / Emma Daykin / Haigh	19/00754/FUL
Site Address	:	50 Nottingham Road Stapleford Nottinghamshire NG9 8AA	
Proposal	:	Change of use from 5 residential apartments (Class C3) to create 4 residential apartments (Class C3) and 1 commercial unit (Class B8) including a two storey side extension for the commercial unit (Class B8)	
Decision	:	Withdrawn	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mr & Miss Smith & Radice	19/00781/FUL
Site Address	:	172 Brookhill Street Stapleford Nottinghamshire NG9 7GN	
Proposal	:	Construct two/single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Ashley Crawford	20/00018/FUL
Site Address	:	194 Derby Road Stapleford Nottinghamshire NG9 7AY	
Proposal	:	Subdivide HMO to create three separate dwelling	
Decision	:	File Closed	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr P Cooper	19/00544/FUL
Site Address	:	51 Chetwynd Road Toton Nottinghamshire NG9 6FW	
Proposal	:	Construct first floor side extension, alterations to conservatory and front single storey roof and convert garage to habitable room	
Decision	:	Conditional Permission	

Applicant	:	Mr F Mikosz	19/00760/FUL
Site Address	:	46 Sandown Road Toton Nottinghamshire NG9 6JW	
Proposal	:	Construct two storey side and single storey front and rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs T Buxton	19/00802/FUL
Site Address	:	64 Seaburn Road Toton NG9 6HN	
Proposal	:	Construct two storey side extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr M Holland	20/00001/FUL
Site Address	:	6 Steven Close Toton Nottinghamshire NG9 6JX	
Proposal	:	Construct first floor and single storey side extensions	
Decision	:	Conditional Permission	

Applicant	:	Mrs Gill Maher	20/00039/FUL
Site Address	:	1 Staniland Close Chilwell Nottinghamshire NG9 6PA	
Proposal	:	Construct single storey rear and first floor side extension (revised scheme)	
Decision	:	Conditional Permission	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr & Mrs Griffiths	19/00798/FUL
Site Address	:	16 Oxbury Road Watnall Nottinghamshire NG16 1JP	
Proposal	:	Construct two storey side extension and single storey rear extension to form ancillary accommodation	
Decision	:	Conditional Permission	

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