



Tuesday, 27 June 2023

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 5 July 2023 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 6.00 pm.

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

Yours faithfully

Chief Executive

To Councillors:	D Bagshaw (Chair)	G S Hills
	R S Falvey (Vice-Chair)	G Marshall
	P J Bales	H E Skinner
	L A Ball BEM	P A Smith
	R E Bofinger	H G Khaled MBE
	G Bunn	D K Watts
	S J Carr	

A G E N D A

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

The Committee is asked to confirm as a correct record the minutes of the meeting held on 7 June 2023.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 22/00894/REM (Pages 27 - 50)

Construct 104 dwellings (reserved matters access, appearance, landscaping, layout and scale, Planning reference 20/00844/OUT)

Former site of Lynncroft Primary School, Lynncroft, Eastwood, Nottinghamshire

5.2 23/00118/FUL (Pages 51 - 68)

Construct one single storey dwelling, following demolition of existing equestrian structures

Site of Former Stables and Land North West of 22 Westby Lane, Babbington Village

5.3 23/00201/FUL (Pages 69 - 82)

Retain agricultural barn and alteration of land levels (revised scheme)

Land Off Westby Lane Babbington Village Nottingham

5.4 23/00141/FUL (Pages 83 - 100)

Retention of two storey side/rear, single storey front and rear extensions, boundary fence and loft conversion with rear dormer. Change of use of resulting building to 5 bed HMO and 1 bed apartment.

2 Gwenbrook Road, Chilwell, Nottinghamshire NG9 4AZ

5.5 23/00228/FUL (Pages 101 - 112)

Construct single storey rear extension

85 Nottingham Road, Nuthall, Nottinghamshire, NG16 1DN

5.6 23/00080/FUL (Pages 113 - 124)

Construct two storey and single storey side extensions

6 Ilkeston Road, Stapleford, Nottinghamshire, NG9 8JL

6. INFORMATION ITEMS

6.1 APPEAL DECISION 22/00030/FUL (Pages 125 - 126)

6.2 APPEAL DECISION 22/00125/FUL (Pages 127 - 130)

6.3 Delegated Decisions (Pages 131 - 140)

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 3 of Schedule 12A of the Act.

8. PLANNING ENFORCEMENT SERVICE UPDATE (Pages 141 - 142)

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PLANNING COMMITTEE

WEDNESDAY, 7 JUNE 2023

Present: Councillor D Bagshaw, Chair

Councillors: R S Falvey (Vice-Chair)
P J Bales
R E Bofinger
G Bunn
S J Carr
G S Hills
G Marshall
H E Skinner
P A Smith
D K Watts
J M Owen (Substitute)
D D Pringle (Substitute)

Apologies for absence were received from Councillors L A Ball BEM and H G Khaled MBE.

Also in attendance were Councillor P J Owen, ex – officio and Councillor L A Ball BEM who gave apologies for the meeting to allow her to attend as a Ward Member.

The officers in attendance were R Dawson, R Ayoub, B Norman, S Heron, O Wells, C McLoughlin, J Little and K Newton.

1 DECLARATIONS OF INTEREST

Councillor P J Bales declared a registrable, non pecuniary interest in item 5.2 as he was the Governor of a school that was in the East Midlands Education Trust, with Awsworth Junior and Infant School. Minute number 4.2 refers.

Councillor D K Watts and Councillor S J Carr declared a non registrable, non pecuniary interest in item 5.3 as they were both members of the same political party as the applicant. Minute number 4.3 refers.

Councillor D Bagshaw declared a non registrable, non pecuniary interest in item 5.3 as he was acquainted with the brother of the applicant through their membership of Eastwood Parish Council. Minute number 4.3 refers.

2 MINUTES

The minutes were confirmed and signed as a correct record.

3 NOTIFICATION OF LOBBYING

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

4 DEVELOPMENT CONTROL

4.1 APPLICATION NUMBER 22/00767/FUL

Construct 20 dwellings

Land south of 50 Pinfold Road, Newthorpe, Nottinghamshire, NG16 2FT

Councillor M Brown requested that this proposal come before Committee.

There was a late item comprised of the previous report and it was proposed by Councillor D Baghsaw and seconded by Councillor R S Falvey that there be a brief adjournment to allow the Committee to consider the previous report in detail. On being put to the meeting the motion was carried. The meeting resumed thereafter.

A statement was read out on behalf of Keith Baker, objecting. Councillor M Brown, Ward Member, made representation to the Committee prior to the general debate.

After considering all of the representations made to the Committee the main focus of the debate was on the unadopted roads and the lack of storage for wheelie bins on collection day. There was also a discussion regarding flooding and the missed opportunity to make the homes more energy efficient.

It was proposed by Councillor G Marshall and seconded by Councillor D Bagshaw that there be an amendment to condition 10 of the resolution to include storage for bins on collection day. On being put to the meeting the motion was carried.

RESOLVED that planning permission be granted subject to the following conditions and to the prior signing of a Section 106 Agreement.

1. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

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

2. **The development hereby permitted shall be carried out in accordance with drawing(s) numbered:**

**Site Location Plan 1: 1250,
Proposed Elevations/Floor Plans, Plots 1 – 2, 5 – 9, 12, 13, 19 and
20, DB/MS/21/16/02 received by the Local Planning Authority 27
September 2022.**

Proposed Elevations/Floor Plans, Plots 4, 14 – 17, DBMS/21/16/03,

Proposed Elevations/Floor Plans – Plots 10, 11 and 18, DB/MS/21/16/04 received by the Local Planning Authority 01 December 2022.

Proposed Site Section, A-A, B-B and C-C, DB/MA/21/16/05A, Site Block Plan, DB/MS/21/16/01B received by the Local Planning Authority on 20 December 2022.

Reason: For the avoidance of doubt.

- 3. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.**

Reason: In the interest of highway safety.

- 4. No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council.**

The statement shall include:

- a) The means of access for construction traffic;**
- b) parking provision for site operatives and visitors;**
- c) the loading and unloading of plant and materials;**
- d) the storage of plant and materials used in construction / demolition of the development;**
- e) a scheme for the recycling/disposal of waste resulting from construction / demolition works / site clearance;**
- f) details of dust and noise suppression to be used during the construction phase.**
- g) a scheme for the identification and safe removal of any asbestos containing material located on site.**

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

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

- 5. No building operations shall be carried out above ground level until details of the manufacturer, type and colour of the bricks and tiles to be used have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**

Reason: To ensure the satisfactory appearance of the development, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. No building operations shall be carried out above ground level until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.
Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
 - No surcharge shown in a 1 in 1 year.
 - No flooding shown in a 1 in 30 year.
 - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Provide evidence to ensure no risk to third party during flood events.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason:

A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

6. Occupation of the hereby approved dwellings shall not take place until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the

highway boundary, and which shall be drained to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

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

7. Occupation of the hereby approved dwellings shall not take place until the site access arrangement as shown on approved drawing: Site Block Plan, DB/MA/21/16/01B received 20 December 2022 have been provided, unless otherwise agreed in writing by the Local Planning Authority.

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

8. Occupation of the hereby approved dwellings shall not take occupied until details of the proposed arrangements and plan for future management and maintenance of the private road including associated drainage have been submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the approved management and maintenance details, until such time that a private Management and Maintenance Company has been established.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

9. Operational building works shall be limited to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and at no times on Sundays and Bank Holidays.

Reason: In the interest of residential amenity, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

10. No development shall take place above ground level until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:

(a) trees, hedges and shrubs to be retained and measures for their protection during the course of development;

(b) numbers, types, sizes and positions of proposed trees and shrubs;

- (c) proposed boundary treatments;
- (d) proposed hard surfacing treatment;
- (e) proposed lighting details;
- (f) planting, seeding/turfing of other soft landscape areas;
- (g) bin storage area (within 15m from the collection point on Pinfold Road).

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

Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).

11. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).

12. During the construction works, no materials, equipment, machinery, temporary buildings or surplus soil shall be placed or stored beneath the branches of the trees protected by a Tree Preservation Order, and no oil, bitumen, cement or other materials likely to be injurious to a tree shall be discharged within 10 metres of the trunk. If any trenches for services are required within the canopy areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 25mm (1 inch) or more shall be left unsevered.

Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected and in accordance with Policy 17 of the Part 2 Local Plan (2019).

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

Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected and in accordance with 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, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.**
- 2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority**
- 3. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]**
- 4. The off-site improvements associated to this consent will require you to undertake works 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. You are therefore required to contact Via East Midlands on 0115 8042100 to obtain the necessary consents/license.**
- 5. As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 6. Please note that this permission has been granted contemporaneously with an agreement under Section 106 of the**

Town and Country Planning Act 1990, and reference should be made thereto.

4.2 APPLICATION NUMBER 23/00130/FUL

Construction of Multi-Use Games Area (MUGA) Facility with 3 Metre High Perimeter Fencing and 4 Floodlighting Columns
Awsorth Junior and Infant School, The Lane, Awsorth

The application was brought to the Committee at request of Councillor D D Pringle.

There were a number of late items, including a car parking plan, consultation responses from partner agencies and objections from neighbours to the proposed development.

Ben Painter, on behalf of the applicant, Erica Owen, supporting, Graham Spencer, objecting and Councillor L A Ball BEM, Ward Member, made representation to the Committee prior to the general debate.

The Committee considered all of the information pertaining to the proposed development, with specific comments on concerns about community use, car parking spaces and the lack of facilities for those using the MUGA out of school hours. It was also noted that the MUGA would put the school at the heart of the community and provide a service that would be beneficial to health and wellbeing to the wider population.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

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

- 2. The development hereby permitted shall be carried out in accordance with the lighting plan HLS3565, Site Location Plan and Block plan 20201-16(P)03 /rev P2, Plan of MUGA and Lighting 20201-16(P) 05 P1, Proposed Plan and Elevations of the MUGA and Lighting 20201-16 (P) 06 P2, MUGA dimensions 20201-16 (P) 04 P2, Proposed MUGA and new location of the grass pitch 20201-16 (P) 09 P3 and the Noise Management Plan received by the Local Planning Authority 14 February 2023. Plan demonstrating car parking arrangement received 11 May 2023.**

Reason: For the avoidance of doubt.

- 3. The MUGA and lighting hereby approved shall not be commenced until a community use agreement prepared in**

consultation with Sport England has been submitted to and approved in writing with the Local Planning Authority. The agreement shall apply to the MUGA and lighting and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 25 of the Part 2 Local Plan (2019) and Policy 12 of the Broxtowe Aligned Core Strategy (2014).

4. The MUGA and associated lighting hereby approved shall not be used except between the hours of 08.00 – 20.00 Monday to Friday, and 08.00-18.00 Saturday, Sunday, Bank Holiday and any other public holidays without prior agreement in writing of the Local Planning Authority.

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

5. Details of any external lighting to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimize overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development in line with the current guidance from the Institute of Lighting Engineers - Reduction of Obtrusive Light Guidance for the duration of the permitted use.

Reason: The details are required to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. The MUGA hereby approved shall be maintained in accordance with the manufacturers guidance to prevent excessive noise from wear and tear.

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

7. The MUGA hereby approved shall be operated in line with the

**East Midlands Educational Trust and Awsworth Primary School
Noise Management Plan received 14 February 2023.**

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

- 8. The mesh fencing of the MUGA shall be green in colour and shall be retained as such for the lifetime of the development.**

Reason: To ensure a satisfactory standard of external appearance in accordance with Policy 17 of Broxtowe Part 2 Local Plan.

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.**
- 2. Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08:00 and 18:00 hours Monday to Friday, 08:00 and 13:00 on Saturday and no noisy works on Sunday and Bank Holidays.**

4.3 APPLICATION NUMBER 22/00696/VOC

Variation of condition 1 (The development hereby permitted shall be carried out in accordance with the approved plans...) of planning permission reference 21/00023/FUL to regularise the construction of a viewing platform within the lion enclosure and balcony to the north west side of the stable building
Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley

The application was brought to the Committee at request of Councillor P J Owen.

There were a number of late items including comments from the Environmental Health department and a letter from the planning agent.

Reece Oliver, the applicant, and Peter Walker, objecting, made representation to the Committee prior to the general debate.

Having had due regard for the representations made to it, the Committee debated the safety of the platform, the large size of the platform and the impact of overlooking on neighbours.

RESOLVED that planning permission be refused due to the size and safety of the platform, with the precise wording of the refusal and conditions delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

The proposed scheme, by virtue of its siting, size and design, is out of keeping with the area that creates a development at odds with its surroundings, to the detriment of the character and appearance of the area. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

4.4 APPLICATION NUMBER 23/00078/FUL

**Change of use from dwelling (Class C3) to HMO (Class C4)
126 Central Avenue, Beeston**

Councillor S J Carr had requested that this proposal come before Committee.

There were no late items.

A resident, objecting, made representation to the Committee prior to the general debate.

The Committee considered the matter before it with reference to all representations made. The debate focused on the loss of an affordable family home in an area that was residential in character. It was considered that allowing further HMO developments would create imbalance in an area where there was sufficient accommodation of this type. There was also concern about the quality of the housing that was being proposed, as the rooms were very small and the communal areas were felt to be insufficient.

RESOLVED that planning permission be refused due to the impact on the character of the area, the loss of amenity and the loss of an affordable home, with the precise wording of the approval and conditions delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

The proposed change of use from dwelling house (C3) to House in Multiple Occupation (C4) would, by virtue of a loss of housing suitable for family occupation, have a detrimental impact on the character of the area and, due to lack of parking created to meet the needs of a HMO, would pose a significant highway safety concern. As such it is considered that the proposed change of use would upset the residential profile in terms of character as well as resulting in potential negative impacts affecting on-street parking. The proposal would therefore be contrary to Policy 8 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

NOTE TO APPLICANT

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

It was proposed by Councillor P A Smith and seconded by Councillor D Bagshaw that there be a brief recess. On being put to the meeting the motion was carried and the meeting resumed thereafter.

4.5 APPLICATION NUMBER 22/00799/FUL

Construction and operation of two adjacent Battery Energy Storage Systems (BESS) facilities operating at different voltages (132kV and 33kV) in order to fully support the local electricity network. Both facilities are adjacent to each other within a single new overall site compound comprising: the erection of battery containers, switchgear containers, inverters, control building, and new substations; installation of new underground cable circuits to connect the new BESS substations; improvements to access from Common Lane; establishing new internal access roads, resurfaced compound, and turning area; installation of perimeter fencing and access gate; associated ground works; and landscaping.

Southfields Farm, Common Lane, Bramcote, Nottinghamshire, NG9 3DT

The item was brought before Committee at the request of Councillor D K Watts and because the proposal was a departure from the Broxtowe Part 2 Local Plan 2019.

There were a number of late items put to the Committee for consideration including a submission from the Bramcote Forum, five objections to the scheme and a note regarding process should the application be approved.

Glynn Jones, the applicant, Anne Whitting – Smith, objecting and Councillor Andrew Kingdon, Ward Member, made representation to the Committee prior to the general debate.

The Committee gave consideration to all of the representations before it, with specific reference to the very special circumstances (VSC) required to build in the Green Belt the focus of the debate. It was noted that in the alternative sites assessment, no other Green Belt sites had been considered and there was concern that there had been a failure to demonstrate that the site was the most appropriate, in spite of the possible harm to the Burnt Hill prominent area for special protection.

The debate moved on to the visibility of the site and it's impact on the openness and amenity of the Green Belt, especially when travelling from South to North. There was also concern about the ecology of the site, though it was noted that the site was not habitat diverse. Discussions progressed on to the climate crisis and the importance of infrastructure for renewable energy.

There were also concerns about the access for plant vehicles to the site via Town Street and Common Lane, flooding in the vicinity of the site on the A52.

RESOLVED that planning permission be refused with the precise wording of the refusal, to include the impact of the openness and the amenity of the Green Belt, to be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

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 that the proposed development 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 Policy 3 - The Green Belt of the Broxtowe Aligned Core Strategy Part 1 Local Plan (2014) and Policy 8 - Development in the Green Belt of the Broxtowe Part 2 Local Plan (2019).**
2. **The submitted scheme, by virtue of its siting, size, scale and design would represent an unsatisfactory form of development to the detriment of the character of the Burnt Hill Bramcote Prominent Area of Special Protection and the openness of the Green Belt in this location. The proposed development is therefore contrary to Policy 10 - Design and Enhancing Local Identity and Policy 16 - Green Infrastructure, Parks and Open Space of the Broxtowe Aligned Core Strategy (2014) and Policy 17 - Place-making, Design and Amenity and Policy 28 - Green Infrastructure Assets and of the Broxtowe Part 2 Local Plan (2019).**

4.6 APPLICATION NUMBER 23/00051/REG3

Demolition of existing changing pavilion and construct community leisure pavilion together with associated external works including installation of MUGA and replacement of skate park with community garden.

Pavilion, Hickings Lane Recreation Ground, Hickings Lane, Stapleford, Nottinghamshire

The application was brought to the Committee because the applicant is the Council.

There were a number of late items for the Committee to consider, including an objection from Sport England, objections from a resident and a community group and a number of corrections to the report.

Jonathon Little, on behalf of the applicant and Richard Kane, objecting, made representation to the Committee prior to the general debate.

Having given due weight to all the representations made to the Committee debate focused on the importance of investing in Stapleford, and balancing that with the changes that had been made to the proposal due to building costs. There was concern about possible sites for the relocation of the Cricket Club and it was noted that there was a condition pertaining to this.

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

1. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

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

- 2. The development hereby permitted shall be carried out in accordance with the following plans:**

- **Site Location Plan**
- **Utility Survey 45652_T_UG Rev. 0**
- **Topographical Survey 45652_T Rev. 0**
- **Existing Site Plan 0101 Rev. P02**
- **Existing Building 0016 Rev. P01**

(All received by the Local Planning Authority 19/01/23)

- **Proposed Floor Plans 0010 Rev. P06**
- **Proposed Roof Level Plan 0012 Rev. P04**
- **Proposed Elevations 0015 Rev. P05**

(All received by the Local Planning Authority 04/05/23).

- **Proposed Site Plan 0102 Rev. P06**

(Received by the Local Planning Authority 25/05/23).

Reason: For the avoidance of doubt.

- 3. No development above slab level shall commence until samples/details of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.**

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

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

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

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

(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

Reason: In the interest of public health and safety in accordance with Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 5. No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**

- (a) numbers, types, sizes and positions of proposed trees and shrubs**
- (b) proposed boundary treatments**
- (c) proposed hard surfacing treatment**
- (d) proposed lighting details**
- (e) planting, seeding/turfing of other soft landscape areas**
- (f) proposed retaining walls or similar structures**

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

Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

- 6. Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall include enhancement measures and habitat creation. The development shall be implemented in accordance with the approved Landscape and Ecological Management Plan unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.

- 7. No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and**

approved in writing by the Borough Council. The statement shall include:

- a) The means of access for construction traffic;
- b) parking provision for site operatives and visitors;
- c) the loading and unloading of plant and materials;
- d) the storage of plant and materials used in construction / demolition the development;
- e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and
- f) details of dust and noise suppression to be used during the construction phase.
- g) a scheme for the identification and safe removal of asbestos containing material.

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

Reason: To protect the amenity of neighbouring residents in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

8. Prior to the commencement of any development that may affect the use of the cricket pitch, a cricket club relocation plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure suitable relocation of the cricket club is secured in accordance with the aims within Part 8 - Promoting healthy and safe communities of the of the National Planning Policy Framework 2021.

9. Prior to the commencement of the development, a detailed renewable energy and sustainability management plan shall be submitted to and approved by the Local Planning Authority. Details should include the siting, design and required maintenance of any renewable energy structures. The renewable energy and sustainability management plan shall be in accordance with the recommendations contained within the Energy Statement dated 12th May 2023.

Reason: In the interests of sustainability in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2021.

10. Suitable ventilation and filtration equipment shall be installed to suppress and disperse odour created from food preparation operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's

instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority prior to the installation of the any ventilation and filtration equipment. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

11. 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 SCP - LFA - XX - XX - DR - A – 0102 S2 PO6. 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.

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 in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

12. No part of the development shall be brought into use until illustrative details of the siting and design of the bin and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

13. No part of the development shall be brought into use until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.

Reason: To reduce the potential for crime in accordance with Part 8 - Promoting healthy and safe communities of the National Planning Policy Framework 2021.

13. Any floodlighting installed and operated by way of this permission shall be installed and maintained in line with the current guidance from the institute of lighting engineers

‘Reduction of obtrusive Light’ guidance for the duration of the permitted use.

Reason: To protect nearby residents and road users from excessive light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 14. The floodlit MUGA shall only be used at the following times: Monday to Sunday 08.30-21.00 only.**

Reason: To protect nearby residents and road users from excessive operational noise and light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 15. The pavilion building shall not be used except between 08.00 – 22.00 Monday to Sundays without the prior agreement in writing of the Local Planning Authority.**

Reason: To protect existing residents from noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 16. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.**

Reason: To protect nearby occupiers from excessive construction noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 16. The hereby permitted development shall be carried out in accordance with the recommendations contained within Section 6.3 of the Sustainable FRA and Drainage Strategy by Tunstall Smith King dated May 2023.**

Reason: In the interests of flood risk in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2021.

- 17. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or**

diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity 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 applicant is advised that the proposed will require a Food Registration. Please contact the Councils Environmental Health Department on Tel 0115 9173485.
3. The internal layout, design and construction of the premises must meet the current Food Safety and Health and Safety requirements. The applicant must therefore contact the councils Food and Occupational Safety Section on tel :01159173485.
4. The applicant is advised that the proposed may require a Premises Licence. Please contact the Councils Licensing Department on Tel 0115 9173485.

4.7 APPLICATION NUMBER 23/00082/FUL

Construct single storey extension with mezzanine level to west elevation following demolition of existing conservatory
Cochon Villa, Grange Estate, Robinettes Lane, Cossall, Nottinghamshire, NG16 2RX

This application was brought before Committee by Councillor D D Pringle.

There were no late items.

Martin Byrne, the applicant, made representation to the Committee prior to the general debate.

It was noted that the proposed development would not impact on the openness or amenity of the Green Belt.

RESOLVED that the application be approved, with the precise wording of the approval and conditions delegated to the Chair of the Planning Committee in conjunction with the Head of Planning and Economic Development.

Conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority 2 March 2023, proposed elevations and floor plans GD/MMA/22/018/02 received by the Local Planning Authority 23 February 2023.**
- 3. The extensions hereby approved shall be constructed using bricks and tile of a type, texture and colour so as to match those of the existing dwelling**

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 the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).**

Note to Applicant

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

5 INFORMATION ITEMS

5.1 APPEAL DECISION 21/00849/FUL

The appeal decision pertaining to Land to Rear of 179 High Road, Chilwell Nottinghamshire, NG9 5BA was noted.

5.2 APPEAL DECISION 22/00227/CLUP

The appeals decision regarding 25 Broadgate, Beeston was noted.

5.3 APPEAL DECISION 22/00421/FUL

The appeal decision regarding 86 Baker Road, Newthorpe, Nottinghamshire, NG16 2DP was noted.

5.4 APPEAL DECISION 22/00548/FUL

The Committee noted the appeal regarding land opposite 7 Coopers Green, Beeston, Nottinghamshire, NG8 2RP.

5.5 DELEGATED DECISIONS

The delegated decisions were noted.

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Report of the Chief Executive

APPLICATION NUMBER:	22/00894/REM
LOCATION:	Former site of Lynncroft Primary School, Lynncroft, Eastwood, Nottinghamshire
PROPOSAL:	Construct 104 dwellings (reserved matters access, appearance, landscaping, layout and scale, Planning reference 20/00844/OUT)

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

1.1 Purpose of Report

The application seeks to gain permission for the matters reserved as part of outline planning permission reference 20/00844/OUT, with the reserved matters being access, appearance, landscaping, layout and scale.

1.2 Recommendation

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

1.3 Detail

- 1.3.1 The principle of the development has been considered to be acceptable through the allocation of the site within the Local Plan Part 2 2019 for residential development of up to 200 dwellings and also the granting of Outline Planning Permission under reference number 20/00844/OUT.
- 1.3.2 There is currently an outline planning application pending (20/00845/OUT) which was presented to Planning Committee and approved subject to completion of a s.106 Agreement in June 2022. The application was for outline planning permission with all matters reserved for 60 assisted living apartments with access from Walker Street. The application is pending awaiting the signing of a Section 106 Agreement.
- 1.3.3 The site was formerly occupied by a primary school which included playing fields to the west of the main school buildings, which have since been demolished. Pedestrian and vehicular access to the school was situated off Lynncroft.
- 1.3.4 The main issues relate to whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity, whether there would be any detrimental impact on highway safety, contamination of the land, flood risk and the impact on local wildlife/biodiversity.
- 1.3.5 The benefits of the scheme are that the proposal would provide a wide range of size and type of accommodation which would contribute to the delivery of housing stock within the Borough, would provide affordable housing of an amount that would accord with Local Plan policy, it would be set within a layout which encourages

sustainable modes of transport with connections to both the built up area of Eastwood and beyond and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

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

1.4 Financial Implications

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

1.5 Legal Implications

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

1.6 Data Protection Compliance Implications

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

1.7 Background Papers

Nil

APPENDIX

1. Details of the Application

- 1.1 The application seeks approval of reserved matters for the residential areas of the site following the granting of outline planning permission under reference 20/00844/OUT. The design of the dwellings consists of a mix of two and two and a half storey dwellings in a mix of detached, semi-detached and terraced properties. The reserved matters are Access, Appearance, Landscaping, Layout and Scale. An overall total of 10 Affordable Houses are proposed, the breakdown of these units is as follows:

- 5 x 1 Bed Dwellings;
- 5 x 2 Bed Dwellings.

- 1.2 The breakdown of remaining 100 residential units is as follows:

- 15 x 1 Bed Dwellings;
- 14 x 2 Bed Dwellings;
- 36 x 3 Bed Dwellings;
- 21 x 4 Bed Dwellings;
- 8 x 5 Bed Dwellings.

- 1.3 The principle of the development has been considered to be acceptable through the allocation of the site within the Local Plan Part 2 2019 for residential development of up to 200 dwellings and also the granting of Outline Planning Permission under reference number 20/00056/OUT.

- 1.4 As part of the outline planning application, an indicative layout plan was submitted proposing a maximum of 110 dwellings.



It was considered that the indicative layout made good use of the available developable land whilst providing pedestrian links through to the existing Public Rights of Way including creation of new pedestrian links, and indicative areas for the provision of SuDS as required by the Key Development Requirements (KDR) of Policy 6.1. It was considered that the indicative layout demonstrated that

adequate provision for off street parking, bin storage and private external amenity space was achievable. It was also considered that increasing the amount of dwellings on the site may have been over-intensive as it would have the potential to impact on the provision of parking, lead to smaller dwellings and gardens, and have greater impact on neighbour amenity for both existing and future residents. An area was also set aside as a public open space (to the south west of the site).

- 1.5 The submitted planning layout plan submitted for consideration as part of this reserved matters application is considered to have followed the principles of the indicative layout plan, with a central access spine road running through the site, with access via Lynncroft, drainage to the north of the site and public open space to the south west.

2. Site and Surroundings

- 2.1 The school buildings, which were located to the east of the site and accessed off Lynncroft, have been demolished. The school had two large areas used as playing fields / sports pitches. The northern area is within the application site and is at a lower ground level than the southern school field, which is outside of the application site boundary. There is approximately a 10m level change over the allocated site as a whole.
- 2.2 There are residential buildings to the north of the site, along Garden Road, which are at a lower ground level. These are mainly two storey semi-detached dwellings with long gardens, which have mature trees along the common boundary with the school site. There is a footpath that links Garden Road to Atherfield Gardens, which is to the west of the site. These are two storey semi-detached dwellings which back on to the site. These are on a level with the fields. To the south of Atherfield, and in the southern most corner, the rear elevations of two storey terraced houses on Grosvenor Road, as well as a small factory to the end of Grosvenor, share the common boundary to their north. The site also shares a common boundary with 173 Lynncroft, which is a detached bungalow. To the rear of the bungalow and south of the former school building's location, there is an area of mature trees known as the Canyons. These are outside of the application site.
- 2.3 To the north of the site, but not directly adjacent, is 28 Garden Road, on the opposite side of the road. This property is a Grade II listed building, being a two storey end of terrace dwelling at the corner of Beardsall Road. The property is listed for its associate significance, having been lived in by D H Lawrence and is part of the DH Lawrence trail.
- 2.4 There is a Public Right of Way which runs from Garden Road, opposite the listed building, southwards (between the school buildings and the playing fields).

3. Relevant Planning History

- 3.1 There have been two planning notifications made by the County Council as Education Authority relating to the use of the site as a school and grounds, which were both for security fencing, in 2002 and 2006.

- 3.2 20/00845/OUT - This application was for outline planning permission with all matters reserved for 60 assisted living apartments with access from Walker Street. The application is pending awaiting the signing of a Section 106 Agreement.
- 3.3 20/00844/OUT – This application was for outline planning permission for the construction of up to 110 dwellings with all matters reserved.

4. Relevant Policies and Guidance

4.1 Greater Nottingham Aligned Core Strategy 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 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces
- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan 2019

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

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

4.3 National Planning Policy Framework (NPPF) 2021:

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

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

5. Consultations

5.1 **Nottinghamshire County Council Highways** – No objections subject to conditions outlined in the appendix.

5.2 **Nottinghamshire County Council Rights of Way** – No objections.

5.3 **Nottinghamshire Wildlife Trust** – Provide general advice regarding ecology on the site.

5.4 **Council's Waste Collection** – Provide general advice regarding bin storage requirements.

5.5 **Environmental Health** – No objections.

5.6 **Nottinghamshire County Council Local Lead Flood Risk Authority** – Raise no objections.

5.7 **The Councils Tree Officer** - No objections to the proposal

5.8 **Eastwood Town Council** – Raise objections on the grounds of over intensification of the site, access and egress from the site onto an already over used narrow steep road, alternative access should be considered via Nottingham Road, lack of open space and the impact on existing residents of Garden Road,

5.9 **Written representations** – Site notices were originally posted, a press notice published and neighbouring properties. Following receipt of amended plans, neighbours were re consulted along with the posting of site notices. 68 responses were received. The responses can be summarised as follows:

- Flood risk;
- No mention of provision to deal with un-regulated surface water run-off;

- Single access to 110 dwellings is inadequate as Lynncroft is a narrow road, an additional access onto other roads is needed;
- The layout should ensure that all units have adequate parking so as to avoid on-street parking and overflow onto nearby roads;
- Loss of valued greenfield site and playing fields, which is currently available for use by the public;
- Neighbour amenity, particularly overlooking and loss of privacy due to the raised level of the site, and noise and disturbance;
- Impact on character and appearance of the area, which is currently open and green;
- Concerns in respect of construction traffic including deliveries of materials and impact on adjacent streets, which is not suitable for HGV's, and in respect of construction traffic parking on nearby roads;
- Noise and disturbance during construction works;
- Consideration of landscaping to provide buffer between the development and existing houses;
- Doctors and schools will be overrun.

6. **Assessment**

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

7. **Principle**

- 7.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 7.2. The development of the site for residential purposes has been established through the allocation of the site within the Part 2 Local Plan 2019 for up to 200 dwellings. Outline Planning Permission has also been granted under reference number 20/00844/OUT with all matters reserved for up to 110 dwellings. The principle of development of the site for residential purposes is considered acceptable, subject to the consideration of other material planning considerations.
- 7.3. For clarity this scheme is for 104 dwellings representing a removal of 6 dwellings in total from the outline planning permission 20/00844/OUT, which was for up to a total of 110 dwellings. Additionally, the 60 assisted living apartments currently pending consideration subject to the signing of a S106 Agreement accessed off Walker Street under reference number 20/00845/OUT will bring the total number

of dwellings allocated for the development of the site in under the site allocation within the adopted Part 2 Local Plan 2019, which was for up to 200 dwellings.

8. **Design and Visual Amenity**

- 8.1 Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy states design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. Policy 17 of the Part 2 Local Plan states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 8.2 The layout plan submitted with the application shows a central road through the site with access taken from Lynncroft. Smaller secondary roads and private drives lead to dwellings off this primary route. All dwellings will be sited to front the existing street scene of Lynncroft and the central road through the site, with the exception of those located on private driveways. The proposed dwellings comprise a mix of two storey buildings varying from two to five bedrooms, with various plots benefitting from either integral, attached or detached garages. The development will include a variety of different house types of individual design which will add to the individual appearance of the internal layout of the development. Private driveways serving the dwellings are proposed to the side, front and rear of the dwellings.
- 8.3 In terms of existing hedgerows and trees within the site and along the boundaries these are to be retained. To complement the existing hedgerows and trees, additional planting and public open space areas are proposed. The proposed public open space within the site will be managed by the developers and this will be secured through a maintenance company via the S106 Agreement associated with the outline planning permission 20/00844/OUT. The existing public right of way running through the site from Walker Street to Garden Road will remain.
- 8.4 To conclude, the variety in appearance of the house types throughout the development along with the open spaces and proposed landscaping will create an interesting and pleasant environment. Whilst it is acknowledged that the character of the site will change from that of a field to one of built development, this will not be at odds with the residential character of the area. The proposal is not considered to have any significant detrimental impact upon the visual amenity of the area and is in accordance with policy 10 of the Aligned Core Strategy and policy 17 of the Part 2 Local Plan.

9. **Residential Amenity**

- 9.1 Objections have been received from neighbouring properties in respect of loss of views, loss of privacy, overlooking, loss of daylight/sunlight, sense of enclosure and noise/dust during the construction period.
- 9.2 The proposed layout indicates the provision of six detached two storey dwellings fronting onto Lynncroft. Whilst there are existing dwellings located opposite, there is an open highway between these proposed and a separation distance of in excess of 13m. This relationship is not at odds with the relationship of the existing dwellings where facing each other located on Lynncroft. Directly to the side of Plot 1 fronting onto

Lynncroft there is an existing single storey dwelling. This plot is set away from the boundary with a private driveway to the side and there are no side facing habitable windows on the adjacent property. In terms of impacts upon existing residential properties located on Garden Road and Atherfield Gardens, whilst new dwellings are proposed backing onto these properties, adequate separation distances of in excess of 21m have been provided with the new dwellings being two storey in nature. Whilst a site section plan has been submitted in support of the planning application indicating the land levels within the site being higher than the adjacent existing properties located on Garden Road, the provision of the planting of a bank of trees between these properties will provide a natural barrier. In addition, a 1.8m high timber fence will also be located to the rear of these properties.

- 9.3 In terms of the future occupiers, the layout provides for each property to have access to private outdoor amenity space and storage for bins. The layout allows for adequate spacing between each property. Internally, the design and layout allows for satisfactory access to natural light and to an outlook, and the dwellings conform to the DCLG's Technical Housing Standards in terms of internal floor space.
- 9.4 Whilst the character of the site will change from that of an open field to one of built development, this will not be at odds with the residential character of the area. In view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.

10. **Highway Safety**

- 10.1 The layout takes into account the constraints of the site which are the differences in ground levels. Whilst the playing field area is generally level, there are significant drops to both the north and south of the site, which restricts development to the playing field and the area where the school buildings have been demolished. This also restricts where vehicular access can be located, as the site is bounded by dwellings to the north, east and west, and it would not be practical from an engineering point of view to create an additional or alternative access to the site from Nottingham Road or Walker Street. The latter would also have an impact on the viability of the adjacent site for development as the majority of that part of the site would be taken up by this access and road. There is currently an outline planning application pending (20/00845/OUT) which was presented to Planning Committee in June 2022. The application was for outline planning permission with all matters reserved for 60 assisted living apartments with access from Walker Street. The application is pending awaiting the signing of a Section 106 Agreement.
- 10.2 No objections have been received from The Highway Authority subject to conditions relating to the surfacing of the driveways/parking areas being in a bound material, traffic calming features and the future maintenance of the shared private driveways. All dwellings will be provided with a dedicated socket for future conversion to an EV charging point and this is highlighted on the submitted layout plan.
- 10.3 In respect of traffic generation, the principle has been established under the outline application and the highway designed accordingly to accommodate the amount of development proposed. There are no highway safety issues relating to this application.

11. Land Contamination

- 11.1 As part of the outline planning permission 20/00844/OUT a Phase I Geotechnical Desk Study and Phase II Assessment was submitted. The outline planning permission required details to be submitted of an Intrusive Site Investigation being carried out in accordance with the relevant conditions imposed on the outline planning permission.

12. Flood Risk

- 12.1 Although the site is not in Flood Zones 2 or 3, given the topography of the site, the development would need to ensure that it does not result in an increased risk of flooding to the houses that are at a lower ground level than the site. SuDS features are shown on the layout in line with KDR of Policy 6.1. A Flood Risk Assessment and Drainage Strategy (FRA) was submitted as part of the outline planning application which identified and assessed the risks from all forms of flooding to and from the development and demonstrated how these flood risks will be managed.
- 12.2 A condition was attached to the outline planning permission for the submission of a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment and Drainage Strategy. It is therefore considered that details will be considered as part of the formal discharge of the relevant condition attached to the outline planning permission 20/00844/OUT.

13. Biodiversity

- 13.1 Policy 28 (Green Infrastructure Assets) and Policy 31 (Biodiversity Assets) of the P2LP seek to ensure no significant harm is caused to environmental assets, including protected habitats and species. Both policies share their main evidence base as the Council's Green Infrastructure Strategy. If significant harm is identified, then the P2LP policies require the benefits of the development, such as housing delivery, to clearly outweigh the harm.
- 13.2 The Canyons, which is the wooded area to the south of and outside the application site, is allocated as being a Green Infrastructure Asset (GIA) in the Part 2 Local Plan 2019. The layout plan shows that there are trees to the north of the GIA, which can be read as part of The Canyons, that are to be retained. The PRoW would be maintained to the north-west of the GIA. A detailed landscaping scheme has been submitted which indicates the retention of existing trees and the provision of additional landscaping/planting.
- 13.3 Nottinghamshire Wildlife Trust are generally accepting of the information submitted as part of the application, and the outline planning permission contained conditions to ensure that biodiversity assets are not adversely affected by the development. This includes ensuring construction works are carried out with respect for or harm to the wildlife and to ensure that ecological enhancements are secured.

14. Developer Contributions

- 14.1 Developer contributions have been secured by way of a Section 106 Agreement under outline planning permission reference 20/00844/OUT. No further contributions or obligations are sought.

15 Conclusion

- 15.1 The benefits of the proposal are that the development would provide additional affordable housing, in a sustainable location, and which could contribute to the housing targets for the Borough and provide a wide range of size of housing to meet the needs of the community. The design and layout provides a range of dwelling types and styles enhancing the existing environment by providing attractive green spaces and ease of movement for vehicles, pedestrians and cyclists. The proposed layout will not give rise to any significant impacts upon the residential amenity of existing neighbouring properties and will provide adequate amenity spaces both internally and externally for future occupiers. Issues regarding land contamination, flood risk and biodiversity can be dealt with under the relevant conditions attached to the outline planning permission 20/00844/OUT.
- 15.2 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 15.3 It is recommended that planning permission is granted, subject to the conditions set out below and subject to the relevant conditions imposed under outline permission, reference 20/00844/OUT and in line with the previously agreed Section 106 Agreement.

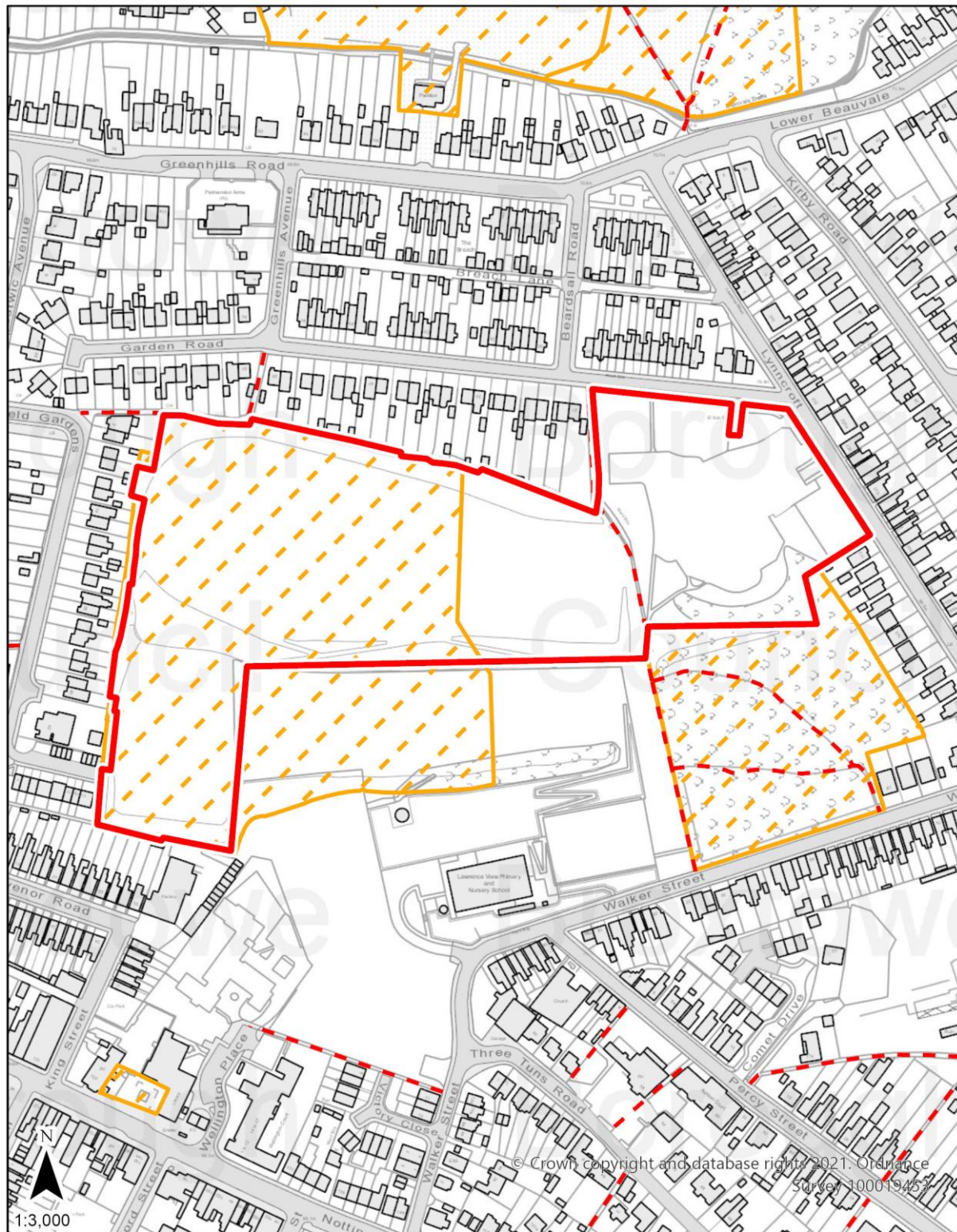
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development to which this approval relates shall be begun no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p><i>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing(s) numbered:</p> <p>Site Location Plan – 6200-100;</p> <p>House Types Floor Plans & Elevations Pack:</p> <ul style="list-style-type: none"> • Askern End – Planning Sheet – Floor Plans (dwg no. AV22/ASK/0-001 RevB);

	<ul style="list-style-type: none"> • Askern End – Planning Sheet – Elevations (dwg no. AV22/ASK/0-002 RevB); • Baildon End – Planning Sheet – Floor Plans (dwg no. AV22/BAI/0-001 RevC); • Baildon End – Planning Sheet – Elevations (dwg no. AV22/BAI/0-002 RevC); • Cadeby Det – Planning Sheet – Floor Plans (dwg no. AV22/CAD/0-001 RevB); • Cadeby End – Planning Sheet – Elevations (dwg no. AV22/CAD/0-002 RevB); • Cookridge End – Planning Sheet – Floor Plans (dwg no. AV22/COO/0-001 RevC); • Cookridge – Planning Sheet – Elevations (dwg no. AV22/COO/0-002 RevB); • Denby End – Planning Sheet – Floor Plans (dwg no. AV22/DEN/0-001 RevB); • Denby End – Planning Sheet – Elevations (dwg no. AV22/DEN/0-002 RevB); • Fernlee – Planning Sheet – Floor Plans (dwg. FER/END/0-001 RevC); • Fernlee – Planning Sheet – Elevations (dwg. FER/END/0-002 RevC); • Horbury Det – Planning Sheet – Floor Plans (dwg no. AV22/HOR/0-001 RevC); • Horbury End – Planning Sheet – Elevations (dwg no. AV22/HOR/0-002 RevB); • Leyburn Det – Planning Sheet – Floor Plans (dwg no. AV22/LEY/0-001 RevB); • Leyburn – Planning Sheet – Elevations (dwg no. AV22/LEY/0-002 RevC); • Oakwood Semi – Planning Sheet – Floor Plans (dwg no. AV22/OAK/0-001 RevB); • Oakwood – Planning Sheet – Elevations (dwg no. AV22/OAK/0-002 RevB); • Ripon End – Planning Sheet – Floor Plans (dwg no. AV22/RIP/0-001 RevB); • Ripon – Planning Sheet – Elevations (dwg no. AV22/RIP/0-002 RevB); • Thornton Det – Planning Sheet – Floor Plans (dwg no. AV22/THO/0-001 RevC); • Thornton – Planning Sheet – Elevations (dwg no. AV22/THO/0-002 RevC);
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	<ul style="list-style-type: none"> • Wentbridge Det – Planning Sheet – Floor Plans (dwg no. AV22/WEN/0-001 RevB); • Wentbridge – Planning Sheet – Elevations (dwg no. AV22/WEN/0-002 RevB); <p>Single Garage Floor Plan & Elevations (dwg no. 500/001 rev. A);</p> <p>Boundary Treatments – 1.8m High Brick Pier & Panel Wall (dwg no. SD 12-001);</p> <p>Boundary Treatments – 1.2m Post & Rail (dwg no. SD 12-010);</p> <p>Boundary – 1.8m Screen Fence (dwg no. SD 12-025);</p> <p>Arboricultural Impact Assessment, Tree Impact Plan and Tree Constraints Plan.</p> <p>Received by the Local Planning Authority 18 November 2022. Site Sections S200-230;</p> <p>Hedgehog Highway Standard Details SD12-045A;</p> <p>Received by the Local Planning Authority 24 March 2023.</p> <p>Managed Areas Plan 6200-310B;</p> <p>Managed Areas Phasing Plan 620-310_2B;</p> <p>Ecological Enhancement Plan 6200-290B.</p> <p>Received by the Local Planning Authority 19 April 2023.</p> <p>Landscape Masterplan R-2658-1D;</p> <p>Tracking Plan 620 – 295C;</p> <p>Lynncroft POS Levels Layout 6200-203.</p> <p>Received by the Local Planning Authority 31 May 2023.</p> <p>Planning Layout 620-200I;</p> <p>Materials Layout 6200 250C.</p> <p>Received by the Local Planning Authority 14 June 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	No part of the development hereby permitted shall commence until details of the proposed arrangements and plan for future management and maintenance of the shared private drive

	<p>including associated drainage have been submitted to and approved in writing by the Local Planning Authority. The shared private drive and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time that a private Management and Maintenance Company has been established.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
4.	<p>Occupation of the proposed dwellings shall not take place until traffic calming features have been provided in accordance with details first submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
5.	<p>Occupation of the proposed dwellings shall not take place until their respective driveways / shared driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveways to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the

	decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
4.	The associated S106 Agreement and all relevant conditions on the outline permission (20/00844/OUT) must be complied with.
5.	<p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.</p> <p>a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.</p> <p>b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is <u>essential</u> that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.</p> <p>Correspondence with the Highway Authority should be addressed to: hdc.south@nottsc.gov.uk</p> <p>Please note, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the HA until technical approval of the Section 278-38 Agreement is issued.</p>



Legend

- Site Outline
- Byway open to all traffic
- Bridleway
- Footpath
- Open Spaces

Photographs

Access point from Lynncroft



Neighbouring property on Lynncroft



Footpath access point from Walker Street and Garden Road



Photos from within the site



Rear boundaries of properties located on Garden Road

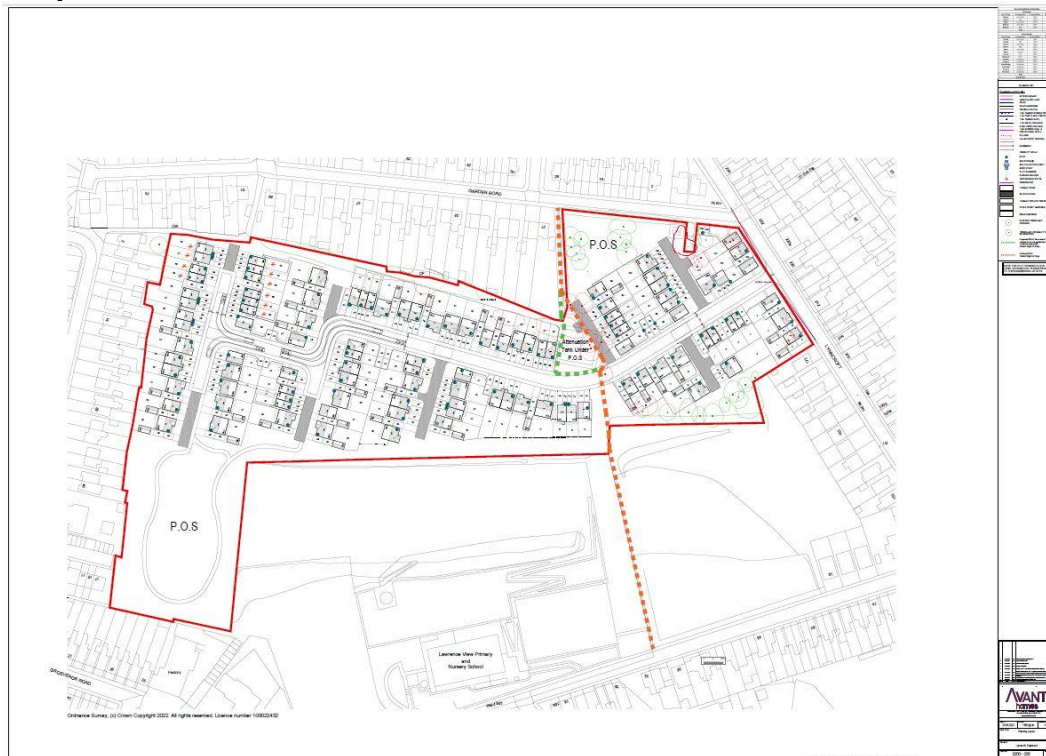


Rear boundaries of properties located on Atherfield Gardens



Plans (not to scale)

Proposed Site Plan



Landscape Masterplan



The architectural drawings for the proposed development at 1000 West 10th Street include the following:

- Section A-A:** A cross-section showing the building's profile and foundation details.
- Section B-B:** A cross-section showing the building's profile and foundation details.
- Section C-C:** A cross-section showing the building's profile and foundation details.
- Section D-D:** A cross-section showing the building's profile and foundation details.
- Section E-E:** A cross-section showing the building's profile and foundation details.
- Section F-F:** A cross-section showing the building's profile and foundation details.
- Section G-G:** A cross-section showing the building's profile and foundation details.
- Section H-H:** A cross-section showing the building's profile and foundation details.
- Section I-I:** A cross-section showing the building's profile and foundation details.
- Site Plan:** A plan view of the development showing the layout of the buildings, parking areas, and surrounding streets.

The image displays four architectural elevations of a two-story house with a gabled roof and horizontal siding. The front elevation shows a central entrance with a small porch, flanked by windows. The left side elevation shows a single window and a side door. The rear elevation shows a double door and two windows. The right side elevation shows a single window and a side door. A scale bar at the bottom indicates a scale of 1:100. The title block on the right identifies the project as 'Avanti 1000' and includes the date '03/11/2022'.

Front Elevation
1:100

Left Side Elevation
1:100

Rear Elevation
1:100

Right Side Elevation
1:100

Scale Bar @ 1:100
(mm)

<p>DATE: 03/11/2022</p> <p>SCALE: 1:100 @ A3</p> <p>DRAWN BY: MB</p>		
<p>PROJECT: Cadeby - Planning Sheet Elevations</p>		
<p>PROJECT: Cadeby - End</p>		
<p>PROJECT: AV22/CAD/0-002</p>		





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Report of the Chief Executive

APPLICATION NUMBER:	23/00118/FUL
LOCATION:	Site of Former Stables and Land North West of 22 Westby Lane, Babbington Village
PROPOSAL:	Construct one single storey dwelling, following demolition of existing equestrian structures

The application is brought to the Committee at request of former Councillor M J Crow. The request was made prior to the 4 May 2023 Elections.

1. Purpose of the Report

- 1.1 The application seeks planning permission to construct one single storey dwelling following the demolition of existing equestrian structures. Access is proposed off Westby Lane, via an existing gated entrance to the south-east.

2. Recommendation

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

3. Detail

- 3.1 The application site is within the Nottinghamshire Green Belt. The proposal is considered to be an exception to inappropriate development in accordance with paragraph 149 g) of the NPPF which allows the redevelopment of previously developed land so long as it does not result in additional harm of the openness of the Green Belt.
- 3.2 The scheme has been designed to help integrate into the site without adversely impacting on the character and appearance of the area and wider landscape. The scale and massing of the proposal has been carefully considered to resemble the existing equestrian structures which are to be demolished. As such, it is considered that the proposal would not be detrimental to the openness of the Green Belt.
- 3.3 It is considered that the proposal will not result in an unacceptable loss of amenity for future or any neighbouring occupiers. Given the proposal is for one dwelling only, it is considered that the proposal will not adversely impact highway safety in this location.
- 3.4 The ecological impacts of the proposal have been assessed and conditions have been proposed to preserve and enhance the ecology on the site.
- 3.5 Overall it is considered that the proposal is in accordance with the policies set out in the Council's Local Plan and the NPPF. It is therefore considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendations set out in the appendix.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

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

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

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

7. Climate Change Implications

Any climate change implications are considered within the report.

8. Background Papers

None.

APPENDIX**1 Details of the application**

- 1.1 The application seeks planning permission to construct one single storey dwelling following the demolition of existing equestrian structures. Access is proposed off Westby Lane, via an existing gated entrance to the south-east.

2. Site and surroundings

- 2.1 The site includes a number of equestrian structures located within a paddock screened by trees along its north and south boundaries. The site is relatively flat, sloping southwards with existing hedgerow along the western boundary reducing views of the existing equestrian structures.
- 2.2 The site is located within the Nottingham-Derby Green Belt and within local landscape area 'Babbington Rolling Farmlands' of the Greater Nottingham Landscape Character Assessment (GNLCA 2009). The surrounding area largely consists of agricultural land.
- 2.3 To the south-east of the site includes 22 Westby Lane, a detached residential property. To the north-west includes Babbington Hall which is a residential property including a number of outbuildings. Babbington Hall also includes a kennels business on site. To the north includes 27 Westby Lane a detached residential property. To the south of the site includes woodland areas.

3 Relevant Planning History

- 3.1 The site is currently used for private equestrian purposes and benefits from a Lawful Development Certificate, granted on 10th November 2022, for the use of the existing structures on the site for equestrian purposes (22/00580/CLUE).
- 3.2 Planning permission (21/00049/FUL) was refused and subsequently allowed at appeal for the construction of 5 dwellings including the demolition of kennels, access and landscaping at Babbington Hall to the north-west of the site.

4 Relevant Policies and Guidance**4.1 Broxtowe Aligned Core Strategy Part 1 Local Plan 2014:**

- 4.2 The Council adopted the Core Strategy (CS) on 17 September 2014:

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 17: Biodiversity

4.3 **Part 2 Local Plan 2019:**

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 30: Landscape
- Policy 31: Biodiversity

4.4 **National Planning Policy Framework 2021:**

- Part 2: Achieving Sustainable Development
- Part 6: Building a Strong, Competitive Economy
- Part 11: Making Effective Use of Land
- Part 12: Achieving Well-designed Places
- Part 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Part 15: Conserving and Enhancing the Natural Environment

5 Consultations

5.1 **County Highways** – No objections.

5.2 **County Rights of Way** – No rights of way affected by the proposal.

5.3 **Broxtowe Environmental Health** – No objections subject to conditioning construction/demolition statement and construction hours.

5.4 **Broxtowe Waste** – Recommended bin dimensions provided.

5.5 **Broxtowe Tree officer** – No objections.

5.6 **Coal Authority** – No objections subject to conditioning a scheme of intrusive investigations to be carried out on site.

5.7 **Nottinghamshire Wildlife Trust** – No objections subject to condition an LEMP that contained the recommendations proposed with the submitted Preliminary Ecological Appraisal and precautionary construction measures.

5.8 **Resident comments** – 1 letter of support and 3 objections received. The following concerns have been raised:

- Impact on the rural character of the area
- Bungalow out of keeping with properties in locality
- Increased traffic on Westby Lane
- Impact on local road infrastructure
- Set a precedent for future development in the area
- No site notice put up

- The proposed development would not be a permitted change in accordance with the relevant permitted development legislation

6 Assessment

6.1 The main issues for consideration are whether or not the proposal is inappropriate development in the Green Belt, the design and appearance of the proposed development, impact on neighbour and future occupier amenity of the proposed development, impact on the local highway network and the ecological impact of the development.

6.2 **Green Belt**

6.2.1 Policy 8 – Development in the Green Belt of the Broxtowe Part 2 Local Plan states that application for development in the Green belt will be determined in accordance with the NPPF, as supplemented by Broxtowe specific points 1-4.

6.2.2 Paragraph 147 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 148 of the NPPF 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 149 and 150 of the NPPF set out a list of exceptions to inappropriate development. Paragraph 149 g) of the NPPF states that an exception to inappropriate development is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

6.2.3 The application site includes a number of equestrian structures which adjoin each other along the northern boundary of the site. The remaining areas of the site are free from built development comprising of a paddock and trees. The equestrian structures comprise of a larger open ended dual pitched roof building and two smaller structures with associated hard standing. The maximum ridge height of the existing structures is approximately 5.87m with a footprint of 257m² and a total volume of 928.74m³. The proposed development includes the demolition of the existing equestrian structures and the construction of a new bungalow. The proposed bungalow features a dual pitched roof including a ridge height of 4.06m. The siting of the proposed bungalow overlaps with the footprint of the existing equestrian structures including a footprint of approximately 256m² and a volume of 907.5m³. As such, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt and as it represents the redevelopment of previously developed land, it is considered that the proposal is in accordance with paragraph 149 g) of the NPPF.

6.2.4 It is important to note that as an existing structure, Policy 8 of the Part 2 Local Plan allows for extensions of up to 30% in volume. As such, it should be noted that there is policy support to potentially extend the proposal from

approximately 928 cubic metres to over 1200 cubic metres. As such, there should be general acceptance that additional floor area could be achieved on the site.

- 6.2.5 It is therefore considered that the principle of development is acceptable subject to an assessment of the design and appearance of the scheme, impact on residential amenity, highway safety and ecology.

6.3 Design and Appearance

- 6.3.1 The site comprises of a number of equestrian structures set back from Westby Lane. The site is relatively flat and slopes southwards. The site is characterised as a spacious paddock with a number of established mature trees in the northern and southern part of the site. The site includes a number of trees along its north and southern boundaries and a hedge.

- 6.3.2 The proposal comprises of a single storey dwelling set back from Westby Lane. The proposed design includes a dual pitched roof and resembles the design and massing of the existing equestrian structures. The design includes a number of windows, roof lights and bi-fold doors. The ridge height is approximately 4.06m, 31.8m in length and 8m in width. The design also includes a black steel flue.

- 6.3.3 The proposed dwelling has been designed to reflect its rural setting and, to some extent, the buildings it replaces; this includes the use of metal and timber cladding on the elevations. The dwelling would be sited partially over the footprint of the existing buildings on site but moved slightly further south-east to create a buffer with the existing trees that form the north-eastern boundary of the site. To ensure sympathetic materials are used a condition has been added accordingly. All existing trees on and surrounding the site will be retained and protected where possible. All existing buildings on the site would be demolished. Further to this, landscaping has been conditioned to ensure appropriate hard and soft landscaping is achieved.

- 6.3.4 It is considered that the proposed development reflects the scale and massing of the existing equestrian structures and therefore is unlikely to have any significant impact on the local landscape character area 'Babbington Rolling Farmlands' of the GNLCA (2009). Overall it is considered that an acceptable standard of design has been achieved and would be sympathetic to the rural setting in this location.

6.4 Amenity

- 6.4.1 The proposed dwelling in terms of internal floor space and outside amenity space to the rear of the property appear satisfactory. There are no concerns regarding the proposal being an overdevelopment of the plot and the proposed dwelling will provide adequate living conditions for any future occupiers of the dwellings. The site can also accommodate adequate bin storage.

6.4.2 The nearest residential property to the proposal includes 22 Westby Lane which is approximately 22m to the south-east of the proposed dwelling, separated by the existing access track. The proposed dwelling would be separated from 27 Westby Lane by approximately 37m and 76m from Babbington Hall, separated by Westby Lane. It is also considered that the proposed dwelling would be sufficiently separated from the approved development for 5 new dwellings (21/00049/FUL) on the site of Babbington Hall to the north-west of the proposal. As such, given the siting, size, scale and design of the proposed dwelling it is considered that there would be no significant overbearing, overlooking or overshadowing impact on any neighbouring properties.

6.4.3 Environmental Health have provided no objections and have recommended conditioning a construction/demolition statement and construction hours to ensure the proposal does not result in any adverse impact on neighbouring properties during the construction period. As such, conditions have been added accordingly.

6.5 Highway Safety

6.5.1 Concerns have been raised that the proposed development would increase traffic in this location. The proposed development will be served by an existing access off Westby Lane. The current permitted use of the site is for equestrian purposes, with a realistic expectation that the site would be visited regularly by larger vehicles, such as horse boxes. The use of the site for a single dwelling is likely to result in a comparable number of daily vehicle movements; however, these would be from smaller vehicles. As such, it is considered that the proposed development would have a negligible impact on the local highway network.

6.5.2 County Highways have reviewed the proposal and have provided no objections. It is considered that the existing access on to Westby Lane is of a sufficient width with acceptable vehicular and pedestrian visibility. Whilst it is noted Westby Lane is a single lane with varying width it is unlikely the addition of one dwelling would result in a significant increase in vehicular traffic in this location. A public right of way runs along Westby Lane; County Public Rights of Way team have provided no objections to the proposed development as the proposal will not affect the right of way in this location. It is noted that the condition of Westby Lane is a source of frustration from local residents, however it should be noted that Westby Lane is partly an un-adopted road and therefore the section which the proposal is accessed off is not adopted by the County Council Highway Authority. As such, maintenance of this part of Westby Road is a private matter and would fall beyond the scope of this planning application.

6.5.3 Overall it is considered that the proposal will not result in an unacceptable impact on highway safety.

6.6 Ecology

- 6.6.1 The Councils tree officer has reviewed the application and has provided no objections. The application has been supported by an Arboricultural Implications Assessment which identifies that no tree removal is required. Some pruning works will be required; however, the proposed footprint has been moved away from the existing formation of trees along the north boundary of the site. As such, to ensure adequate tree protection is adhered to an Arboricultural Method Statement and tree protection measures have been conditioned.
- 6.6.2 The application was supported by a Preliminary Ecological Appraisal (PEA). No evidence of roosting bats was found, and the buildings are concluded to have negligible roost value. The PEA recommends that the demolition of the buildings and tree pruning should be undertaken outside the period 1st March to 31st August. As such there are limited concerns in respect of the proposed demolition. Nottinghamshire Wildlife Trust have provided no objections subject to conditioning a Landscape and Ecological Management Plan and precautionary working measures. All ecological recommendations contained within the submitted PEA have been conditioned to be reflected in a Landscape Ecological Management Plan. Precautionary working measures have also been conditioned to ensure existing wildlife habitats are protected during the construction period. Ecological enhancements will be achieved through the implementation of the Landscape and Ecological Management Plan which will include bat/bird boxes and grassland enhancement. It is considered that the proposal will not result in an unacceptable impact on the ecology, and that subject to the recommended conditions, the proposal can bring about benefits for the wildlife in the surrounding area.

6.7 Other Matters

- 6.7.1 Concerns were raised in relation to the consultation period. All neighbouring properties adjoining the site were consulted via letter and a site notice was put up on Westby Lane.
- 6.7.2 The site lies within a high risk coal mining area and therefore the application has been supported by a Coal Mining Risk Assessment. The Coal Authority have reviewed the coal assessment and have provided no objections subject to conditioning a scheme of intrusive investigations to be carried out on site. As such, it is considered the proposed development would not be detrimental to ground stability or coal mining risk legacy subject to the relevant conditions.
- 6.7.3 Whilst concerns have been raised as the proposal, if granted, may set a precedent for future development in the locality. Every application should be determined on its individual merits and the assessment of this application relates to one dwelling only. Another matter raised was in relation to the application failing to meet the requirements of permitted development in accordance with the relevant legislation that permits the conversion of buildings into dwellings. This is a full application, not a prior approval application, and therefore should be assessed in accordance with the local policies contained within the Aligned Core Strategy (2012) and Part 2 Local Plan (2019).

6.8 Planning Balance

- 6.8.1 The benefits of the proposal are that it will result in the creation of a new dwelling that has been sympathetically designed to resemble the existing equestrian structures without resulting in any significant impact on the rural character of the site and wider landscape.
- 6.8.2 Whilst the application site is within a Green Belt location, it is considered to be an exception to inappropriate development in accordance with paragraph 145 g) of the NPPF, by virtue of the fact that it involves the redevelopment of a previously developed site and will not have a more harmful impact on the openness of the Green Belt.
- 6.8.3 The proposal is not considered to result in an unacceptable loss of amenity for the residents of any neighbouring properties and is not considered to result in an unacceptable impact on highway safety or ecology. On balance it is therefore considered that the proposal is acceptable.

6.9 Conclusion

- 6.9.1 The proposed development is considered to be in accordance with the aims of the policies within the Broxtowe Aligned Core Strategy (2014) and the Broxtowe Part 2 Local Plan (2019), as well as the NPPF. It is therefore considered that the proposal is acceptable subject to the recommended conditions set out below.

<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>This permission shall be read in accordance with the following plans: 221162_001_Existing Site and Location Plan A, 221162_002_Existing Floor Plan and Elevations A, 221162_003_Proposed Site and Location Plan A, 221162_005_Proposed Elevations A (Received by the Local Planning Authority 07/03/23), 221162_004_Proposed Ground Floor Plan (Received by the Local Planning Authority 10/02/23).</p> <p><i>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</i></p>
3.	<p>No development above slab level shall commence until samples/details of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</i></p>
4.	<p>No development shall commence (excluding the demolition of existing structures and site clearance) until;</p> <ul style="list-style-type: none"> a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to

	<p>ensure that the site is made safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p> <p><i>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</i></p>
5.	<p>No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction / demolition the development; e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and f) details of dust and noise suppression to be used during the construction phase. h) details for the identification and safe removal of any Asbestos containing materials. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect the amenity of neighbouring residents and in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Local Plan Part 2.</i></p>
6.	<p>Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall include ecological enhancement measures to support wildlife as detailed within the submitted Preliminary Ecological Appraisal (dated 14/04/23). The development shall be implemented in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</i></p>

7.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed trees and shrubs (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) proposed lighting details (e) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</i></p>
9.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014</i></p>

	<i>and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</i>
10.	<p>Prior to the commencement of development, an Arboricultural Method Statement and tree protection measures, to BS5837, shall be submitted to and approved in writing by the Local Planning Authority. This should demonstrate how all existing boundary trees and hedgerows to be retained will be protected during the construction period. The development shall thereafter be carried out only in accordance with the approved details.</p> <p><i>Reason: To ensure protection during construction works of trees and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired, in order to comply with Policy 17 – Biodiversity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</i></p>
11.	<p>All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, hedgehogs, and other wildlife. All pipework greater than 150 mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p><i>Reason: In the interests of protecting any wildlife during the construction period in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</i></p>
12.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Local Plan Part 2.</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.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.

3.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>
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Site Location Plan



Legend

- Site Outline
- Mature Landscape Area
- Green Belt

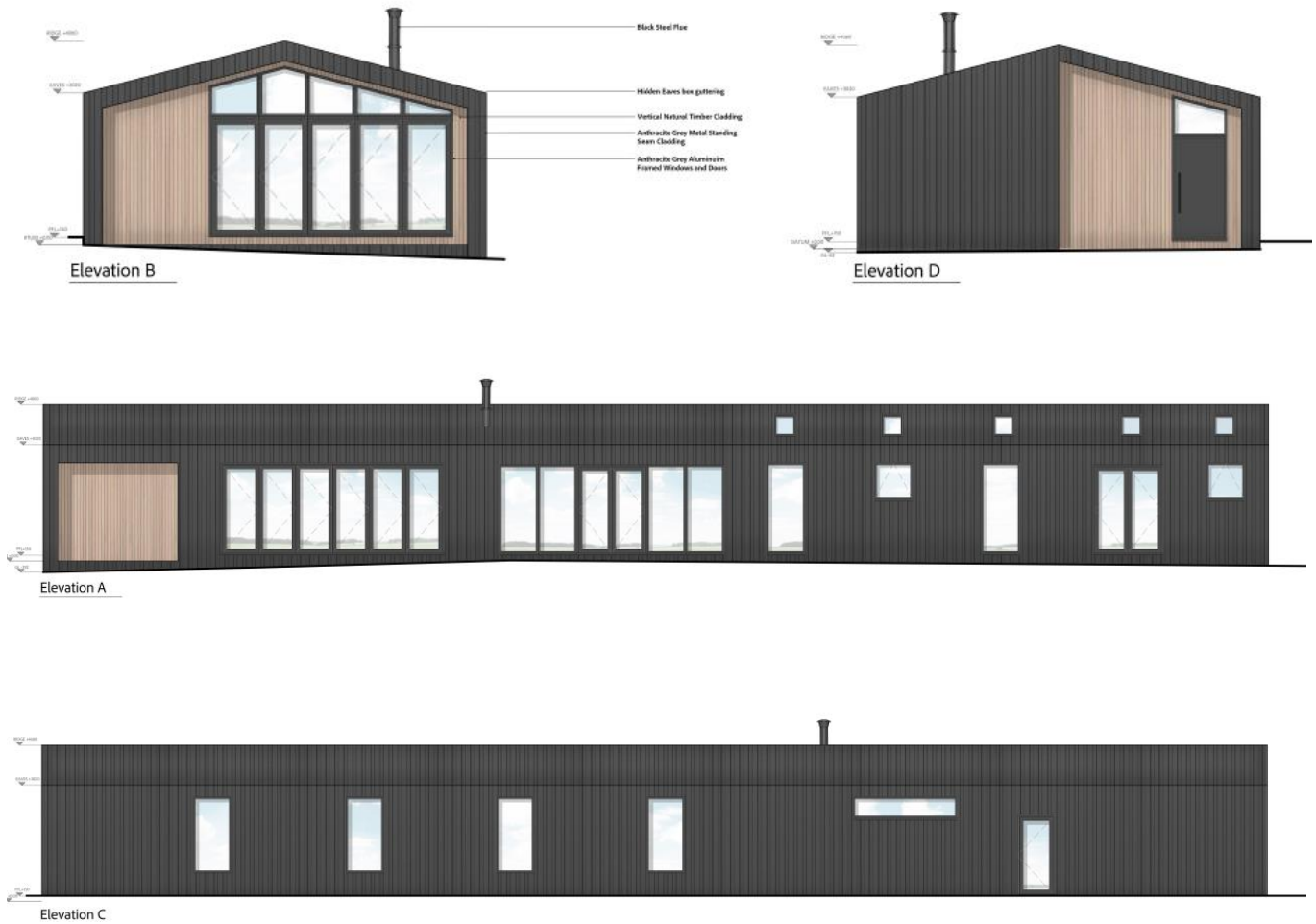
Existing Site Plan



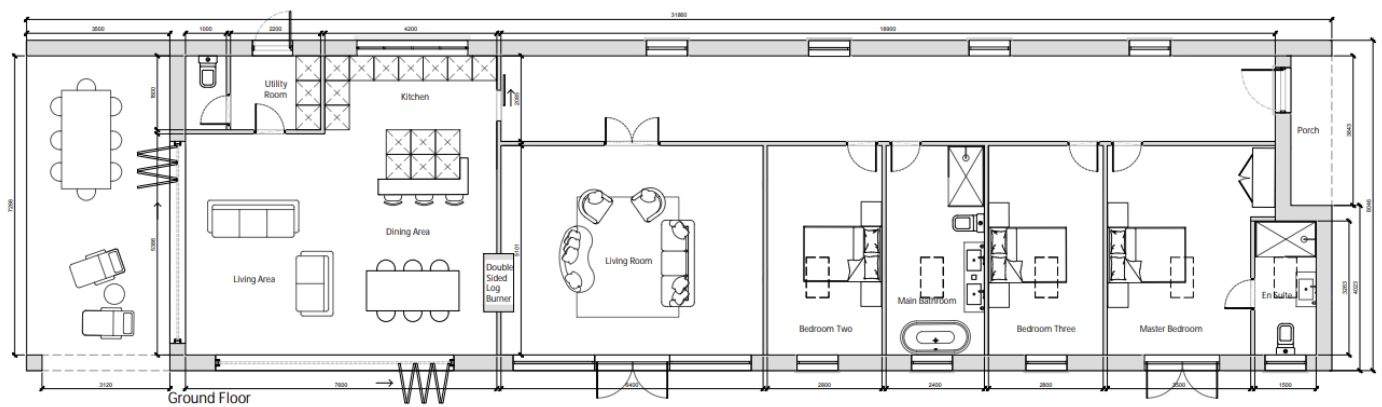
Proposed Site Plan



Proposed Elevations



Proposed Floor Plan



Photos



Existing access to be used



Existing equestrian structures
(from west)



Part of existing structures



Part of existing structures



Existing structures /
curtilage



Existing structures /
curtilage

Report of the Chief Executive

APPLICATION NUMBER:	23/00201/FUL
LOCATION:	Land Off Westby Lane Babbington Village Nottingham
PROPOSAL:	Retain agricultural barn and alteration of land levels (revised scheme)

1. Purpose of the Report

The application is brought to the Committee at request of former Councillor S Easom. The request was made prior to the Election of 4 May 2023.

2. Recommendation

The Committee is asked to resolve that planning permission is approved subject to the reasons outlined in the appendix.

3. Detail

- 3.1 The application seeks to retain the existing agricultural barn, with some additional changes, along with the alterations of land levels around the barn. The barn has been partly constructed without the benefit of planning permission and measures approximately 13.7m wide, 18.4m in length, 5.2m to the eaves and 6.4m to the ridge with opening to the front and rear, height to top of the doors will be 4.5m. The plan annotates the materials to be 1.2m of precast concrete panelling, vertical cladding in dark green and timber barn doors (dark brown) the roof shall be metal profiles sheeting in emerald green.
- 3.2 There is a significant amount of material within the site that is not required for the construction of the barn and substantial metal gates at the entrance. Negotiations have taken place to secure the removal of the materials off the land and removal of the metal gates within a set time frame.
- 3.3 The site lies within Nottinghamshire Green Belt and open countryside accessed via a Public Right of Way (Cossall BW6) off Westby Lane with two water course running through the site. To the east of the site lies local wildlife site and an area covered by a group TPO (TPO/NEW/05) along with an additional Public Right of Way running along the western boundary (Cossall FP9).
- 3.4 The main issues relate whether or not the principal of development is acceptable in Green Belt, whether the scale, siting and design of the barn and alteration of land levels has an unacceptable impact on the visual amenity of the area and openness of the Green Belt.
- 3.5 The negatives are that there will be some impact on the openness of the Green Belt, however as the barn is proposed for agricultural purposes it is considered an appropriate facility in Green Belt. On balance, it is considered the scheme is acceptable, subject to the conditions set out in the appendix.
- 3.6 The Committee is asked to resolve that planning permission be granted for the reasons set out in the appendix.

4. Financial Implications

4.1 The comments from the Head of Finance were as follows:

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

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

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

7. Climate Change Implications

7.1 The comments from the Waste and Climate Change Officer were as follows:

Any climate change implications are contained within the report.

8. Background Papers

8.1 Nil

APPENDIX**1 Details of the Application**

- 1.1 The application seeks to retain the existing frame and land levels alterations within the site. The barn is proposed to be finished with the external materials of 1.2m of precast concrete panelling to the lower elevation and vertical cladding in dark green to the upper elevation with timber barn doors (dark brown). The roof shall be metal profile sheeting in brown.
- 1.2 As part of the scheme, it is proposed that the temporary gates shall be removed and replaced with a traditional farm gate and all the materials not relevant to the construction of the barn shall be removed from site, this will be secured by condition.
- 1.3 The applicant/agent was requested to lower the structure by 1m in height but was unwilling to undertake this work as the steel frame is complete ready for the external materials to be installed.

2 Site and Surroundings

- 2.1 The application site lies within Nottinghamshire Green Belt and open countryside accessed via a Public Right of Way (Cossall BW6) off Westby Lane with two water course running through the site.
- 2.2 To the east of the site lies local wildlife site and an area covered by a group TPO (TPO/NEW/05) along with an additional Public Right of Way running along the western boundary (Cossall FP9).
- 2.3 Around the site are fields that are either planted or covered by grass to allow animals to graze. Running through the site are two culverts, one to the west of the site and the second running east to west, both culvert join together at the west of the site.

3 Relevant Planning History

- 3.1 An application was submitted and withdrawn for the same scheme, 22/00542/FUL refers.

4 Relevant Policies and Guidance**4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 1: Climate Change
- Policy 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 17: Biodiversity

4.2 Part 2 Local Plan 2019:

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

- Policy 1: Flood Risk
- Policy 8: Development in Green Belt
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 31: Biodiversity Assets

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 4: Decision-making
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 No neighbours were consulted on the application but a site notice was displayed on the junction of the Public Right of Way on Westby Lane. There has been a total of five objections to the application. The objections can be summarised as follows:

- Why is a barn required when there are no animals;
- Shown no regard for the area and covered a paddock with hard core, much larger than the area required for the barn;
- The large steel gates are not in keeping with the rural landscape;
- The whole site bears no resemblance to agriculture;
- Blight on pretty rural area, would be a shame if this is allowed and spoil the views;
- What will happen next on the site if this is allowed to go ahead;
- The metal stored on site is the next barn to be built;
- Can be seen from the road on Westby Road;
- Access is narrow to the site and this will mean vehicles will come into contact with bridle way users;
- Access to the barn is on a bend in a narrow road;
- Public eyesore, on what was a pleasant and charming view that is now covered by an iron shed;
- Lost wildlife and fauna;
- Multiple occasions the bridle path was obstructed by transit vans and HGV's and this is narrow dirt track not designed to cope with heavy vehicles;
- Government attaches great importance to Green Belt, fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open and;

- Land ownership is opaque, and the barn is over 75m from the principal farm buildings at the bottom of the hill.

5.2 Councillors & Parish/Town Councils:

- Councillor L A Ball – No comment
- Councillor D Pringle – No comment
- Cossall Parish Council – No comment

5.3 Environmental Health – Scientific Officer has not raised any objections to the use of the materials used to alter the land levels, subject to a condition regarding an investigative survey of the site submitted and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emission and any associated risk to the public, building, or the environment.

5.4 Nottinghamshire County Council - Flood Team has not raised any objection to the application.

5.5 Nottinghamshire County Council – Rights of Way has raised no objection to the proposal but Cossall Footpath 9 and Cossall Bridleway 6 run adjacent to the site. The applicant should be made aware that there should be no disturbance to the surface of the paths without prior authorisation from the Right of Way team, for the safety of the public using the paths a temporary closure of the paths may be granted to facilitate public safety during construction and the applicant is advised to contact the Public Right of Way team if a license is required.

5.6 Cadent Gas – has raised no objection to the application but the applicant should be made aware that a medium and low pressure asset is in close proximity to the site. The applicant should be made aware of this by way of an informative.

6 Assessment

6.1 The main issues for consideration are whether or not the principal of development is acceptable in the Green Belt, the design and appearance of the proposal and its impact on the openness of the Green Belt.

6 Principal of development and Green Belt

6.2 The application site is washed over by Green Belt, and therefore the principal of development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe Local Plan Part 2 (2019) Policy 8 states that development in Green Belt will be determined in accordance with the NPPF. Paragraph 149 of the NPPF states that Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt, exceptions to this are building for agriculture and forestry.

6.3 The site is located off the main access road leading to Babbington Village, via a Public Right of Way. The boundaries of the site are a mixture of mature trees and shrubs that screen the site from wider views. The structure is partly

completed as works commenced without the benefit of formal planning permission and the application seeks to improve the appearance of the barn to be more in keeping with the rural area. From the submitted Supporting Agricultural Statement, the use of the barn is for storage of the hay from the 7.4 hectares of grassland the applicant owns. The applicant has in the past sold the hay bales straight from the field at a lower price but the use of the barn will allow the applicant to take two cuts of hay from the pasture during late spring and summer producing more hay bales. The storage of the hay bales will be for sale throughout the year. This is considered to constitute an agricultural use.

- 6.4 Concerns have been raised about the negative impact the structure and land level alterations have had on the openness of the Green Belt and the changes are to the detriment of the rural views around the area. It should be noted the barn is still being constructed and looks worse than a completed barn, the external elevations materials will enable the barn to be compatible within the context of a rural area. As with all development in Green Belt there will be some impact on the openness of the Green Belt, but a barn is acceptable development within Green Belt. The alteration of the land levels is noticeable due to the grass not yet growing back on the new soil, the change in land levels can only be seen within the site and not the wider area, so it is considered the alteration of the land levels would not have any negative impact on the openness of the Green Belt.
- 6.5 It is considered the agricultural barn and alteration of the land levels are acceptable, subject to conditions. It is evident the barn is to be used for agriculture and so complies with the NPPF and Policy 8 of Broxtowe Local Plan Part 2 (2019).

Design and scale

- 6.6 Policy 10 (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development. Policy 17 (4a) states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 6.7 As the barn has partly been implemented the submitted plan seeks to ensure the external materials are compatible within the rural area that the site lies within. The barn is substantial in size and has the potential to have a negative impact on the area when viewed from north, west and south due to differing land levels. Significant negotiations have taken place to ensure the external materials are suitable in the rural setting and to reduce the appearance of the bulk and mass and as a result would not be as visually prominent as it is currently, a partly completed barn.
- 6.8 There have not been any concerns raised regarding residential amenity and it is considered the barn is sufficient distance from any residential properties that there will not be any impact on residential amenity.
- 6.9 It is considered the barn, subject to conditions, reflects an acceptable level of design and is an acceptable height, scale and massing in relation to the wider

site. The barn will not appear out of keeping with the existing agricultural character of the site and wider area.

Flood Risk

- 6.10 Consideration of the existing water courses that run through the site has been taken into consideration and Nottinghamshire County Council Flood Team has stated no objection to the application.

Nottinghamshire County Council Rights of Way

- 6.11 Nottinghamshire County Council Right of Way Officer has stated no objection to the application, but has stressed the Public Right of Ways running along the site should not be damaged, obstructed and should a licence be required then to contact them directly before any works takes place. This shall be included as an informative.

Cadent Gas

- 6.12 Cadent Gas has raised no objection but it should be noted that the site is located near medium to low pressure assets belong to Cadent Gas. Cadent Gas has requested informative be added to any decision notice informing the applicant of this and their responsibilities.

Environmental Health – Scientific Officer

- 6.13 The Scientific Officer has assessed all the information submitted regarding the alteration of the land levels and the material brought onto site. The Scientific Officer has not raised any objection to the application but has requested a condition relating to an investigative survey being undertaken.
- 6.14 The investigative survey shall be submitted to and agreed with the Local Planning Authority before any further works commences on site. The survey will need to have regard to potential ground and water contamination, potential for gas emission and any associated risk to public health and/or the environment. The report should also include any necessary remedial measures.

7. Planning Balance

- 7.1 Whilst it is acknowledged there will be some impact on the openness of the Green Belt, it is considered this is not detrimental and is outweighed by the benefits of the scheme, subject to conditions. The proposal complies with the NPPF in respect of being a building for agricultural purposes and being an appropriate facility due to the existing use of the land. On balance, it is considered the scheme is acceptable.

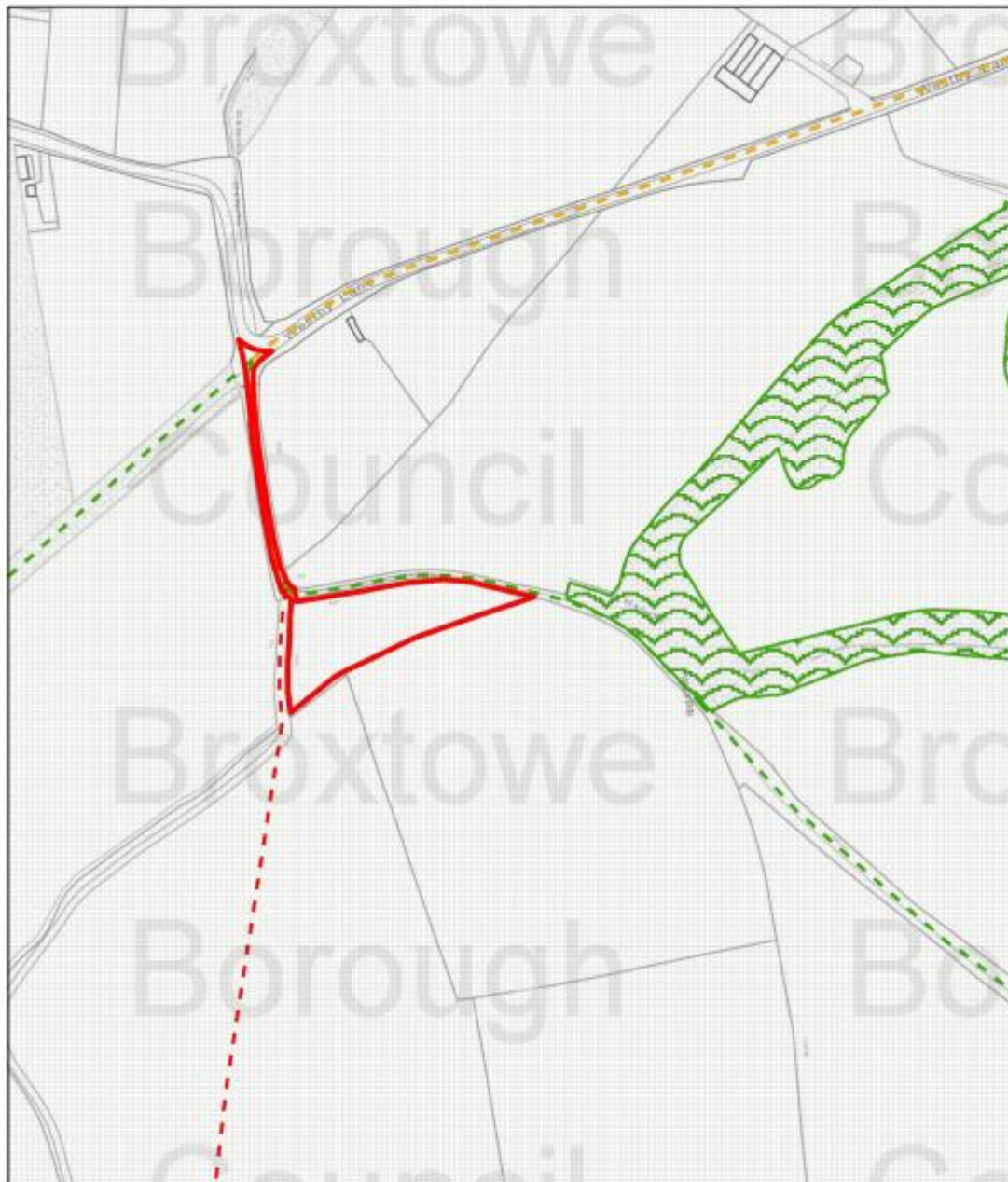
8. Conclusion

- 8.1 Recommend that conditional planning permission for the development is granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following reasons:	
1.	<p>The development hereby permitted shall be commenced within one month of the date of this permission with works to the barn shall be completed within three months of the date of the 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>Within one month of the completed development the site shall be cleared of any material not associated with the permitted use as an agricultural barn, and the metal gate shall be removed and replaced with traditional farm gate, the details of which shall be agreed in accordance with condition 3.</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>
3.	<p>Before the installation of the replacement farm gate, details shall be submitted to the Local Planning Authority and approved in writing. The gate shall be installed within one month of the completion of the barn.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>The development hereby permitted shall be carried out in accordance with drawing PG/MF/2022/002/02 Rev B and site location plan received by the Local Planning Authority on 11 July 2022 and the supporting Agricultural Statement received by the Local Planning Authority on 9 March 2023</p> <p><i>Reason: For the avoidance of doubt.</i></p>
5.	<p>No part of the development hereby approved shall be brought into use until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority.</p> <p>The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report</p>

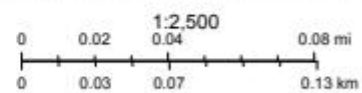
	<p>shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: In the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of 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 in line with adopted policies.
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
3.	<p>Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.</p> <p>If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions.</p> <p>Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to</p>

	submit details of the planned works for review, ensuring requirements are adhered to.
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Map**23/00201/FUL - Land Off Westby Lane Babbington Village**

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- | | |
|---|---|
|  Green Belt |  Bridleway |
|  Local Wildlife Site |  Footpath |
|  Trunk Water Main |  Site |
| Public Rights of Way | |
|  Byway open to all traffic | |



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Photographs



View toward barn looking north from Within site



View towards barn looking east from within site



View from outside the site looking South in to the site from PRow



Temporary gates to the site and barn

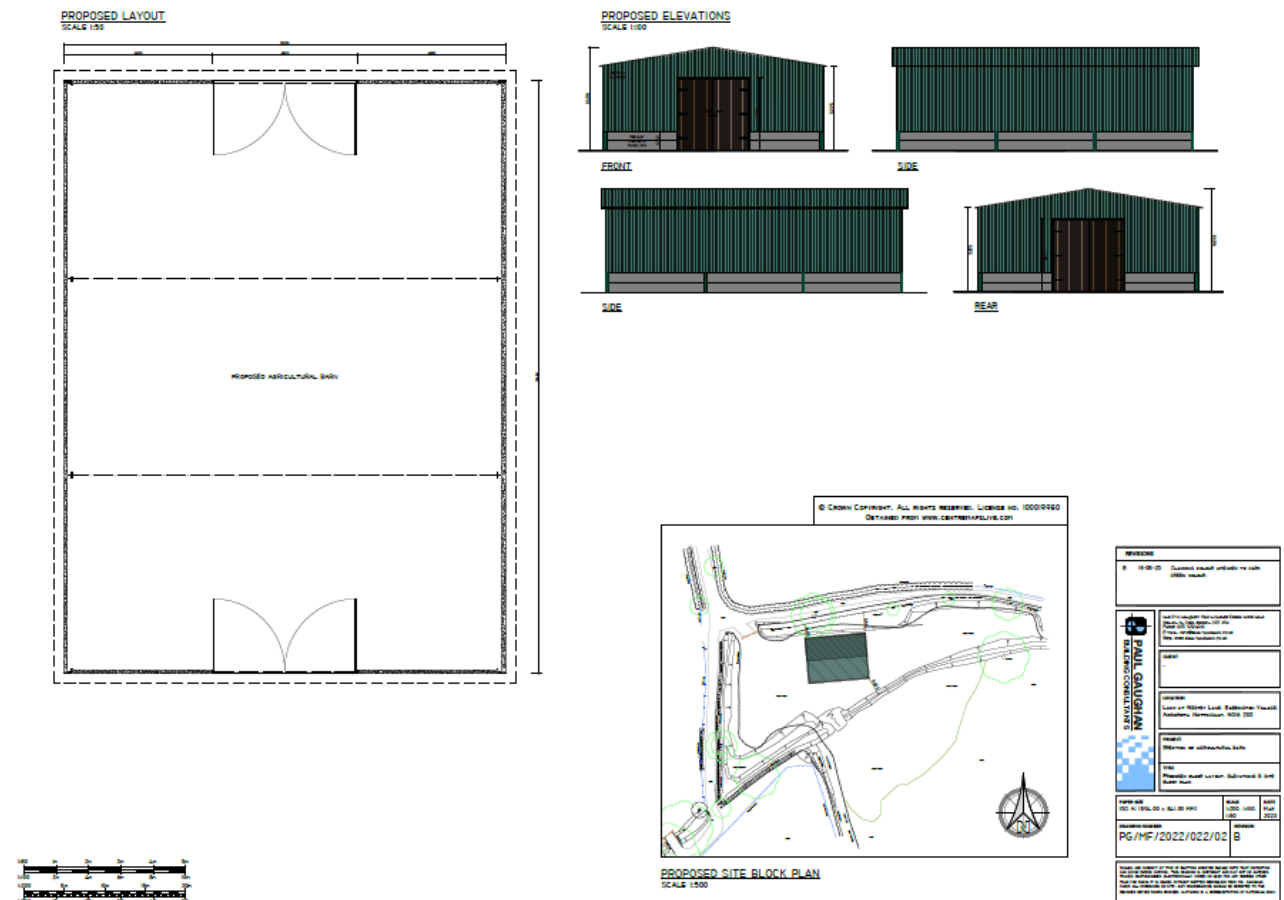


View from field to the south west looking towards the site and barn



View from Westby Lane towards the site

Plans (not to scale)





Site of barn and land owned by applicant

Report of the Chief Executive

APPLICATION NUMBER:	23/00141/FUL
LOCATION:	2 Gwenbrook Road, Chilwell, Nottinghamshire NG9 4AZ
PROPOSAL:	Retention of two storey side/rear, single storey front and rear extensions, boundary fence and loft conversion with rear dormer. Change of use of resulting building to 5 bed HMO and 1 bed apartment.

Former Councillor E Kerry has requested this application be determined by Committee on behalf of former Councillor P Roberts-Thompson. The request was made prior to the Elections of 4 May 2023, when both were in office.

1.1 Purpose of the Report

The application seeks planning permission for the retention of two storey side/rear, single storey front and rear extensions, boundary fence and loft conversion with rear dormer. Change of use of resulting building to 5 bed HMO and 1 bed apartment. This is a revised application.

1.2 Recommendation

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

1.3 Details

1.3.1 The application seeks planning permission to retain two storey side/rear, single storey front and rear extensions, boundary fence and loft conversion with rear dormer. Change of use of resulting building to 5 bed HMO (House in Multiple Occupation) and 1 bed apartment. This is a revised application as a two storey side/rear, single storey front and rear extensions and loft conversion with rear dormer benefit from planning permission as granted under reference 22/00274/FUL. Before any changes, the dwelling house would have had rights under Permitted Development Class L to change the use from a dwelling house to a small HMO and vice versa. The application relates to the retention of the extensions as built and a change of use to 5 bed HMO and a self-contained 1 bed apartment.

1.3.2 The dwelling is semi-detached and is situated on a corner plot.

1.3.3 The main issue relates to whether the revised changes in terms of design and scale of the development would be acceptable; whether there is adequate amenity for the future occupiers; whether there would be an acceptable impact on neighbour amenity; and whether there would be an acceptable impact on highway safety.

1.3.4 The benefits of the proposal are that it would regularise changes that have been made during the development granted on planning permission 22/00274/FUL and the separation of one room to a self-contained apartment. The development would retain an extension to an existing residential dwelling and the change of use would contribute to the mix of housing in the area, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. The revised proposal is considered to have no significant negative impacts, when compared to what has already been approved. So on balance it is considered that the scheme is acceptable.

1.3.5 As the development has approval on 22/00274/FUL, a refusal of this application would mean that the development has to revert to the previously approved plans and would also have to restore internal access to the currently self-contained ground floor bedroom for the development to be considered to fall within Permitted Development for a small HMO.

1.4 Financial Implications

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

1.5 Legal Implications

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

1.6 Data Protection Compliance Implications

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

1.7 Climate Change Implications

Any climate change implications will be noted within the report.

1.8 Background Papers

Nil.

APPENDIX**1. Details of the Application**

- 1.1 The proposal is to retain extensions and alterations that have been made during the construction of the development approved under planning reference 22/00274/FUL, which was for two storey side/rear, single storey front and rear extensions, a boundary fence and loft conversion with rear dormer. The application also includes a change of use from a dwelling house (Use Class C3) due to the separation of one bedroom resulting in a change to a 5 bed HMO (Use Class C4) and a self-contained 1 bed apartment on the ground floor. At the front, there is a porch which connects to the front of the side extension with a lean-to roof, with an eaves height of 2.5m and an overall height of 3.2m. The porch and the front of the side extension have doors and this part of the development protrudes 1.2m forward of the existing front elevation. Above the single storey side part, the first floor elevation is setback 0.5m behind the existing front elevation, the two-storey side extension extends along the existing side elevation and beyond the existing rear elevation forming a two-storey rear extension, this in turn connects to a single storey rear extension, and have a depth of 1.4m beyond this original rear elevation. The two storey side/ rear extension has a hip roof which adjoins a hip to gable of the existing roof, with the side roof set down by 1.5m. The rear part of the side extension has a lower rear hip roof. The single storey rear extension has a lean-to roof at an eaves height of 2.7m and an overall height of 3.5m. To the extension at first floor front there is a window, on the side elevation there is a door giving access to the self-contained apartment, and window to the ground floor. On the rear elevation there is a first floor window and on the ground floor, a window and a pair of French doors, with full height windows either side.
- 1.2 A store has been created to the front part of the side extension at ground floor, which would be accessed via a door in the front elevation. The rear part of the side extension is a separate residential unit with a bedroom/ kitchenette and en-suite. The single storey rear extension would create an extended kitchen / diner. A lounge would complete the accommodation on the ground floor. On the first floor, there are layout changes with the creation of four bedrooms with en-suites. A loft conversion with a rear box dormer is accessed via a staircase off the first floor landing, and provides a fifth bedroom with en-suite and a kitchenette. The property has increased from 3 to 6 bedrooms overall (one bedroom in the separate ground floor unit).
- 1.3 A 1.8m high boundary fence has been inserted along the highway boundary, and comes level to meet the front elevation of the dwelling. The frontage is open and has been hard surfaced to provide off-street parking for three vehicles.

2. Site and Surroundings

- 2.1 Before development commenced on planning reference 22/00274/FUL, the application property was a three bedroomed semi-detached house with a double height bay under an over-hanging gable roof. To the rear there was a

single storey extension and a rear element / store, and a detached garage. The site is relatively level, with a slight rise to the highway and the rear.

- 2.2 The property is situated on the corner of Gwenbrook Road and Gwenbrook Avenue, with the frontages generally open (that is, not enclosed). 1 Gwenbrook Avenue is the attached semi, which is to the north east, and has a rear dormer. 4 Gwenbrook Road, to the rear of the site, is a semi-detached property to the north west and has its side elevation to the rear of the site. It has three first floor obscurely glazed windows. Nos 3 and 5 Gwenbrook Avenue, to the north east both have rear dormers (constructed after 2019). 2 Gwenbrook Avenue is situated on the opposite street corner and has a two-storey side extension and single storey rear extension (ref. 16/00740/FUL).

3. Relevant Planning History

- 3.1 22/00274/FUL - Construct two storey side/rear, single storey front and rear extensions and loft conversion with rear dormer.
- 3.2 Changes from the approved scheme (reference 22/00274/FUL) can be summarised as:
- 6 bedroomed property to 5 bed HMO and a separate one bed apartment. The self-contained apartment has been created to the ground floor with no internal access to / from the main dwelling and only having external access from the side elevation.
 - Front elevation:
 - Pedestrian door instead of garage door to store.
 - The extension roof changed from hipped to gable, set down from the main ridge
 - Rooflights to front omitted
 - Side elevation:
 - Rooflight to side omitted
 - Ground side door and window in a different position.
 - Rear elevation:
 - Ground floor window omitted
 - Window sizes changed (first floor and dormer)
 - Layout changes:
 - Both store and self-contained apartment now have no internal access.
 - Other minor external changes

4. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change

- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 Part 2 Local Plan 2019:

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2: Achieving Sustainable Development
- Section 4: Decision making
- Section 5: Delivering a sufficient supply of homes.
- Section 12: Achieving well-designed places.

5. Consultations

5.1 Councillors:

- Councillor E Kerry – Call in to committee at the request of Cllr Roberts-Thompson
- Councillor T Roberts-Thomson - no comment received.
- Councillor R Jackson - no comment received.

5.2 Consultees:

Council's Private Sector Housing Officer: The building is in a completed state and has been issued a HMO licence for 5 occupants for the main house on 22/3/23 and noted there is a separate studio apartment to the ground floor with no access internally to the main house. From the Private Sector Housing Officer's perspective, the property meets the requirements for the licence that it has been issued for 5, if the planning decision for this application was to be refused would then look to vary the licence to a 6 bed once the internal access was created to link the current studio apartment to the main house.

Nottinghamshire County Council Highways – Whilst the NCC Design Guide recommends HMO's are provided with 1 space per room, plus 1 space per 3 rooms for visitors, there are opportunities to park nearby, with traffic flows/speeds along Gwenbrook Road being low. With this in mind it is unlikely the lack of parking will severely compromise highway safety, although it may be an amenity issue for residents.

- 5.3 A total of 6 neighbours were consulted on the received application, with 5 comments received, 4 objecting to the proposal, providing the following:

- HMO: Gwenbrook is a family residential area and an HMO should not be permitted within this location
- The change of use will result in the loss of a family dwelling in close proximity of The Lanes Primary School, exacerbating the housing problems for both families and key workers in the local area
- Incorrect information in the planning application forms and drawings relating to the description of development
- Driveway constructed on corner of Gwenbrook Ave and Gwenbrook Rd and inadequate parking provision, causing highway safety concerns for pedestrians and motorists
- Driveway constructed with no lawn or border to direct rainwater to, in order for it to drain naturally
- Increased traffic generation causing highway safety concerns for pedestrians and motorists
- Design dominates plot, over-prominent in street scene and creates a terraced and cramped effect
- Loss of privacy
- Loss of daylight / sunlight
- Noise / smell and disturbance and loss of amenity in relation to anti-social behaviour and waste management
- Does not comply with local or national policies.

One letter of observation, with the following comments:

- Parking issues
- HMO – some rooms have already been advertised for rent
- Area marked for parking on previous approval has been fenced off.

6. Assessment

6.1 The main issues to be considered when assessing this application are the principle of the change of use, whether the design is acceptable, impact on neighbour amenity and impact on highway safety.

6.2 **Acceptability of Change of Use**

6.2.1 During the implementation of the works approved under reference 22/00274/FUL it was noted that the applicant was converting the property to a small (Use Class C4) HMO use. The conversion of a dwelling house (C3) to HMO (C4) is permitted under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Part 3, Class L, and the site is not within the Article 4 direction area of Beeston where permitted development rights for this change have been removed. Therefore, a change of use to a small HMO (maximum of 6 occupants) does not require planning permission. However, as the works have included a self-contained ground floor residential unit with no internal connection to the rest of the dwelling house, and having its own bathroom and kitchen, it cannot be considered to form part of the HMO as no common facilities are shared with the main house. Therefore, a change of use application is required for the overall use of the property.

- 6.2.2 The site is not within the Beeston Article 4 Area, therefore the adopted Supplementary Planning Document (SPD) Houses in Multiple Occupation, and the principle of clustering, sandwiching and radius approach is not applicable for this application. The property has a licence for a 5 bed HMO.
- 6.2.3 The properties would be suitable for occupation by a range of tenancies (including key workers) and whilst occupation as a family home or as a single dwelling house may be the prevailing theme in the immediate area, there is a need to provide a mixture of housing options and the HMO and self-contained apartment would help provide some of those options. The proposal would therefore accord with the aims of Policy 8 of the Aligned Core Strategy, and Policy 15 of the Part 2 Local Plan.
- 6.2.4 In relation to noise / smell and disturbance, the building is already as existing, but the conversion would need to meet Building Regulations which would ensure adequate soundproofing between the floors and to the windows. A front store has been provided which could be used for cycle storage. As an existing dwelling, bin storage and waste would be provided for as per the existing arrangement.
- 6.2.5 Therefore, the change of use to a 5 bed HMO and 1 bed apartment is considered acceptable, particularly as prior to the sub-division, planning permission would not be required to operate the property as a C4 use with a maximum of 6 occupants.

6.3 Design

- 6.3.1 In terms of mass and scale, it is considered that the extensions as proposed do not represent a disproportionate addition due to design features which help to minimise its impact, with the property being on a corner plot. It is considered that the proposed dormer would not dominate the roof or appear over prominent in the street scene. The external materials used are acceptable.
- 6.3.2 The proposal has been designed to maintain the character of the existing dwelling, with a hip roof and the use of matching materials and hanging tiles on the dormer. Therefore, in this instance the design is considered acceptable in its locality.
- 6.3.3 In relation to the proposed change of use, it is considered that the development would not introduce any changes to the character of the dwelling house and is considered to have no impact on the street scene.

6.4 Amenity

- 6.4.1 It is considered that the development would have a layout appropriate for the intended purpose for multiple occupiers. It would provide additional daytime space with mixed facilities and storage, with each bedroom having private bathroom space and access to an outlook and natural light. Direct access to the rear garden would be maintained from the rear of the property and from

outside the site. Whilst the rear garden is relatively small for the size of the property, as this is a corner plot there would be adequate outside space retained to the rear, side and front area of the property, with fencing helping to maintain privacy on this corner plot. The applicant has liaised with Private Sector Housing in relation to Housing Standards and a landlord licence. As per the Broxtowe HMO property standards minimum bedroom size for 1 occupier of 8m², proposed bedroom sizes are shown as exceeding this minimum size. Therefore, it is considered that the property would have an acceptable level of amenity for the future occupiers, and helps provide a choice of living accommodation in the local area for a range of tenants.

- 6.4.2 4 Gwenbrook Road is to the rear in a north westerly direction, with its side elevation facing the site. The existing garage on the site would be removed along this boundary which has created additional garden space. Both properties have their main garden area to the northeast, with the proposal being situated 1.4m closer to the side elevation which has obscurely glazed secondary windows. Windows from the proposal face the side elevation of no. 4 and other parts of the proposal face away from the boundary. The rear dormer is no further to the side and rear than the existing dwelling and is considered sufficient distance to the rear neighbouring properties at approximately 10m, and at an angle viewing to the north east neighbouring rear garden area and side of no. 4. Therefore, overall the proposal is considered to have no significant impact on no. 4 in terms of loss of light, outlook or privacy.
- 6.4.3 No. 1 Gwenbrook Avenue is the attached neighbour to the east. The two storey part of the development has been constructed on the opposite side of the site, with the single storey rear extension constructed on the boundary replacing an existing rear extension, on a similar footprint. The rear dormer is situated on the rear roof slope off the boundary and faces towards the rear gardens, with the front part of the proposal situated away from the common boundary. Therefore, it is considered that the development has no significant impact on no. 1 in terms of loss of light, outlook or privacy.
- 6.4.4 No's. 17, 19, 21 and 23 Gwenbrook Road are semi-detached properties, situated across the highway, to the south west. There has been an increase in development to the side and front, but generally within the building line of neighbouring properties. Therefore, it is considered that the proposed development has had no significant impact on these neighbours, particularly as the dwelling and extensions are set at an angle to these properties.
- 6.4.5 Concerns regarding an increase in noise and pollution generated by the use as a HMO have been raised. It would be unreasonable to consider imposing conditions to mitigate for this as it is not expected that issues would be significantly different to that expected to be generated at other residential uses within the area. In relation to noise or pollution from future occupiers, neighbours could contact Environmental Health should these instances occur where over and above that expected of any domestic property.
- 6.4.6 Overall, it is considered that the proposed change of use will not have an unacceptable impact on the amenity of any neighbouring properties.

6.5 Access and Highway Safety

- 6.5.1 The proposal would result in an increase of bedrooms from 3 to 6, this has also involved the removal of a relatively old detached garage (which is unlikely to have been used for parking), with the proposed block plan showing space for three vehicles on a front drive. This would be more convenient than the parking arrangement approved under planning reference 22/00274/FUL, where tandem parking was shown to the side and rear of the plot. There are no on-road parking restrictions, the site is on a cul-de-sac (therefore potentially be less vehicle manoeuvres), and due to the proximity of well served public transport and to local facilities, it is considered that car usage would often not be necessary. Whilst school traffic and access for emergency vehicles has been mentioned in comments provided and as per the parking allowance for neighbouring properties it would be unreasonable to restrict car usage on a single property, whilst other neighbouring properties may have similar sized developments (dormers and two-storey side extensions). Therefore, it is considered that parking provision is sufficient for the site and highway safety would be maintained as prevailing. Nottinghamshire Highways consider that it is unlikely the lack of parking will severely compromise highway safety.
- 6.5.2 A driveway and means of access to a highway can be constructed under permitted development rights. The hard surface should be made of porous materials, or provision should be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. A condition will be included to ensure this. Any installation of a dropped kerb would require a permit from Nottinghamshire County Council as the Highways Authority.

6.6 Other Matters

- 6.6.1 HMO policy: The Beeston Article 4 area has been implemented after a period of discussion and consultation and did not include this area of Beeston. Any future concerns regarding saturation of the area due to changes of use to C4 would need to be considered as a separate matter.
- 6.6.2 The applicant has carried out their Permitted Development Rights and converted the dwelling house to a small HMO. The applicant has been in contact with Private Sector Housing in relation to licensing and, as set out above, a small HMO for no more than six single occupiers does not require planning permission in this area – this application relates to the change which includes a separate studio unit.
- 6.6.3 Misleading and inaccurate application – this is a revised application and amended plans have been received and consulted on which clarifies the development and it is considered that the description of the development alongside the plans submitted adequately set out the nature of the development.

7. Planning Balance

- 7.1 The benefits of the proposal are that it would regularise changes that have been made during the development granted under planning permission 22/00274/FUL and the separation of one room to a self-contained apartment. The development would retain an extension to an existing residential dwelling and the change of use would contribute to the mix of housing in the area, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. The revised proposal is considered to have no significant negative impacts when compared to that which has already been approved. On balance it is considered that the scheme is acceptable.

8. Conclusion

- 8.1 Recommend that planning permission for the development is approved.

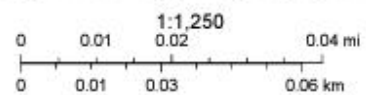
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be retained in accordance with drawing numbers 21/532/04 received by the Local Planning Authority on 17 February 2023, 22/532/03 and 22/532/06 received by the Local Planning Authority on 3 April 2023 and 22/532/07 received by the Local Planning Authority on 12 April 2023, and 22/532/02G received by the Local Planning Authority on 7 June 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
2.	<p>Prior to the occupation of the development the frontage parking area shall be constructed with drainage provision to prevent the unregulated discharge of surface water 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: In the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

Map

2 Gwenbrook Road Chilwell Nottinghamshire NG9 4AZ



5/17/2023, 4:08:45 PM



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Photographs



As built - front (south east) elevation.



As built - side (south west) elevation.



As built - side (south west) elevation.



As built - rear (north west) elevation.



Street scene facing east, site on left.



As built - front (south east) elevation.



Front (south east) elevation – before works

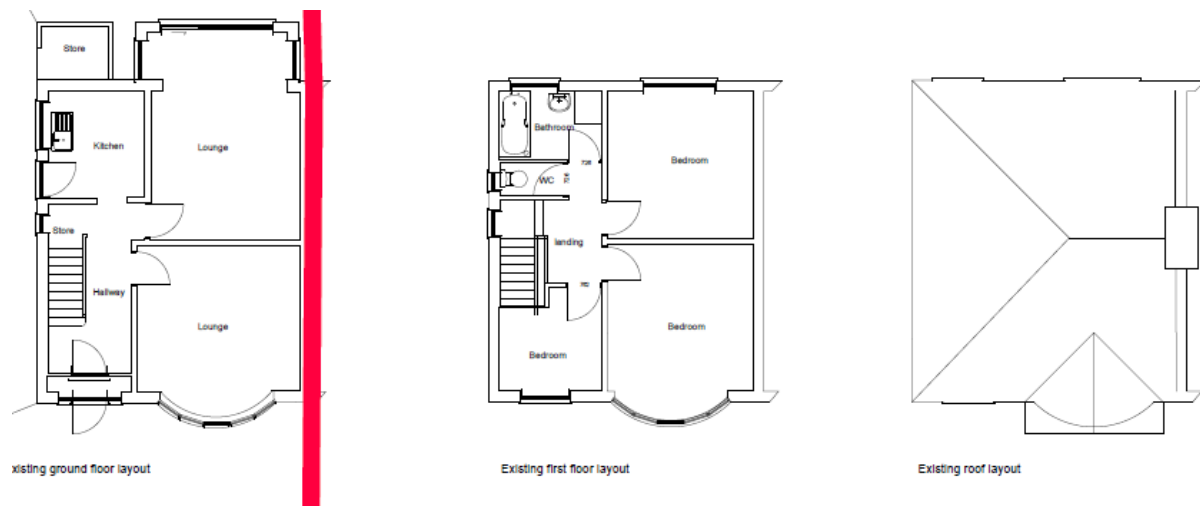


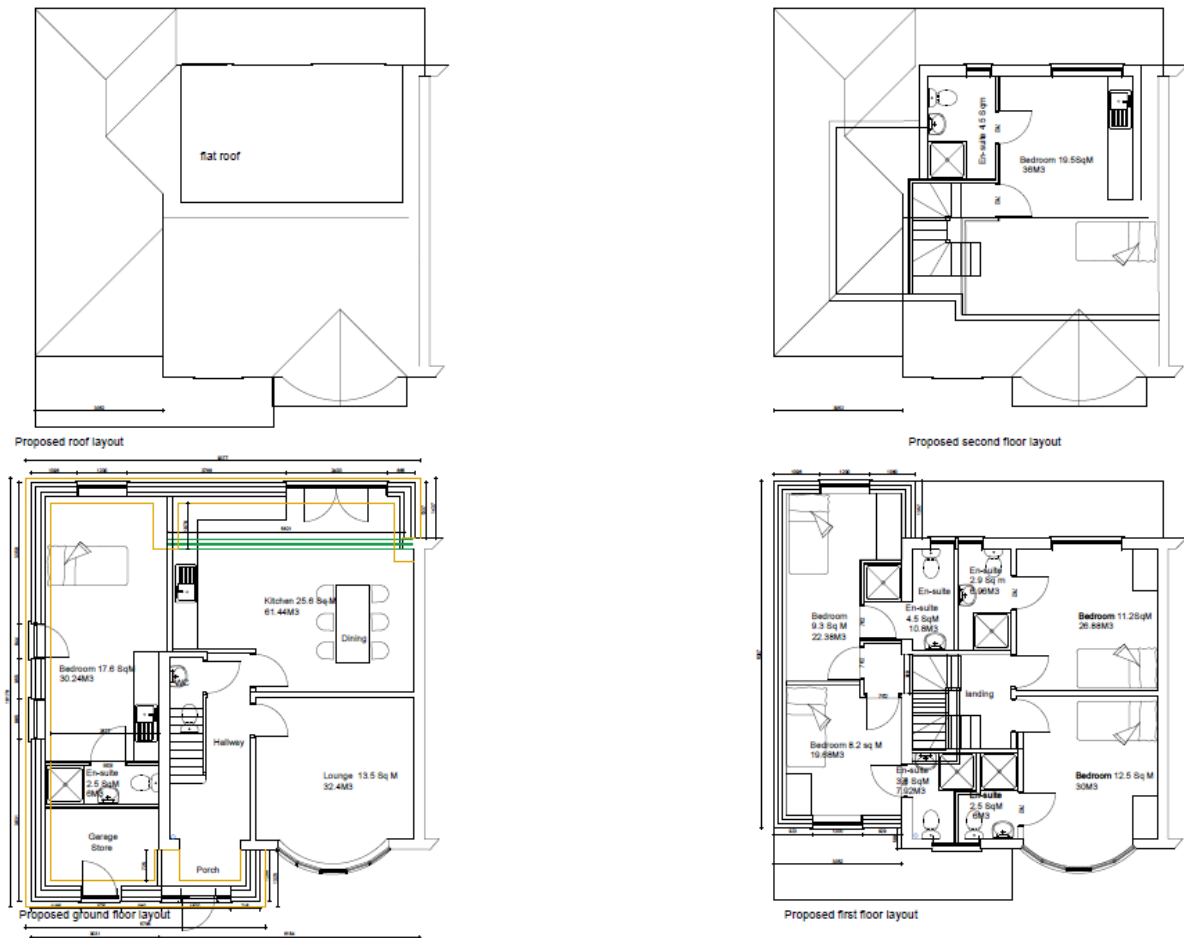
Side (south west) elevation – before works

Plans (not to scale)

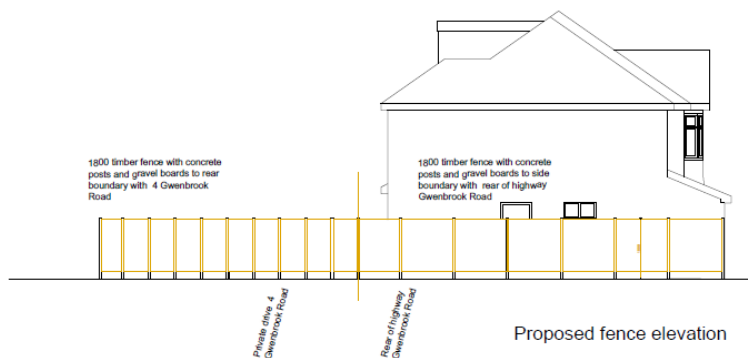
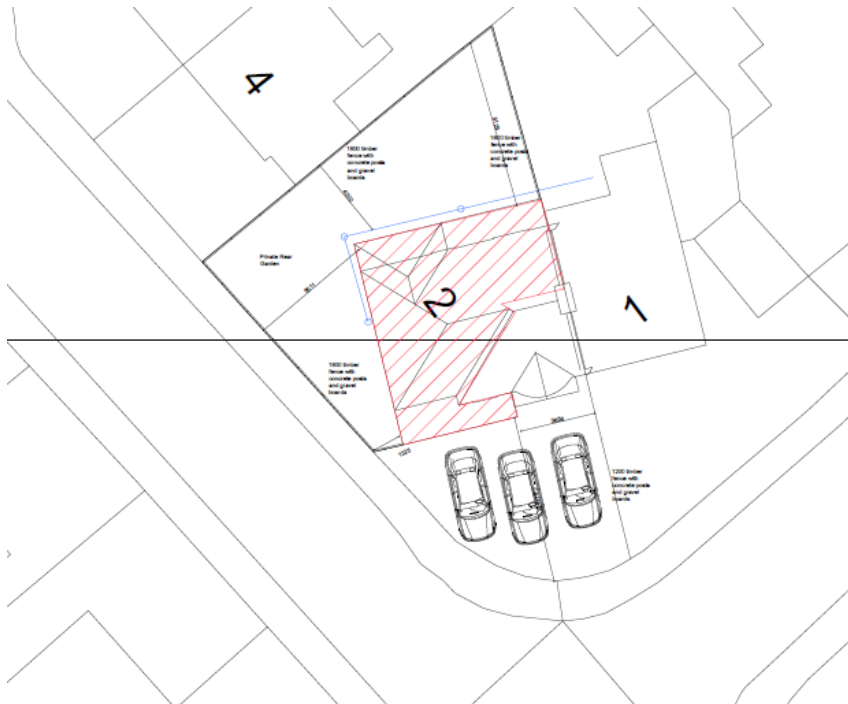


Previous & As Built elevations.



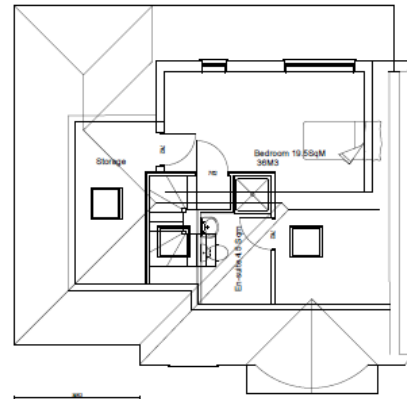


Previous & As Built floor & roof plan

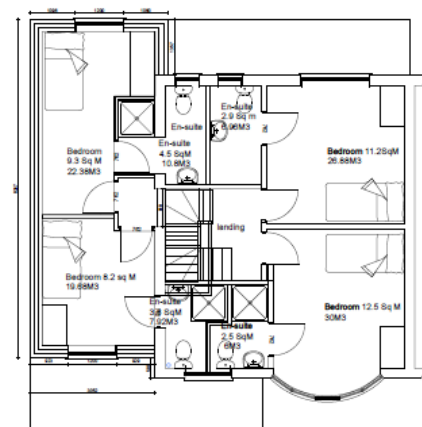


As Built Boundary Treatment

The image contains two architectural drawings of a building. The left drawing is labeled 'Proposed rear elevation' and shows a three-story structure with a gabled roof. The upper floor has a yellow brick pattern, and the lower floor has a grey brick pattern. The right drawing is labeled 'Proposed side elevation' and shows a side view of the building with a gabled roof. The upper floor has a yellow brick pattern, and the lower floor has a grey brick pattern.



Proposed second floor layout



Proposed first floor layout

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Approved site plan under planning reference 22/00274/FUL

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Report of the Chief Executive

APPLICATION NUMBER:	23/00228/FUL
LOCATION:	85 Nottingham Road, Nuthall, Nottinghamshire, NG16 1DN
PROPOSAL:	Construct single storey rear extension

The application is brought to the Committee at request of Councillor P J Owen.

1 Purpose of the Report

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

2 Recommendation

The Committee is asked to resolve that planning permission is refused subject to the reasons outlined in the appendix.

3 Detail

- 3.1 The application seeks planning permission for the construction of a single storey rear extension.
- 3.2 The dwelling is an extended two storey detached dwelling on a large plot in a rural location, within the Nottinghamshire Green Belt.
- 3.3 The recommendation has been put forward using the submitted plans that considers the extension would put the total volume increase of the existing but not original extensions combined with the proposal at 36%.
- 3.4 The main issues relate to whether or not the principle of development is acceptable in the Green Belt.
- 3.5 The benefits of the proposal are that it would provide enhanced living accommodation for the occupiers. The negative impacts are the inappropriateness of the development in Green Belt.
- 3.6 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

4 Financial Implications

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

5. Legal Implications

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

6 Data Protection Compliance Implications

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

7 Background Papers

- 7.1 Nil

APPENDIX**1 Details of the Application**

- 1.1 The proposal seeks to construct a single storey rear extension to create an additional utility area, a reduction of 6% to bring the application in line with the 30% rule would not be desirable as it would reduce the extension to an unusable size.
- 1.2 The single storey side extension would protrude rearwards from the existing dwelling by 4.2m and have a width of 5.3m. The proposed eaves height would be 3.2m and have a ridge height of 3.5m. The proposal would be located to the side of an existing extension which houses the kitchen, and connect to the day room extension. It would have a flat roof with a lantern skylight. The proposal will be located 3m from the boundary with number 87 and there will be a distance from the extension to the rear boundary of 44m. There will be a door and two windows to the side (south east) elevation and four windows to the rear elevation.
- 1.3 The application form states that the extension will be constructed out of matching materials to the host dwelling.

2 Site and Surroundings

- 2.1 The application property is a previously extended two storey detached dwelling constructed of brickwork and render. The dwelling lies just off Nottingham Road in Nuthall and has a sizeable rear garden that backs on to farmland to the rear. The application site is within the Nottinghamshire Green Belt.

3 Relevant Planning History

- 3.1 There are two applications that have been approved for the application site since 1980.
- 3.2 80/01017/FUL refers to the construction of a porch and two storey side extension.
- 3.3 88/00473/FUL refers to the construction of the day room.

4 Relevant Policies and Guidance**Broxtowe Aligned Core Strategy 2014:**

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

- Policy 3: Greenbelt
- Policy 10: Design and Enhancing Local Identity

Part 2 Local Plan 2019

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

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

National Planning Policy Framework (NPPF) 2021

- 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 A total of two neighbours have been consulted with one objection. The objection was in relation to loss of light, loss of privacy and overdevelopment within the greenbelt.

5.2 Councillors & Parish/Town Councils:

- Councillor P J Owen – Cllr Owen has requested that this proposal is brought to Committee.
- Former Councillor P Simpson – no comment received
- Nuthall Parish Council – no comment received

6 Assessment

6.1 The main issue for consideration is whether or not the principal of development is acceptable in the Green Belt.

6.2 Principal of development and Green Belt

6.2.1 The application site is located within the Green Belt, and therefore the principal of development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe Local Plan Part 2 (2019) Policy 8 states that development in Green Belt will be determined in accordance with the NPPF. Paragraph 145 of the NPPF states that Local Planning Authority should regard the construction of new building as inappropriate in Green Belt, although an exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy 8 states that additions which results in a total increase of more than 30% of the volume of the original building will be regarded as disproportionate.

6.2.2 As stated in the planning history the original dwelling has been extended to the side and rear. The volume of the original dwelling has been calculated to be 798m squared. The proposed rear extension will be 70m squared and so the total volume of the dwelling including the proposal and the two storey extension and rear extension will be 233m squared, an overall increase from the original building of 36%. Taking the overall volume of the dwelling to 1,031m squared.

- 6.2.3 The proposed single storey side extension will exceed the 30% volume increase which would be considered inappropriate development in accordance with Policy 8. The proposal is therefore considered to be inappropriate development in Green Belt.

6.3 Design and scale

- 6.3.1 Policy 10 (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development. Policy 17 (4a) states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 6.3.2 The design of the single storey rear extension has been designed to be a modern extension with windows looking out to the garden area and to be constructed out of matching materials to the host dwelling. The roof design is flat and appears as subservient to the main dwelling. Given the location at the rear of the property and significant boundary treatments on each side, the proposal would not be overly visible.

6.4 Amenity

- 6.4.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.4.2 The position of the proposed single storey rear extension behind the existing day room means that the proposal would not be visible from the neighbour to the north (83 Nottingham Road). The distance of 3m from the proposal to the boundary with the neighbour located to the south, combined with a significantly tall hedge and fence as a boundary treatment, means that amenity of the occupiers of 87 should not be significantly impacted.

6.5 Highway Safety

- 6.5.1 There is an existing vehicular access to the site and there are no proposed changes to this arrangement.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide enhanced living accommodation for the occupier and would not have a significant impact on neighbour amenity.

- 7.2 The negative impact is that the development would be inappropriate within the Green Belt and the applicant has not demonstrated very special circumstances which would allow for development over and above the allowed 30%.
- 7.3 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

8 Conclusion

- 8.1 Recommend that planning permission for the development is refused.

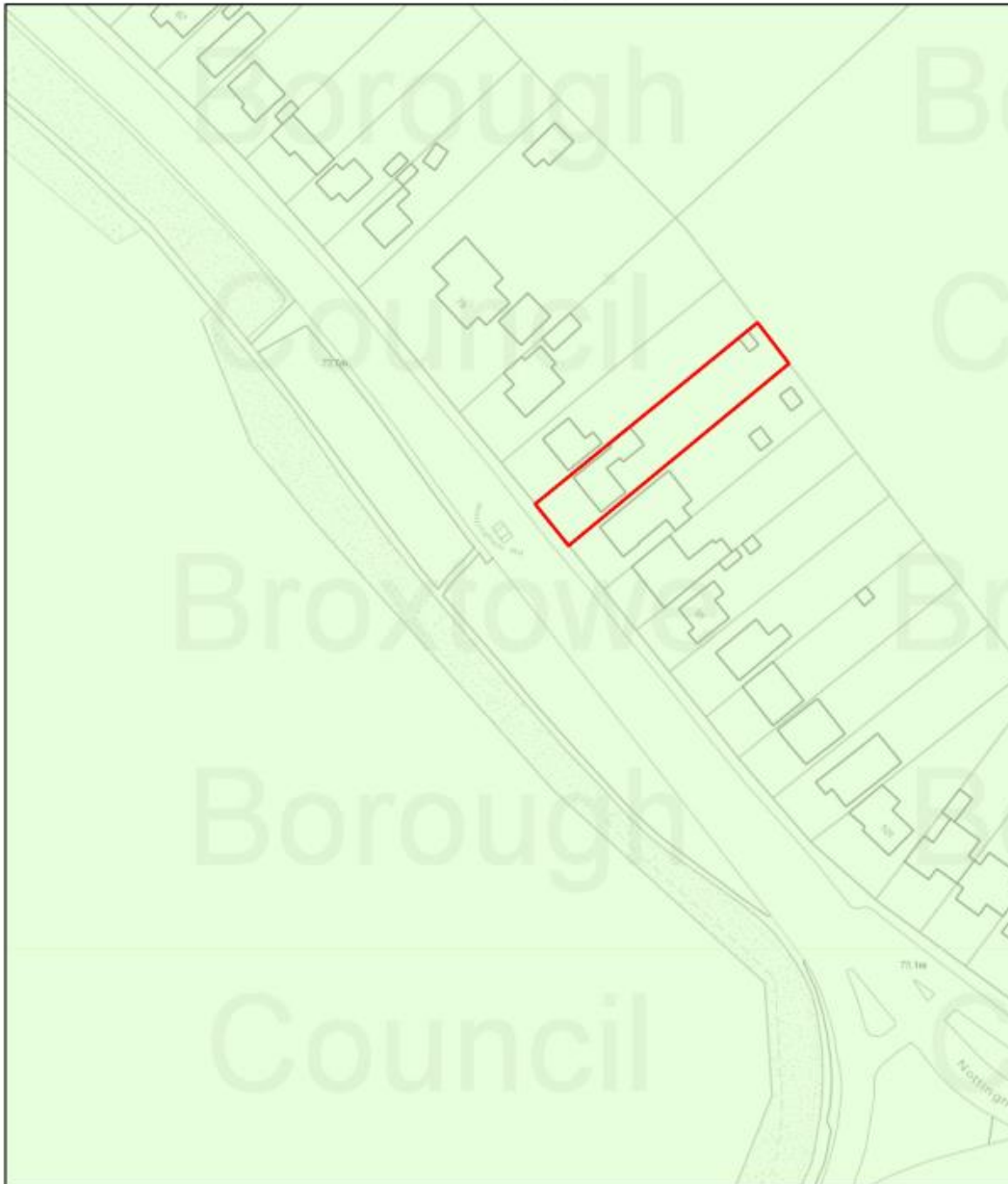
Recommendation

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

1.	The proposal constitutes inappropriate development within the Green Belt as the proposed extension represents a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2021 and there are no other material considerations that justify treating this proposal as an exception.
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.

Map

23/00228/FUL - 85 Nottingham Road, Nuthall



6/9/2023, 9:19:39 AM

- Green Belt
- INTERNAL: PCO Applications

1:1,250
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

Photographs



Photograph to show front elevation.



Photograph to show existing rear elevation.



Photograph to show site of proposed rear extension.



Photograph to show boundary with number 87.



Photograph to show rear garden.

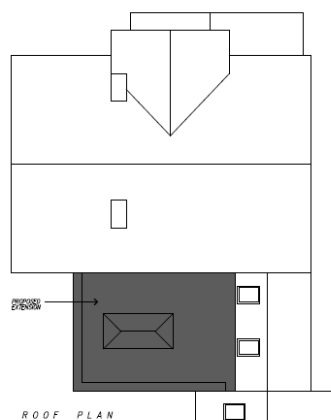
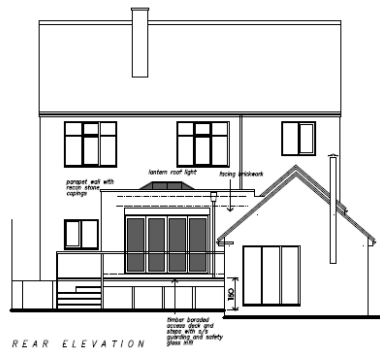
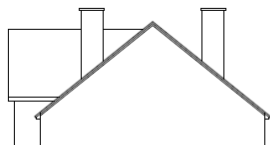


Photograph to show boundary with number 83.

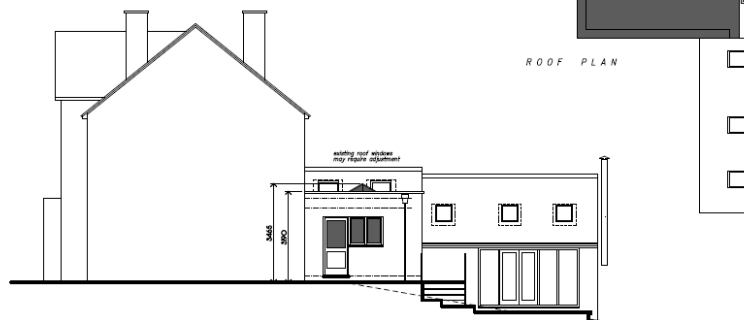
Plans (not to scale)

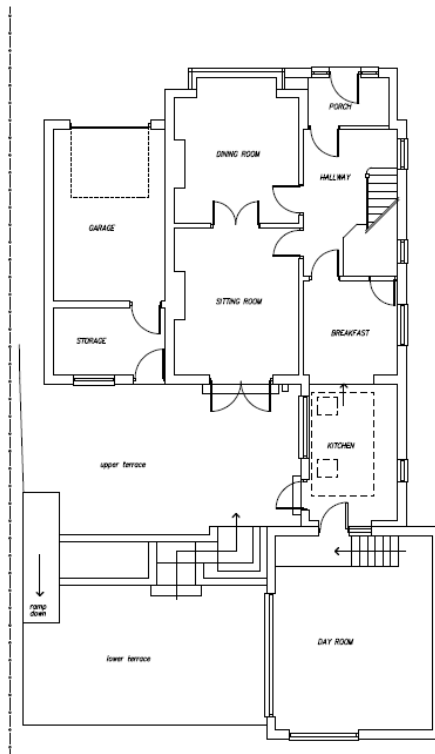


Existing elevations and site location plan.

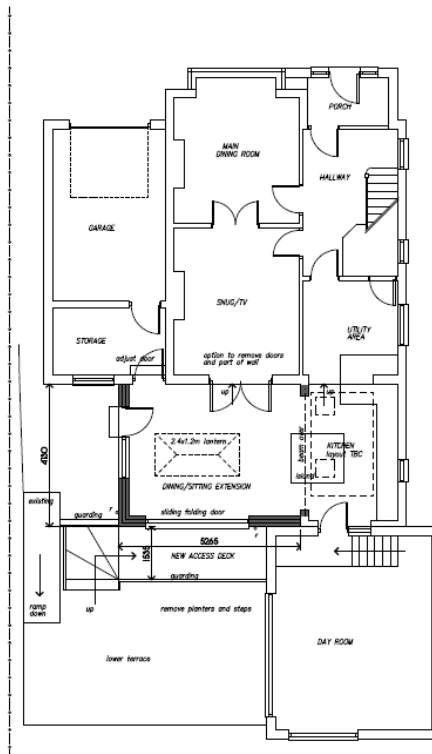


Proposed elevations and roof plan.





GROUND FLOOR PLAN



GROUND FLOOR PLAN PROPOSED

Existing and proposed floor plans.

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Report of the Chief Executive

APPLICATION NUMBER:	23/00080/FUL
LOCATION:	6 Ilkeston Road Stapleford Nottinghamshire NG9 8JL
PROPOSAL:	Construct two storey and single storey side extensions

The application is brought to the Committee at request of Councillor J W McGrath.

1 Purpose of the Report

- 1.1 The application seeks full planning permission for the construction of a two storey side extension to the western elevation, single storey side extension to the eastern elevation and alteration to the existing bay window to a detached dwelling that has already been extended by two storey to the rear elevation.

2 Recommendation

The Committee is asked to resolve that planning permission is refused subject to the reasons outlined in the appendix.

3 Detail

- 3.1 The application seeks planning permission for the demolition of the detached double garage to the side of the dwelling and the construction of a two storey side extension to the western elevation and a further addition to an existing single storey side extension to the eastern elevation, alteration to the existing bay window on the principal elevation and to render the whole dwelling in a white smooth render. To the principal elevation there will be off road parking.
- 3.2 During determination of the application the agent was asked to reduce the width of the two storey side extension by 1m, to enable the two storey side extension not to be wider than the host dwelling. The agent/applicant was unwilling to reduce the width of the extension to overcome the concerns regarding the size of the two storey side extension.
- 3.3 The main issues relate whether the scale, siting and design of the extensions is acceptable and whether the development has an unacceptable impact on the visual amenity of the area and neighbour amenity.
- 3.4 The benefits of the scheme are that the extension will create a four-bedroom dwelling with a study, large games room, large garage and enlarged lounge area. The negatives are related to the two storey side extension only. The size, bulk and mass along with the prominence harms the character and appearance of the dwelling and the wider area.
- 3.5 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

4 Financial Implications

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

5. Legal Implications

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

6 Data Protection Compliance Implications

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

7. Climate Change Implications

Any climate change implications are considered within the report

8 Background Papers

- 8.1 Nil.

APPENDIX**1 Details of the Application**

- 1.1 The proposal seeks to demolish the existing detached double garage and construct a two storey side extension to the western elevation and a single storey extension that will attach to an existing side extension on the eastern elevation. To the principal elevation, changes to the existing bay window by squaring it off and creating a modern large window along with rendering the whole dwelling in white render is also proposed.
- 1.2 The agent declined to amend the application to reduce the extension in width and so the recommendation has been put forward using the submitted plans received at validation.
- 1.3 The proposed single storey side extension measures approximately 2.7m wide, 3.8m in length, 2.5m to the eaves and 3.5m to the ridge (mono pitched roof) and will match the existing roof height and width of the existing single storey side extension. The two storey side extension has a lower ridge height than the host dwelling, with the ground floor projecting further forward than the existing ground floor and the first floor being set back from the principal elevation. The two storey side extension measures 5.3m wide, 10.5m in length on the first floor and 12m to the ground floor, 5.1m to the eaves and 7m to the ridge. The proposed extensions, along with the previous two storey rear and side extensions, will create a large lounge, kitchen dining area, games room and garage to the ground floor. To the first floor will be four bedrooms, one being a master suite with a dressing room and en-suite, study/office and family bathroom.
- 1.4 The application form states that the extensions and the host dwelling will be rendered white with blue/grey slate tiles. The render will hide the joints in the previous and proposed extensions.

2 Site and Surroundings

- 2.1 The application site is located within the built framework of Stapleford and is a detached two storey dwelling with a detached double garage. The host dwelling has a modest rear garden with a high hedge along the northern and eastern boundary and a 1.8m close board fencing on part of the western boundary. The detached garage forms part of the western boundary also. To the principal elevation, along Ilkeston Road is a small 1m fence and 2m plus mature hedge.
- 2.2 To the east is a detached dwelling and to the west a semi-detached dwelling, each with a vehicular access off or close to the mini traffic islands on Ilkeston Road. To the north of the site is a row of terrace dwellings on Longden Close.
- 2.3 To the south of the site is a cluster of shops comprising convenience store, chip shop and sandwich shop.

3 Relevant Planning History

- 3.1 95/00608/FUL Two storey rear extension to creating a dining room and bedroom at first floor. This was approved and implemented.

4 Relevant Policies and Guidance

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

- 4.1.2 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 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) 2021:

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

5 Consultations

- 5.1 A total of five neighbours were consulted and one letter of support has been received.

- I support the application and raise no objection.

5.2 Councillors & Parish/Town Councils:

- Former Councillor J Goold – No comment
- Councillor R D MacRae – No comment
- Stapleford Town Council – No comment

6 Assessment

- 6.1 The main issues relate to whether or not the changes to the detached dwelling creating a larger dwelling is of an acceptable design and appearance and does not have a significant impact on neighbour amenity

6.2 Design and scale

- 6.2.1 Policy 10 (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development. Policy 17 (4a) states that extensions should be of a size, siting

and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 6.2.2 The single storey side extension has been designed to continue the length and width of the existing extension and there is no concern regarding the size, siting and design of the single storey side extension to the eastern elevation. Given the position of the mature boundary treatment along the southern boundary with the Ilkeston Road the single storey side extension will not dominate or appear overbearing prominent in the street scene and is modest in size.
- 6.2.3 The change in the existing bay window from an arched arrangement to a square modern design will not dominate or appear over prominent when viewed from with the street scene. There are no concerns regarding the rendering of the dwelling and the extensions as other dwellings along Ilkeston Road are either painted brick or rendered.
- 6.2.4 The two storey side extension to the western elevation has been designed to have a lower ridge height to the host dwelling, but is wider than the host dwelling itself. The extension fills the gap between the western elevation and the western boundary with 8 Ilkeston Road, just leaving a 1m path running along the joint boundary.
- 6.2.5 An amended plan was requested to reduce the width of the extension by 1m to enable the extension not to dominate the host dwelling and be in proportion to the host dwelling, but the agent/applicant was unwilling to do so and requested the application be determined by the Planning Committee.
- 6.2.6 It should be noted the principle of an extension to the dwelling is acceptable, but should be in proportion to and not dominate the host dwelling enabling an extension to be read as a later addition to the dwelling. Should the agent/applicant reduce the width of the extension then the Local Planning Authority would look more favourably on the proposal.
- 6.2.7 The two storey side extension to the western elevation will be highly visible when traveling along Ilkeston Road, would be visually dominant within the street scene and would be out of proportion with the host dwelling, contrary to Policy 17 of the Part 2 Local Plan (2019). As a result, the two storey side extension would be out of keeping with the character of the scene to the detriment of the visual amenity of the area.

6.3 **Amenity**

- 6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The dwelling located to the east, 4 Ilkeston Road, has a detached garage within close proximity to the joint boundary with the site. Given the size and location of the proposed single storey side extension it is considered no significant impact on the residential amenity of 4 Ilkeston Road. As the two storey extension is the opposite side of the site there is no impact on this dwelling from the two storey side extension.

6.3.3 To the west is a semi-detached dwelling, 8 Ilkeston Road. There is a large gate, covered area and then a garage running along the joint boundary with the site. On the eastern elevation facing the site is three non-habitable windows and a door. Given the position of the two storey side extension and the structures running along the joint boundary it is considered there would be no impact on this dwelling from the two storey side extension.

6.3.4 The proposal does not raise any residential amenity issues, subject to a condition for obscure glazing to the western first floor dressing room window, should it be resolved to grant planning permission.

6.4 Highway Safety

6.4.1 There is an existing vehicular access to the site and two garages, that are to be demolished to facilitate the two storey side extension.

6.4.2 Nottinghamshire County Council Highways Authority residential car parking standard states for a four plus bedroom dwelling there should be 3 off road parking spaces and the dimensions for a garage is 6m by 3m for a single garage and 6m by 6m for a double garage.

6.4.3 The proposal demonstrates an attached garage measuring 5.3m by 5.6m which is short of the required dimensions for a double garage but meet the dimensions for a large single garage. The block plan shows four off road parking spaces, this is a cramped arrangement and not ideal. Given the requirement for three off road parking spaces it is considered that the site can accommodate three off road parking spaces, including the attached garage.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide enhanced living accommodation for the occupier and would not have a significant impact on neighbour amenity.

7.2 The two storey side extension to the west elevation will have a negative impact by virtue of its design, scale, massing, and the disproportionate width would be visually dominant within the street scene and be detrimental to the character and appearance of the dwelling and the surrounding area.

8 Conclusion

8.1 Recommend that planning permission for the development is refused.

Recommendation

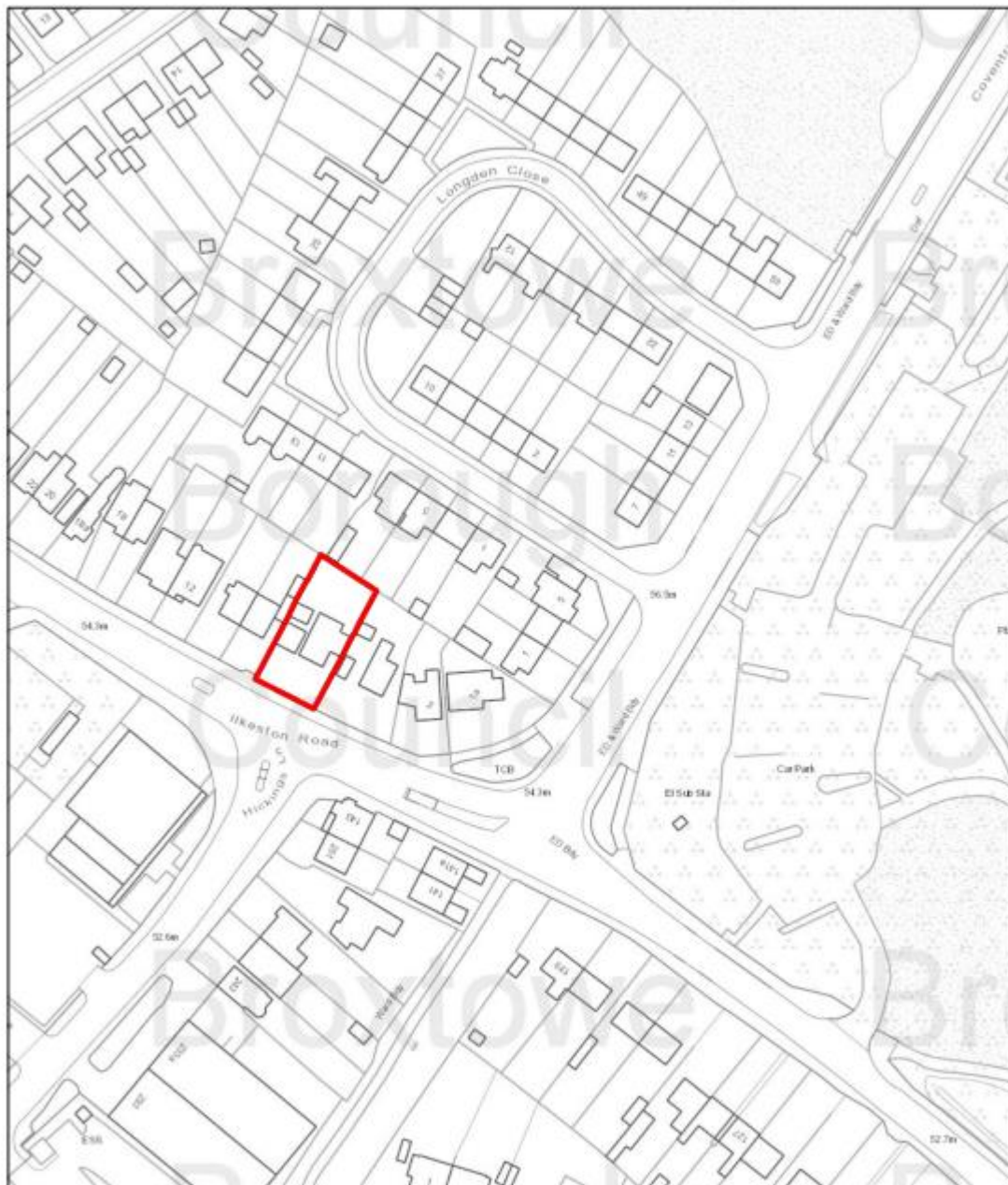
The Committee is asked to RESOLVE that planning permission be refused for the following reasons:

1.	The two storey side extension to the west elevation will have a negative impact by virtue of its design, scale, massing, and the disproportionate width would be visually dominant within the street scene and be detrimental to the character and appearance of the dwelling and the surrounding area, contrary to the aims of
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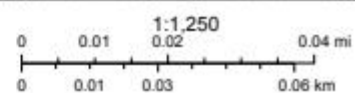
	Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, even delaying determination of the application to enable minor alterations which could be made to the scheme to make the proposal acceptable.

Map

23/00080/FUL - 6 Ilkeston Road Stapleford



6/14/2023, 2:01:31 PM



Photographs



Principal elevation when viewed from Ilkeston Road island



Principal elevation from access



Rear elevation



Rear elevation/gap between western elevation of the site and eastern elevation of the neighbour at 8 Ilkeston Road



Side elevation of 8 Ilkeston Road



Rear and side of 8 Ilkeston Road



Principal elevation existing side
Extension and neighbours garage at
4 Ilkeston Road



Rear boundary treatment with dwellings
on Longdon Close

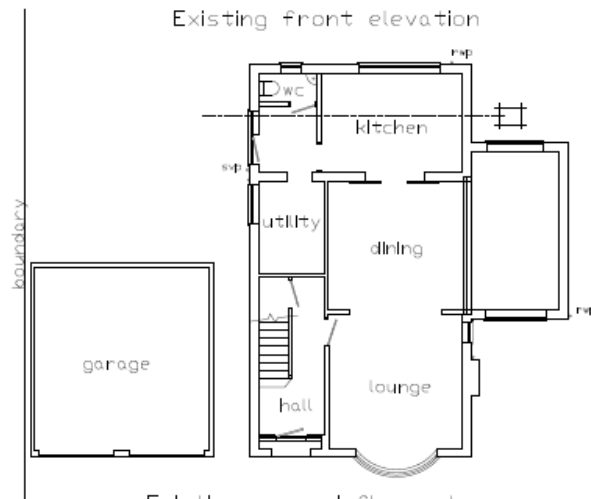
Plans (not to scale)



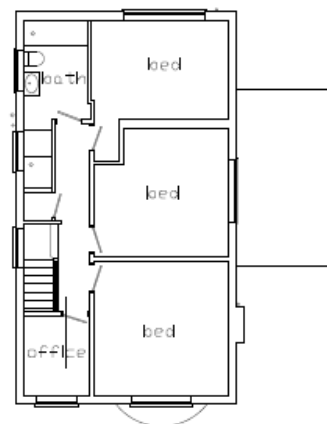
Existing front elevation



Existing side elevation

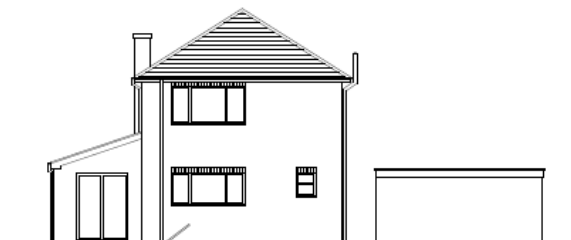


Existing ground floor plan

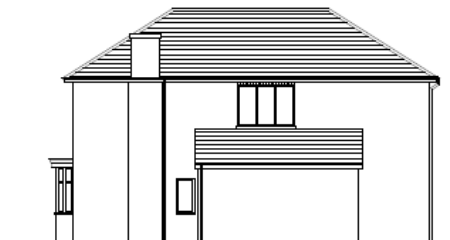


Existing first floor plan

Existing elevations and floor plans



Existing rear elevation

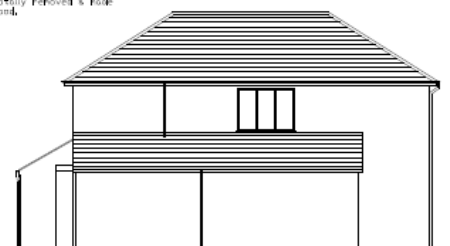


Existing side elevation on X



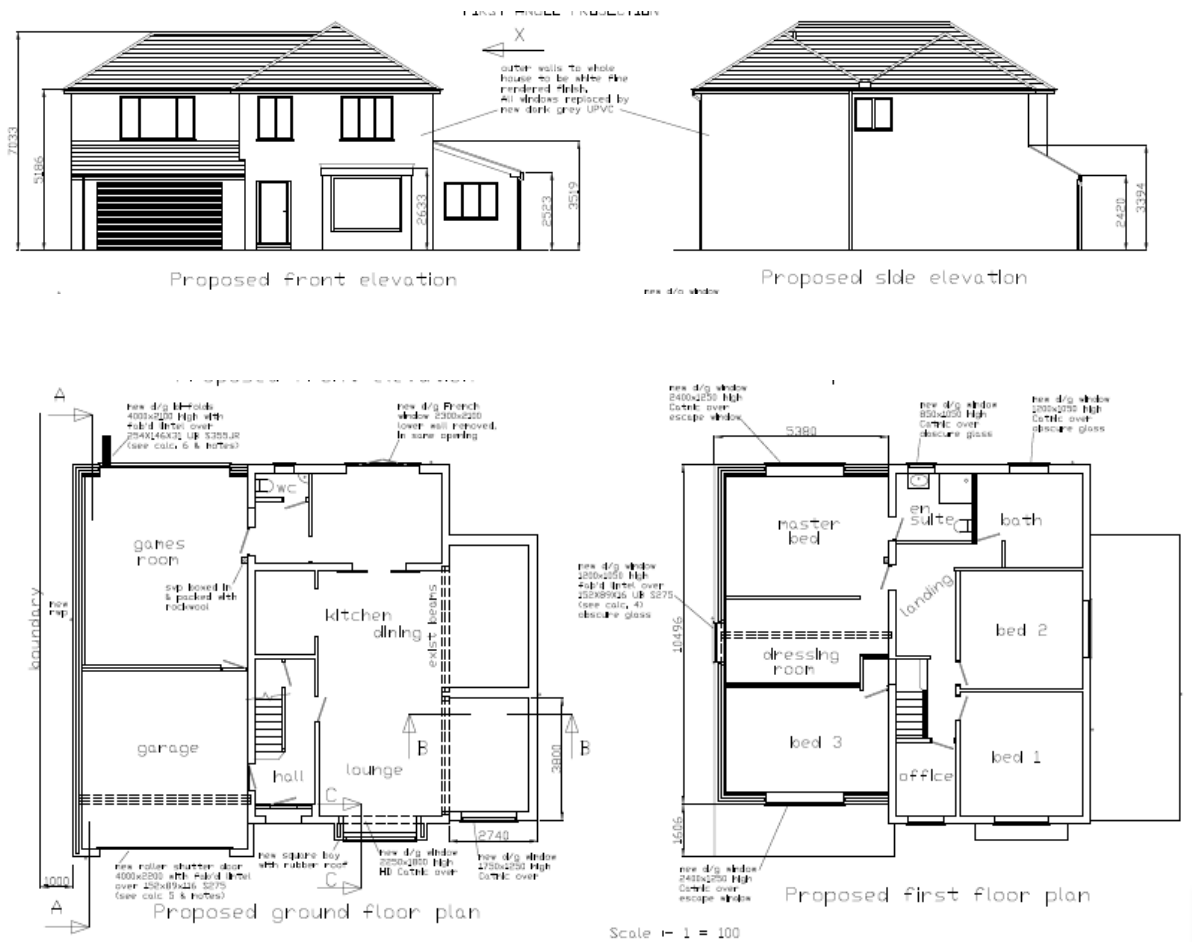
Proposed rear elevation

NOTE
chimney stack & breast
entirely removed & made
good.

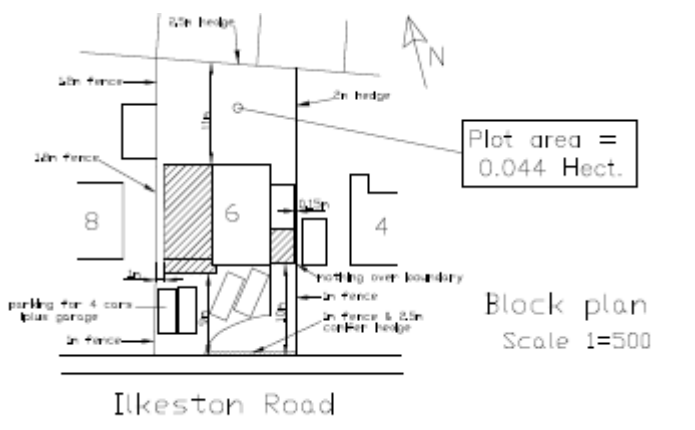


Proposed side elevation on X

Existing and proposed rear and side elevation (eastern elevation)



Proposed elevations and floor plans – western side elevation



Proposed block plan and parking arrangement

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00030/FUL
LOCATION:	Land between 10-12, Chetwynd Road, Toton
PROPOSAL:	Construct two detached dwellings

APPEAL ALLOWED

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL –

The submitted scheme, by virtue of its siting, size and scale creates an overbearing and overly dominant impact on neighbouring properties, to the detriment of the amenity of neighbouring properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

LEVEL OF DECISION: COMMITTEE

The inspector considered the main issue is the effect of the proposal on living conditions of neighbouring occupiers, with respect to the proposal's siting, size and scale.

REASONS

The Inspector noted that plot 1 would be far enough away to ensure the outlook and privacy of the neighbouring occupiers would not be harmed. Given the significant length of the neighbouring gardens, there would be no potential for any harmful overshadowing or loss of privacy.

The Inspector noted that plot 2 would be set an adequate distance away from existing neighbouring properties. In addition, due to the depth of the neighbouring gardens, there would be no potential for any harmful overshadowing or loss of privacy.

CONCLUSION

The Inspector considered that the siting of the proposed dwellings would be sufficiently distant from the neighbouring dwellings to avoid any significant overbearing, overshadowing, or overlooking impacts.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00125/FUL
LOCATION:	Land between Styling Street and Station Road, Station Road, Beeston
PROPOSAL:	Construct purpose built student accommodation (sui generis) and ground floor commercial unit (Class E(g)(i)) with associated access, car parking, landscaping and infrastructure

APPEAL ALLOWED / COSTS AWARDED

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL –

The submitted scheme, by virtue of its size and design represents an unsatisfactory development which fails to provide appropriate internal floor space and consequently the proposal would afford a substandard level of amenity for future occupiers. The proposal also fails to provide sufficient car parking for a development of this magnitude and would increase on street parking in surrounding areas. The proposed restriction of occupation to students would also fail to maximise the potential contribution to town centre footfall during non-term periods. The proposed development is therefore contrary to Policies 6 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

LEVEL OF DECISION: COMMITTEE

The inspector considered the main issues to consider were:

- the effect of the proposal on parking pressure in the surrounding area;
- whether the proposal would provide acceptable living conditions for future occupiers with regard to living space; and
- the effect of the proposal on the town centre.

REASONS

Parking

The Inspector noted that the proposal would be close to a range of public transport options and the town centre, there would likely be a low demand for car parking; and a package of transport and car parking measures proposed by the appellant. Such measures have been secured by planning condition and obligation. The Inspector noted that the proposal would not lead to unacceptably harmful increases in on-street parking pressure on surrounding streets with its associated inconvenience or disturbance to local residents.

Living Conditions

The Inspector noted that the proposal would be a high-density development, however it was concluded that it would not provide an unacceptable living environment for future

occupiers given all studios exceed the 14m² minimum set out in the Council's House in Multiple Occupation (HMO) Property Standards (2018) including access to ground floor shared amenity areas.

Town Centre

The Inspector noted that despite the fact student expenditure may fluctuate during the year compared to other types of residents, the proposal would generate additional economic activity for Beeston town centre.

S106 Agreement (dated 23/03/23):

- Financial contribution £90,818.25 towards the enhancement of capacity/infrastructure within local GP practices.
- The S106 Agreement restricts occupation of the development to students only, which is necessary as this is the basis on which the proposal was assessed.
- A student management plan would be submitted to the Council for approval prior to the occupation of the development and implemented from the first occupation. Paragraph 2.7 of the s106 Agreement sets out that this would include details of (a) on-site staffing; (b) the management of servicing and deliveries; (c) details of on-site residential car parking prevention measures; (d) sustainable transport incentives; (e) the provision of parking passes during drop off and collection periods; and (f) litter and waste control measures.
- The S106 Agreement ensures that the footway behind the proposed lay-by would remain open to the public and be maintained for the lifetime of the development.

S106 Unilateral Undertaking (dated 23/03/23):

- Occupiers of the accommodation will not be permitted parking permits in relation to Broxtowe Borough Council car parks.
- The Inspector considered that the proposal would not give rise to unacceptable parking pressure in the surrounding area and would not conflict with the development plan in this regard. As such, the Inspector concluded that restricting parking permits by UU would not be necessary to make the development acceptable in planning terms.

S106 Unilateral Undertaking (dated 26/04/23):

- Applicant to submit and pay for the Traffic Regulation Order application to the County Council in respect of the proposed lay-by area.

CONCLUSION

The Inspector considered that in terms of the main issues, the proposal would not cause unacceptable parking pressure in the surrounding area; it would provide acceptable living conditions for future occupiers with regard to living space; and it would not have an unacceptable effect on the town centre, subject to the imposition of conditions and the identified obligations within the s106 Agreement and the UU dated 26 April 2023.

COSTS AWARDED

The Inspector noted that the decision was based on vague, generalised assertions about the proposal's impacts in relation to internal living conditions, parking and the impact on the town centre; which have not been supported by objective evidence. Accordingly, the Council has failed to substantiate its reason for refusal. This amounts to unreasonable behaviour as set out in the Planning Practice Guidance, and the applicant has been faced with the unnecessary expense of addressing this.

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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
22 May 2023 TO 16 June 2023**

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 Eldar Naghiyev	23/00043/FUL
Site Address	:	5 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Construct three storey side extension, single storey rear extension, a two storey front extension including canopy over, rear dormer, installation of external wall insulation, changes to glazed openings and external finishes, new front boundary wall and driveway.	
Decision	:	Refusal	

Applicant	:	Mr Josef Dolan Orange Est8 Ltd	23/00189/FUL
Site Address	:	Former Boat House Barton Lane Attenborough Nottinghamshire	
Proposal	:	Change of use from Boathouse to Artists Studio	
Decision	:	Withdrawn	

Applicant	:	Mr A Baldwin Peveril Homes Limited	23/00222/VOC
Site Address	:	Land Off Karen Gardens Chilwell Nottinghamshire	
Proposal	:	Variation of Condition 2 of application reference number: 22/00840/FUL to revise the design of the two garage blocks for plots 2 & 3 and 7	
Decision	:	Conditional Permission	

Applicant	:	V Briggs	23/00239/FUL
Site Address	:	6 Wheatley Grove Chilwell Nottinghamshire NG9 5AG	
Proposal	:	Construct single storey rear extension.	
Decision	:	Conditional Permission	

Applicant	:	Westerman W Westerman Ltd	23/00267/FUL
Site Address	:	Land Off Karen Gardens Chilwell Nottinghamshire	
Proposal	:	Detached double garage to rear of 158 Bye Pass Road	
Decision	:	Conditional Permission	

Applicant	:	Mr Michael Thompson	23/00283/FUL
Site Address	:	50 School Lane Chilwell Nottinghamshire NG9 5EH	
Proposal	:	Dropped kerb	
Decision	:	Conditional Permission	

Applicant	:	Mrs Heidi Gale	23/00298/CAT
Site Address	:	Cloud House 233 Attenborough Lane Attenborough Nottinghamshire NG9 6AL	
Proposal	:	Lime tree to be felled	
Decision	:	No Objection	

Applicant	:	Mr & Mrs Ledbetter & Lyon	23/00303/FUL
Site Address	:	5 Cliffgrove Avenue Chilwell Nottinghamshire NG9 4DP	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Debbie Barker	23/00320/CAT
Site Address	:	2 Hurts Croft Chilwell Nottinghamshire NG9 5DE	
Proposal	:	T1 Oak - reduce overall crown by approx 1.5m	
Decision	:	No Objection	

Applicant	:	Mr Paul Hallam	23/00328/CAT
Site Address	:	213 Attenborough Lane Attenborough Nottinghamshire NG9 6AL	
Proposal	:	Acer/Sugar Maple - Reduction in height	
Decision	:	No Objection	

Applicant	:	Ryrie	23/00347/TPOW
Site Address	:	3 Adenburgh Drive Attenborough Nottinghamshire NG9 6AZ	
Proposal	:	T1. Horse chestnut - Fell to ground level grind stump and replace with tree species to be decided	
Decision	:	Conditional Permission	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr & Mrs Martin & Michelle Byrne	23/00082/FUL
Site Address	:	Cochon Villa Grange Estate Robinettes Lane Cossall Nottinghamshire NG16 2RX	
Proposal	:	Construct single storey extension with mezzanine level to west elevation following demolition of existing conservatory	
Decision	:	Conditional Permission	

Applicant	:	Mr Chris Punter East Midlands Education Trust	23/00130/FUL
Site Address	:	Awsorth Junior And Infant School The Lane Awsorth Nottinghamshire NG16 2QS	
Proposal	:	Construction of Multi-Use Games Area (MUGA) Facility with 3 Metre High Perimeter Fencing and 4 Floodlighting Columns	
Decision	:	Conditional Permission	

Applicant	:	Mrs Meeta Dave	23/00227/FUL
Site Address	:	11 Iona Drive Trowell Nottinghamshire NG9 3RF	
Proposal	:	Construct single storey rear extension and front porch and convert garage to living accommodation.	
Decision	:	Conditional Permission	

BEESTON CENTRAL WARD

Applicant	:	Mr John Dutton	22/01002/FUL
Site Address	:	Land Adjacent To 6 Thyra Grove Beeston Nottinghamshire NG9 2BL	
Proposal	:	Construction of a detached two storey dwelling	
Decision	:	Conditional Permission	

Applicant	:	Mr Vinay Parmer Excel Commercial Ltd.	23/00258/FUL
Site Address	:	36 - 48 Henry Road Beeston Nottinghamshire NG9 2BE	
Proposal	:	Construct three storey building attached to existing apartment blocks to facilitate the provision of 3 no 1 bedroom flats.	
Decision	:	Conditional Permission	

Applicant	:	Signal Infrastructure UK Limited	23/00268/TEL
Site Address	:	Signal Infrastructure UK Limited	
Proposal	:	O2 10948 Telecommunications Mast Queens Road West Beeston Nottinghamshire	
Decision	:	Proposed telecommunications installation: Proposed 15.0m Phase 9 Monopole and associated ancillary works.	
	:	Prior Approval Granted	

Applicant	:	Mr Alan Osbourne Osbourne planning	23/10066/ENQT
Site Address	:	Outside Of 201 - 209 Queens Road Beeston Nottinghamshire NG9 2BZ	
Proposal	:	Proposed 15m Phase 8 slimline monopole (grey)	
	:	Proposed 6no. Antenna	
	:	Proposed 3NO. STREET EQUIPMENT CABINETS (grey)	
Decision	:	Enquiry Closed	

BEESTON NORTH WARD

Applicant	:	Alison Dudley	23/00078/FUL
Site Address	:	126 Central Avenue Beeston Nottinghamshire NG9 2QT	
Proposal	:	Change of use from dwelling (Class C3) to HMO (Class C4)	
Decision	:	Refusal	
Applicant	:	Mr Bill Woodward	23/00277/FUL
Site Address	:	11 Muriel Road Beeston Nottinghamshire NG9 2HH	
Proposal	:	Construct single storey front, side and rear extensions	
Decision	:	Conditional Permission	
BEESTON RYLANDS WARD			
Applicant	:	Mr Tom Weeks Story Contracting Ltd	23/10031/ENQ
Site Address	:	Beeston Railway Station Station Road Beeston Nottinghamshire NG9 2AB	
Proposal	:	Proposed Access for All scheme at Beeston Station which includes the provision of new lifts and stairs within the existing station footprint.	
Decision	:	Enquiry Closed	
Applicant	:	Mrs Nina Faresin	23/00245/VOC
Site Address	:	54 Trent Road Beeston Nottinghamshire NG9 1LQ	
Proposal	:	Variation of condition 5 of application reference number 22/00264/FUL to allow for a domestic Biodiversity Enhancement Plan	
Decision	:	Conditional Permission	
Applicant	:	Mr & Ms Sam & Katherine Jones & Morgan	23/10059/ENQ
Site Address	:	7 Ashfield Avenue Beeston Nottinghamshire NG9 1PY	
Proposal	:	Proposed kitchen extension	
Decision	:	Enquiry Closed	
Applicant	:	Nina Faresin	23/00393/NMA
Site Address	:	54 Trent Road Beeston Nottinghamshire NG9 1LQ	
Proposal	:	Non material amendment to 22/00264/FUL to extend art studio by 1m and alterations to window openings	
Decision	:	Withdrawn	
BEESTON WEST WARD			
Applicant	:	Mr S Plummer	19/00867/CAT
Site Address	:	Cedar Cottage 12 Cedar Road Chilwell Nottinghamshire NG9 4DB	
Proposal	:	Pear Tree - Fell to ground Silver birch - Reduce 30% Holly- Crown Shape	
Decision	:	Conditional Permission	
Applicant	:	Mr Tahir	22/00821/FUL
Site Address	:	36 Abbey Road Beeston Nottinghamshire NG9 2QF	
Proposal	:	Construct two storey side extension and single storey side/rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Anran Hu Ways Pharmacy	23/00022/FUL
Site Address	:	24 Chilwell Road Beeston Nottinghamshire NG9 1EJ	
Proposal	:	Construct single storey side extension to rear of car park to be used as storage area	
Decision	:	Conditional Permission	
Applicant	:	Mr Liam Edwards MyPad	23/00205/FUL
Site Address	:	The Quadrant And South West Area Of The Commercial Inn Nuart Road Beeston Nottinghamshire NG9 2NH	
Proposal	:	Creation of additional car parking spaces including 2 disabled spaces, installation of a exist gate and reposition of bin store following change of use of part of public house site	
Decision	:	Conditional Permission	

Applicant	:	Specsavers Specsavers Optical Stores UK	23/00233/FUL
Site Address	:	Specsavers 2 - 4 Chilwell Road Beeston Nottinghamshire NG9 1EF	
Proposal	:	Proposed alterations to shopfront, ramp to the store entrance and proposed 8 no external AC condensing units to the rear elevations	
Decision	:	Conditional Permission	
Applicant	:	Mr Proctor	23/00246/FUL
Site Address	:	71 - 73 High Road Beeston Nottinghamshire NG9 2LE	
Proposal	:	Change of use of existing first and second floor office space (B1) to HMO (C4) comprising 1no. 6 bed unit over two floors.	
Decision	:	Conditional Permission	
Applicant	:	Severn Trent Water Limited	23/00276/NAUTH
Site Address	:	Newthorpe Sewage Treatment Works A610 Giltbrook Nottinghamshire NG16 2DE	
Proposal	:	Installation of a Motor Control Centre (MCC) Kiosk, an Activated Sludge Process (ASP) Blowers Kiosk and a Sludge Thickener Building	
Decision	:	No Objection	
Applicant	:	Mr Ian Stevens	23/00301/CAT
Site Address	:	35 Elm Avenue Beeston Nottinghamshire NG9 1BU	
Proposal	:	T1 - Cypress - Fell to ground level	
Decision	:	No Objection	
Applicant	:	Mr and Mrs Beer	23/00302/FUL
Site Address	:	36 Larch Crescent Chilwell Nottinghamshire NG9 4DL	
Proposal	:	Construct single storey rear extension and convert existing garage into habitable space	
Decision	:	Conditional Permission	
Applicant	:	Mr Ian Greaves Southwell & Nottingham Diocese	23/00326/CAT
Site Address	:	The Vicarage Middle Street Beeston Nottinghamshire NG9 1GA	
Proposal	:	T1, T2, T3 & T4- Sycamore Trees Crown raise by 4.5 and removal of dead wood T5- Sycamore tree Reduce by 3m	
Decision	:	No Objection	
Applicant	:	Mr Rob Heath	23/00352/CAT
Site Address	:	2 West End Beeston Nottinghamshire NG9 1GL	
Proposal	:	T1 - Tulip Tree, crown clean, dead wood and lift away from building by 2m.	
Decision	:	No Objection	
Applicant	:	Mr Walker Walker & Beeston Investments Ltd	23/00354/PMAP32
Site Address	:	8 & 10A Wollaton Road Beeston Nottinghamshire NG9 2NR	
Proposal	:	Prior approval for the change of use of upper floors from vacant hair dressing salon and accountants offices (use class E) to residential (use class C3) to form 2 x one bed flats	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr Chris Elvidge Stubbs Construction	23/00412/NMA
Site Address	:	Beeston Rise Care Home 17 Ellis Grove Beeston Nottinghamshire NG9 1EP	
Proposal	:	Non material amendment to 21/00184/FUL to adjust height of curtain glazing and roof capping to align with adjoining roof lines	
Decision	:	Unconditional Permission	

BRAMCOTE WARD

Applicant	:	Mr Don Leiper Toton Battery Storage Ltd	22/00799/FUL
Site Address	:	Southfields Farm Common Lane Bramcote Nottinghamshire NG9 3DT	
Proposal	:	Construction and operation of two adjacent Battery Energy Storage Systems (BESS) facilities operating at different voltages (132kV and 33kV) in order to fully support the local electricity network. Both facilities are adjacent to each other within a single new overall site compound comprising: the erection of battery containers, switchgear containers, inverters, control building, and new substations; installation of new underground cable circuits to connect the new BESS substations; improvements to access from Common Lane; establishing new internal access roads, resurfaced compound, and turning area; installation of perimeter fencing and access gate; associated ground works; and landscaping.	
Decision	:	Refusal	
Applicant	:	Mr & Mrs Stanley	23/00281/FUL
Site Address	:	4 Thornhill Close Bramcote Nottinghamshire NG9 3FS	
Proposal	:	Construct single storey and first floor extensions to rear, part two storey and part single storey extension to side, new front porch and convert roof-space to habitable room	
Decision	:	Conditional Permission	
Applicant	:	Asad Malik	23/00282/FUL
Site Address	:	77 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Construct two storey and first floor rear extension. External alterations to porch and bay window on front elevation. External elevations replaced with smooth render (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	North Sands Developments Ltd Richard Adams North Sands Developments Ltd	23/00284/NMA
Site Address	:	88 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Non Material Amendment to 22/00126/FUL to erect electric gates to the entrance of the development	
Decision	:	Withdrawn	
Applicant	:	Mr David Baker	23/00290/FUL
Site Address	:	45 Rufford Avenue Bramcote Nottinghamshire NG9 3JG	
Proposal	:	Construct single storey front and single/two storey side/rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr J Melo	23/00295/FUL
Site Address	:	149 Hillside Road Bramcote Nottinghamshire NG9 3BJ	
Proposal	:	Construct first-floor side extension	
Decision	:	Conditional Permission	
BRINSLEY WARD			
Applicant	:	Mrs Sandra Clowes	23/00262/FUL
Site Address	:	12 Ash Grove Brinsley Nottinghamshire NG16 5DH	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Neil Cargill	23/00299/CAT
Site Address	:	Manor Farm Hall Lane Brinsley Nottinghamshire NG16 5AG	
Proposal	:	Permission to fell 2 Horse Chestnut trees	
Decision	:	No Objection	

Applicant	:	Mr Peter Goodrick Broxtowe Borough Council	22/00355/REG3
Site Address	:	Inham Nook Hotel, Land To North Of Chilwell Community Centre, Garages To North Of Hotel And Part Of Gardens To The Rear Of 15, 17A, 17B, 17C And 17D Great Hoggett Drive Inham Road Chilwell Nottinghamshire NG9 4HX	
Proposal	:	Residential development of 15 dwellings (12 houses and 3 apartments) and associated parking, including incorporation of part rear gardens of 15, 17a, 17b, 17c and 17d Great Hoggett Drive, following demolition of Inham Nook public house and demolition of garage blocks to the north of the site. Creation of a pocket park to amenity land north of community centre / library.	
Decision	:	Conditional Permission	

Applicant	:	Mr and Mrs Brackner	23/00297/FUL
Site Address	:	55 Greenland Crescent Chilwell Nottinghamshire NG9 5LD	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Barker	23/00312/NMA
Site Address	:	20 Longleat Crescent Chilwell Nottinghamshire NG9 5EU	
Proposal	:	Non Material Amendment to 23/00040/FUL to extend the existing hall way into the new extension, below the approved roof canopy.	
Decision	:	Unconditional Permission	

EASTWOOD HALL WARD

Applicant	:	Mr Anthony Wilkinson	23/00029/FUL
Site Address	:	Land Adjacent To 93 Greenhills Road Eastwood Nottinghamshire NG16 3FT	
Proposal	:	Construct detached dwelling	
Decision	:	Conditional Permission	

Applicant	:	Mr Sam Deng	23/10070/ENQ
Site Address	:	4 Brandyline Gardens Newthorpe Nottinghamshire NG16 3TS	
Proposal	:	Proposed construction of conservatory	
Decision	:	Enquiry Closed	

GREASLEY WARD

Applicant	:	Mrs N Carlyle	23/00215/CLUP
Site Address	:	41 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	Certificate of lawfulness for proposed construction of a single storey side extension	
Decision	:	Approval - CLU	

Applicant	:	Mr Alex Abbott Decathlon UK Ltd	23/00324/FUL
Site Address	:	Decathlon 3 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP	
Proposal	:	New shopfront and creation of single entrance. Windows on side elevation to serve new staff areas. New plant and machinery area at the rear of the unit	
Decision	:	Conditional Permission	

Applicant	:	Mr Alex Abbott Decathlon UK Ltd	23/00325/ADV
Site Address	:	Decathlon 3 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP	
Proposal	:	Installation of 4 new store signs and 1 existing store sign	
Decision	:	Conditional Permission	

Applicant	:	Mrs Sarah Turner JSF Agriculture	23/00313/AGR
Site Address	:	Willey Wood Farm Willey Lane Newthorpe Nottinghamshire NG16 3QW	
Proposal	:	Prior notification to construct agricultural building for storage of farm machinery	
Decision	:	Prior Approval Not Required	

Applicant	:	Ms Vicki Reynolds MLL Telecom Ltd	23/10074/ENQT
Site Address	:	Brook Breasting Farm Narrow Lane Watnall Nottinghamshire NG16 1HW	
Proposal	:	Remove the existing 300mm dish at 20m and install 1no 300mm dish at a height of 25m on the existing mast at a bearing of 36°.	
Decision	:	Enquiry Closed	

KIMBERLEY WARD

Applicant	:	Mr Stephen Hall	23/00147/FUL
Site Address	:	The Stag Recreation Ground Nottingham Road Kimberley Nottinghamshire	
Proposal	:	Construct outbuilding for use of bowling green	
Decision	:	Conditional Permission	
Applicant	:	Mr Jack Mantell	23/00214/FUL
Site Address	:	32 Hillcrest Close Watnall Nottinghamshire NG16 1JN	
Proposal	:	Construct two storey side and single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr James Towle Juicy lips ltd	23/00229/FUL
Site Address	:	23 - 27 Main Street Kimberley Nottinghamshire NG16 2NG	
Proposal	:	Retain alterations to shop front	
Decision	:	Conditional Permission	
Applicant	:	MR JEFF DICKMAN JRD HOMES LTD	23/00240/FUL
Site Address	:	3 Swingate Kimberley Nottinghamshire NG16 2PG	
Proposal	:	Construct single storey front/side extension	
Decision	:	Conditional Permission	
Applicant	:	SJ & J Johal	23/00254/FUL
Site Address	:	The Larks Nest Larkfield Road Nuthall Nottinghamshire NG16 1ET	
Proposal	:	Change of Use of Public House into 5no. self contained flats, including alterations and associated parking	
Decision	:	Conditional Permission	
Applicant	:	Mr James Towle Juicy lips ltd	23/00259/VOC
Site Address	:	Bar Zeon 23 - 27 Main Street Kimberley Nottinghamshire NG16 2NG	
Proposal	:	Variation of condition 1 of planning reference 21/00551/ROC - change to opening times on Friday and Saturday to between 09.00am - 01.30am.	
Decision	:	Conditional Permission	
Applicant	:	Mr And Mrs S Thatcher	23/00191/OUT
Site Address	:	Land To The Rear Of 21 Edgwood Road Kimberley Nottinghamshire NG16 2JR	
Proposal	:	Outline application with some matters reserved to construct two dormer bungalows	
Decision	:	Conditional Permission	
Applicant	:	Mr Tom Richards Tom Richards Tree Services	23/00272/TPOW
Site Address	:	5 Kempton Close Kimberley Nottinghamshire NG16 2TY	
Proposal	:	TG1 - Lime - Crown reduce 3 x lime trees by 2 metres	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mr Reece Oliver	22/00696/VOC
Site Address	:	Land North Of Home Farm Cottage And Park View Cottage Main Street Strelley Nottinghamshire	
Proposal	:	Variation of condition 1 (The development hereby permitted shall be carried out in accordance with the approved plans...) of planning permission reference 21/00023/FUL to regularise the construction of a viewing platform within the lion enclosure and balcony to the north west side of the stable building	
Decision	:	Refusal	
Applicant	:	Scott Marshall West Rock Ltd	23/00104/FUL
Site Address	:	Multi Packaging Solutions Millennium Way West Nuthall Nottinghamshire NG8 6AW	
Proposal	:	Retain warehouse	
Decision	:	Conditional Permission	

Applicant	:	Mr and Mrs Patterson	23/00237/FUL
Site Address	:	10 Highfield Road Nuthall Nottinghamshire NG16 1BS	
Proposal	:	Construct first floor side extension	
Decision	:	Conditional Permission	
Applicant	:	Heywood	23/00305/CAT
Site Address	:	Boundary Cottage Main Street Strelley Nottinghamshire NG8 6PD	
Proposal	:	T1 - Sycamore - Crown lift to 5.2m to clear highway, removal of crossing and rubbing branches T2 - Hawthorn - Removal of hawthorn T3 - Malus - Reduce and shape by 0.5m T5 - Silver Birch - Reduce and shape by 1/3 of a metre	
Decision	:	No Objection	
Applicant	:	Mrs Charlotte Kane REEVES TREE SURGEONS LTD	23/00311/TPOW
Site Address	:	Broad Oak Inn Main Street Strelley Nottinghamshire NG8 6PD	
Proposal	:	Works to T2 Oak, T3 Sycamore, T5 Sycamore, T6 Sycamore, T7 Sycamore, T8 Beech, T9 Sycamore, T10 Sycamore, T11 Sycamore, T12 Sycamore, T13 Sycamore, T16 Beech, T18 Sycamore, T22 Beech, T23 Beech T19 Oak - reducing the Oak tree by 2m all round. Fell T4 Sycamore, T7 Sycamore, T11 Sycamore, and T17 Sycamore.	
Decision	:	Conditional Permission	
STAPLEFORD NORTH WARD			
Applicant	:	Mr Ian Shakespear Aston Properties (UK) Limited	22/00359/FUL
Site Address	:	Land To The West Of 63 Mill Road Stapleford Nottinghamshire NG9 8GD	
Proposal	:	Construct detached dwelling	
Decision	:	Withdrawn	
STAPLEFORD SOUTH EAST WARD			
Applicant	:	Daniel Buttar	23/00232/FUL
Site Address	:	11 Tilford Gardens Stapleford Nottinghamshire NG9 7FJ	
Proposal	:	Retain wood burner flue	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH WEST WARD			
Applicant	:	Signal Infrastructure UK Limited	23/00289/TEL
Site Address	:	Land Outside 137 Derby Road Stapleford Nottinghamshire NG9 7AS	
Proposal	:	Proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole and associated ancillary works.	
Decision	:	Prior Approval Granted	
TOTON & CHILWELL MEADOWS WARD			
Applicant	:	Professor Amin Al-Habaibeh	23/00248/FUL
Site Address	:	4 Stirling Gardens Chilwell Nottinghamshire NG9 6NJ	
Proposal	:	Conversion of garage to store and habitable room.	
Decision	:	Conditional Permission	
Applicant	:	Merci Szinnay	23/00253/FUL
Site Address	:	2 Spinney Rise Toton Nottinghamshire NG9 6JN	
Proposal	:	Construct single storey rear extension and rendering/cladding of part of the existing property	
Decision	:	Conditional Permission	

Applicant	:	Mr James Carder	23/00279/FUL
Site Address	:	322 Nottingham Road Toton Nottinghamshire NG9 6EF	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Jason Humphreys Outline Trees	23/00280/TPOW
Site Address	:	24 Katherine Drive Toton Nottinghamshire NG9 6JB	
Proposal	:	Removal of 7 trees (T1 to 6 and T9) protected by a Tree Preservation Order reference TPO/TOT/01	
Decision	:	Refusal	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr & Mrs Taylor	23/00250/CLUP
Site Address	:	Vergewood Kimberley Road Nuthall Nottinghamshire NG16 1DD	
Proposal	:	Certificate of Lawfulness to construct a single and two storey rear extension and height increase of existing rear roof (revised scheme)	
Decision	:	Withdrawn	

Applicant	:	Mr Matthew Dearden	23/00264/FUL
Site Address	:	8 Lancelot Drive Watnall Nottinghamshire NG16 1JS	
Proposal	:	Construct single storey front and rear extension, entrance canopy to front elevation, first-floor side extension, replacement windows, and render finish to ground floor front and rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Barker	23/00315/TPOW
Site Address	:	2 & 4 Boden Drive Nuthall Nottinghamshire NG16 1BZ	
Proposal	:	4 Boden - Removal of Lime Tree 2 Boden over hanging branch removal	
Decision	:	Refusal	

Applicant	:	Mr & Mrs Parker	23/00322/FUL
Site Address	:	15 Edward Road Nuthall Nottinghamshire NG16 1DB	
Proposal	:	Construct detached garden/gym room to rear of property.	
Decision	:	Conditional Permission	

Applicant	:	Ms Caroline Taylor	23/00327/CAT
Site Address	:	66 Maple Drive Nuthall Nottinghamshire NG16 1EJ	
Proposal	:	Fell - Silver Birch, Sorbus, Privet, Lawson Cypress	
Decision	:	No Objection	

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