



Tuesday, 26 September 2023

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 4 October 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

A handwritten signature in blue ink that reads "Ruth E Hyde".

Chief Executive

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

AGENDA

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

(Pages 3 - 16)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 6 September 2023.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 23/00577/OUT (Pages 17 - 30)

Outline permission with some matters reserved for detached bungalow

48 Rivergreen Crescent, Bramcote Nottinghamshire, NG9 3ET

5.2 23/00344/FUL (Pages 31 - 44)

Dormer window to bedroom 3 on first floor rear elevation and removal of window from third bedroom on gable wall

32 Town Street, Bramcote, Nottinghamshire, NG9 3HA

5.3 23/00512/FUL (Pages 45 - 58)

Construct ground floor side / rear extension

97 Lynncroft, Eastwood, Nottinghamshire, NG16 3ER

6. INFORMATION ITEMS

6.1 DELEGATED DECISIONS (Pages 59 - 68)

7. RESPONSES TO GOVERNMENT CONSULTATIONS (Pages 69 - 114)

To agree the Council's responses to two Government consultations.

PLANNING COMMITTEE

WEDNESDAY, 6 SEPTEMBER 2023

Present: Councillor D Bagshaw, Chair

Councillors: P J Bales
L A Ball BEM
R E Bofinger
G Bunn
S J Carr
G S Hills
G Marshall
D D Pringle
H E Skinner
P A Smith
H Land (Substitute)
S Webb (Substitute)

Apologies for absence were received from Councillors R S Falvey and D K Watts.

Councillor J M Owen and Councillor M Brown were also present. Councillor R Bullock attended for item 5.1.

The officers present were R Dawson, B Norman, C Hallas, D Otterwell and K Newton.

18 DECLARATIONS OF INTEREST

Councillor D Bagshaw declared a disclosable pecuniary interest in item 5.1. as he had been in consultation with the agent. He added that he felt he was predetermined. Minute number 21.1 refers.

19 MINUTES

The minutes of the meeting on 26 July 2023 were confirmed and signed as a correct record.

20 NOTIFICATION OF LOBBYING

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

21 DEVELOPMENT CONTROL

21.1 22/00894/REM

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

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

The late items included 36 letters of objection that had been received after an amendment to plans and a letter on behalf of the developer regarding a site review.

Simon Atha, the applicant, Mr Willgoose, objecting, Basil Pynegar, objecting and Councillor Bob Bullock, Ward Member, made representation to the Committee prior to the general debate.

Having given due consideration to all evidence before it, the Committee debated the application. There was concern that the revisions to the plans from the developer did not address issues of overlooking and impact on neighbour amenity that had led the application to be deferred at the meeting on 5 July 2023. Discussions were had about flooding, the topography of the site and the local housing need.

It was proposed by Councillor S J Carr and seconded by Councillor Hannah Land that the vote be recorded. The votes were cast as follows:

For	Against	Abstention
	L A Ball BEM	
	P J Bales	
	R E Bofinger	
	G Bunn	
	S J Carr	
	G S Hills	
	H Land	
	G Marshall	
	D D Pringle	
	H E Skinner	
	P A Smith	
	S Webb	

RESOLVED that planning permission be refused due to the detrimental impact on neighbour amenity, with the precise wording of the refusal to be delegated to Chair for the item in agreement with the Head of Planning and Economic Development.

Reasons

By virtue of the land levels within the site, the proposal would lead to overbearing, overshadowing and overlooking issues upon the immediate neighbouring properties, to the detriment of their residential amenity. Accordingly, the proposal is contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of

the Part 2 Local Plan (2019), and there are no other material considerations that justify treating this proposal as an exception to these policies.

(Having declared a pecuniary interest in the item, Councillor D Bagshaw vacated the Chair for the duration of the item, did not participate in the debate and did not vote thereon. In the absence of the Vice Chair it was proposed by Councillor D Bagshaw and seconded by Councillor P A Smith that Councillor G Marshall take the Chair for this item. On being put to the meeting the motion was passed.

RESOLVED that Councillor G Marshall take the Chair for the duration of the item.)

21.2 21/00998/FUL

Subdivision of the farmhouse to create tea rooms on ground floor with separate living accommodation above. Repair works to farmhouse roof. Repair and conversion of the traditional barns to create a museum, function rooms and craft workshops. Demolition of existing barn to create parking and servicing areas in association with the development.

Greasley Castle Farm, 120 Church Road, Greasley, Nottinghamshire, NG16 2AB

Councillor M Handley had requested that this proposal come before Committee. This request was made prior to the election on 4 May 2023.

There were no late items for the Committee to consider.

James Borley, the agent, made representation to the Committee prior to the general debate.

The Committee considered the representations made to it and debated the application with specific reference to the restoration of the Grade II listed house on the site, the large amount of space and the benefits to heritage in the area.

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

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

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 Site Location Plan 1:1250, Proposed Outbuilding Plans, 121627/008C, Proposed Outbuilding Elevations, 121627/008C, Proposed Bike and Bin Store Plans and Elevations, 121627/0011A, Toilet Block, 126223/BR/012A received by the Local Planning Authority 06. 12.2021, Proposed House Elevations, Proposed Block Plan, 126223 PL/104B and Floor Plans, 121627/007F and Proposed internal**

arrangement and Swept Path Analysis, 20000570-003 received by the Local Planning Authority 21.03.2022.

Reason: For the avoidance of doubt.

3. No building operations shall be carried out until details of the following:
- Methodology for intrusive investigations to above ground building fabric;
 - All repair works to existing building fabric, including proposed materials to be used;
 - Methodology for identifying any below ground remains that may be impacted by the proposals;
 - Final drainage and landscaping proposals;
 - Detailed window and door designs;
 - Written and Photographic Historic Building record is made of the site prior to conversion, with the same deposited within an archive, and to Level agreed with the Local Planning Authority.

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: No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014), Policy 11 and Policy 17 of the Part 2 Local Plan (2019).

4. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within or directly adjacent to Greasley Cemetery LWS. Furthermore, no fires should be lit within 5m of the LWS, and the lighting strategy must be designed so that it does not spill over onto the LWS.

Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

5. 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.

Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

6. No stripping, demolition works, or vegetation clearance shall

take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by an experienced ecologist. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

7. Prior to works commencing a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity in accordance with the NPPF 2019. Such approved measures shall be implemented in full and maintained thereafter with photographs of the measures in situ submitted to the Local Planning Authority for confirmation. Measures shall include, but are not limited to:
- Native wildlife planting (trees, berry rich shrubs, wildflower/grasslands,
 - Future management of retained trees and hedges,
 - Maintenance of 'dark habitat' areas and sympathetic lighting,
 - Details of integrated bat boxes will be clearly shown on a plan (positions/specification/numbers),
 - Details of bird boxes (including swift boxes) will be clearly shown on a plan (positions/specification/numbers),
 - Measures to maintain connectivity for hedgehogs shall be clearly shown on a plan (fencing gaps 130mm x 130mm and/or railings and/or hedgerows.

Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

8. 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 the aims of Policy 10 of the Aligned Core Strategy (2014), and Policy 17 of the Part 2 Local Plan (2019).

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

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 commencement of the development. 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 the aims of Policy 10 of the Aligned Core Strategy (2014), and Policy 17 of the Part 2 Local Plan (2019).

11. The proposed development shall not be brought into use until the visibility splays shown on drawing 2000570-002 Rev A have been provided. The area within the south-eastern splay shall

thereafter be kept clear of all obstructions, structures or erections exceeding 0.26 metres in height.

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

12. The proposed development shall not be brought into use until the parking, turning, and servicing areas as shown on drawing 2000570-003 Rev D have been provided. The parking, turning and servicing areas shall be maintained in accordance with the approved details, and shall not be used for any purpose other than the parking, turning, and loading/unloading of vehicles.

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

13. The proposed development shall not be brought into use until the footway improvement works as shown indicatively on drawing 2000570-003 Rev D have been provided.

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

14. The proposed development shall not be brought into use until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary, and which shall be constructed with provision 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 10 of the Aligned Core Strategy (2014), and Policy 17 of the Part 2 Local Plan (2019).

15. The premises shall not be used except between 08.30 – 22.00 hours Sunday to Thursday and 08.30-23.00 hours Friday to Saturday without the prior agreement in writing of the Local Planning Authority.

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

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the determination timescale.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

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

3. 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.
4. The applicant is advised to contact the Environmental Health department on 0115 9173485 to ensure the internal Kitchen layout and toilet provisions comply with current guidance for

Food and Health and Safety regulations for the proposed activities. You can register your food business 28 days prior to opening at <https://register.food.gov.uk/new/broxtowe>

5. The applicant is advised to contact the Licensing department on 0115 9173485 to ensure the activity complies with current guidance for Licensing regulations for the proposed activities.
6. 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.
7. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact hdc.south@nottsc.gov.uk for details.

It was proposed by Councillor D Bagshaw and seconded by Councillor G Marshall that there be a brief recess to deal with a minor disturbance. On being put to the meeting the motion was carried and there was a brief adjournment. The meeting resumed thereafter.

21.3 21/00999/LBC

Subdivision of the farmhouse to create tea rooms on ground floor with separate living accommodation above. Repair works to farmhouse roof. Repair and conversion of the traditional barns to create a museum, function rooms and craft workshops. Demolition of existing barn to create parking and servicing areas in association with the development

Greasley Castle Farm, 120 Church Road, Greasley, Nottinghamshire, NG16 2AB

The application was brought to the Committee at request of former Councillor M Handley. This request was made prior to the 4 May 2023 election, whilst she was still a member of the Council.

There were no late items and no public speakers.

Having given due weigh to the representations before it the Committee discussed the application.

RESOLVED that listed building 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 Proposed Outbuilding Plans, 121627/008C, Proposed Outbuilding Elevations, 121627/008C, Proposed Bike and Bin Store Plans and Elevations, 121627/0011A, Toilet Block, 126223/BR/012A received by the Local Planning Authority 06.12.2021, Proposed House Elevations, Proposed Block Plan, 126223 PL/104B and Floor Plans, 121627/007F and Proposed internal arrangement and Swept Path Analysis, 20000570-003 received by the Local Planning Authority 21.03.2022.

Reason: For the avoidance of doubt.

3. No building operations shall be carried out until details of the following:
 - Methodology for intrusive investigations to above ground building fabric;
 - All repair works to existing building fabric, including proposed materials to be used;
 - Methodology for identifying any below ground remains that may be impacted by the proposals;
 - Final drainage and landscaping proposals;
 - Detailed window and door designs;
 - Written and Photographic Historic Building record is made of the site prior to conversion, with the same deposited within an archive, and to Level agreed with the Local Planning Authority

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: No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014), Policy 11 and Policy 17 of the Part 2 Local Plan (2019).

NOTES TO APPLICANT

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

21.4 23/00293/FUL

Change of use from Use Class C3 to an HMO within Use Class C4
3 Willoughby Street, Beeston, NG9 2LT

Councillor V C Smith requested that this proposal come before Committee.

There were no late items and no public speakers.

After considering the evidence before it, the Committee discussed the proposal with regards to their disappointment over losing a family home to a house in multiple occupation (HMO), the balancing of the need for student accommodation with homes for local people, the impact on the character of the areas and the information required to enforce the Special Planning Document.

It was proposed by Councillor G Bunn and seconded by Councillor G Marshall that should the planning permission be granted, a condition be added to remove permitted development rights. On being put to the meeting the motion was carried.

RESOLVED that should planning permission be granted, permitted development rights be removed.

RESOLVED that planning permission be refused due to the loss of a family home with the precise wording of the refusal delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reason

The proposal, by virtue of the change of use into a house in multiple occupancy (C4 Use) would be unacceptable due to the significant direct and cumulative impact on the amenity of the immediate adjoining neighbouring property. The proposed change of use would have a harmful impact on the character of the area resulting in the loss of a family home. Therefore, the application would be contrary to Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).

21.5 23/00126/FUL

Retain addition of hardstanding to an agricultural track, access and gate
Beauvale Manor Farm, New Road, Greasley, Nottinghamshire, NG16 2AA

The application is brought to the Committee at request of Councillor M Brown.

There were no late items for the Committee to consider.

James Borley, the agent, and Pat Morton, objecting, made representation to the Committee prior to the general debate.

Having noted all of the evidence before it, the Committee debated the application. There was concern that the track could be used for purposes other than agriculture. It

was noted that the proposal before the Committee was for an agricultural track and if it were used for another purpose, that would be an enforcement issue.

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

1. The development hereby permitted shall be carried out in accordance with Site Location Plan 1: 1250, LP01A received by the Local Planning Authority 11 August 2023, Metal Gate Elevations, LP01, Gate Location, BP01, Section of track, FT01 received by the Local Planning Authority on 27 March 2023 and Block Plan, LP01A received by the Local Planning Authority on 14 August 2023.

Reason: For the avoidance of doubt.

2. Within 3 months from the date of this decision, the access will be required to be surfaced in a hard-bound material (not loose gravel) for a minimum of 8.0 metres behind the Highway boundary. The surfaced access shall then be maintained in such hard-bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.), in accordance with policy 10 of Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the determination timescale.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

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

3. The development makes it necessary to construct/improve the verge crossing over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:
<http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

22 INFORMATION ITEMS

22.1 APPEAL DECISION 22/00236/CLUP

The Committee noted the appeal decision regarding 17 Templar Road.

22.2 DELEGATED DECISIONS

The Committee noted the delegated decisions.

23 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act.

24 23/00008/ENF

RESOLVED that works to secure the building through the boarding up of the doors and windows be approved.

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Report of the Chief Executive

APPLICATION NUMBER:	23/00577/OUT
LOCATION:	48 Rivergreen Crescent, Bramcote Nottinghamshire, NG9 3ET
PROPOSAL:	Outline permission with some matters reserved for detached bungalow

The application is brought to the Committee at request of Councillor D K Watts.

1. Purpose of the Report

1.1 The application seeks outline permission to construct a detached single storey dwelling with all matters reserved.

2. Recommendation

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

3. Executive Summary

3.1 The application seeks outline permission to construct a detached single storey dwelling with all matters reserved. An indicative plan shows the building to be located centrally on the plot and orientated with the ridge line running parallel to the public road and the access and parking area to the principal elevation at the southern end of the site.

3.2 The site consists of a triangular area of well-kept garden ground belonging to the parent property with a row of mature trees to the western boundary and a timber fence to the eastern boundary.

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

Climate change implications are considered within the report.

8. Background Papers:

Nil.

APPENDIX

1. Details of the application

1.1 The application seeks outline permission to construct a detached single storey dwelling with all matters reserved. An indicative plan shows the building to be located centrally on the plot and orientated with the ridge line running parallel to the public road and the access and parking area to the principal elevation at the southern end of the site

2. Site and surroundings

2.1 The site consists of a triangular area of well-kept garden ground belonging to the parent property with a row of mature trees to the western boundary.

2.2 In regards to neighbouring properties the site is located in a built up residential area of Bramcote with an adjacent neighbour to the north (105 Grangeworth Road) and also an immediate neighbour to the east (46 Rivergreen Crescent). 17 and 19 Finsbury Road are located to the east separated by the mature trees.

3. Relevant Planning History

3.1

04/00080/FUL	Replace flat roof with pitched roof over garage, utility and front of study	Conditional Permission
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4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 17 – Biodiversity

Part 2 Local Plan 2019

- Policy 15 - Housing Size, Mix and Choice
- Policy 17 - Place-Making, Design and Amenity
- Policy 31 – Biodiversity Assets

National Planning Policy Framework (NPPF) 2021

- Part 2 - Achieving Sustainable Development.
- Part 4 - Decision-making.
- Part 5 - Delivering a sufficient supply of homes
- Part 11 - Making effective use of land

- Part 12 - Achieving well-designed places

5. Consultations

5.1 **Councillors & Parish/Town Councils:**

- Councillor H Land – No Comments Received
- Councillor A Kingdon - No Comments Received
- Councillor D Watts - No Comments Received
- Bramcote Neighbourhood Forum - No Comments Received

5.2 **Consultees:**

- Highways – No Objection.

5.3 **Neighbours:**

- Six neighbours were consulted on the application with three objections received from neighbouring properties and eight objections received from third parties. The objections refer to the following points;
 - Loss of mature trees,
 - Increase in noise,
 - Impact on the adjacent dyke,
 - Impact on the character of the area,
 - Inadequate access and parking,
 - Impact on Highway Safety,
 - Overdevelopment,
 - Plots sizes to small,
 - Out of keeping with the area,
 - Overlooking of the existing property,
 - Over intensification,
 - Loss of sunlight,
 - Drainage,
 - Flooding,
 - Protected species.

6. Assessment

6.1 **Principle**

The principle of residential development on this site is acceptable. The main issues relating to the determination of this application are the impact on the amenity of future and existing occupiers, the impact on the character of the area.

6.2 **Design**

Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the

amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that development 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.

Details of a footprint and indicative location on the site have been submitted. This house is considered to be too large for the site in question and therefore the house design will need to be submitted as part of the reserved matters. The overall plot size is currently 1504m² and when it has been subdivided the proposed house plot will measure 687m². To allow a standard 20m window to window separation distance between the existing and proposed properties, a developable area remaining would measure 460m². Given this area, the shape of the site and to allow adequate space for amenity and parking areas it is considered a smaller than proposed footprint is required. Given the shape and size of the plot in question it is considered that a condition restricting the size of the house will be needed restricting the house to single storey and also a footprint not exceeding 150m².

A site plan showing an indicative position of the proposed dwelling, parking and access has been submitted and it is considered that the orientation of the property running parallel to the public road is in line with surrounding neighbouring properties and acceptable in terms of the local vernacular.

It is considered that a suitable design could be achieved through the subsequent reserved matters application to achieve a property within the site that will sit comfortably within the landscape and have no negative impact on the surrounding area.

6.3 Amenity

Policy 10 of the Aligned Core Strategy states that the impact of a development on neighbour amenity will be a consideration. Policy 17 of the Part 2 Local Plan 2019 states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

Whilst details of the appearance, layout and scale are reserved matters, it is considered that a single storey dwelling could be accommodated on the site whilst protecting the amenity of the occupiers of adjacent properties. The majority of the properties on the west are all single storey. Given the site location as a second property within the plot it is considered that a proposal of more than single storey would create incongruous feature and would not be a suitable addition to the landscape. A condition will be added to the decision to limit the development to single storey. It is considered that a dwelling can be designed such that a good standard of amenity for the future occupiers can be achieved given the orientation and the distance between them and neighbouring properties and also the boundary treatments. Furthermore, the proposed dwelling can be designed such that overlooking of neighbouring properties is minimised by careful consideration to the siting of windows.

6.4 Access

Policy 17 of the Part 2 Local Plan 2019 states that planning permission will be granted for new development that provides sufficient, well-integrated parking and safe and convenient access.

The submitted plan shows the access being created from the existing access to the parent property with the driveway created to the rear of the site by the demolition of an existing extension onto the existing house. Highways were consulted on the application and had no objection to the proposal.

The parking requirements will be assessed as part of the reserved matters but it is considered that there will be ample space within the site to accommodate the required number of parking spaces.

6.5 Landscaping

The western boundary to the site is made up of mature trees. These trees are considered to be an essential part of the proposal with providing a divide between the proposal and the neighbouring properties. Given this fact a landscaping condition will be added requiring these trees to remain as part of any future application. There are currently no protection orders on these trees and they could be removed at any time without any further consents being granted.

There is also a large willow tree located in the neighbouring property to the east of the site. This tree is in close proximity to the boundary and there is potential for damage to be caused to this tree root system dependant on where the final house location is positioned. The submitted plans show an indicative location in close proximity to the tree. However, it is considered that given the proposed condition limiting the size of any proposed house it is considered that a location in the site could be proposed which would cause minimal disruption to the root system. Again, as above there is no current protection on this tree that prevents the tree being reduced in size or removed.

6.6 Flooding

Comments have been received from neighbouring properties regarding concerns for the potential for the plot to flood. The site is not located within any designated Flood Zones and there are flood prevention measures located to the north west of the site in the form of a storm drain which was conditioned as part of the original housing scheme.

7. Conclusion

- 7.1 It is recommended that conditional planning permission be granted subject to conditions.

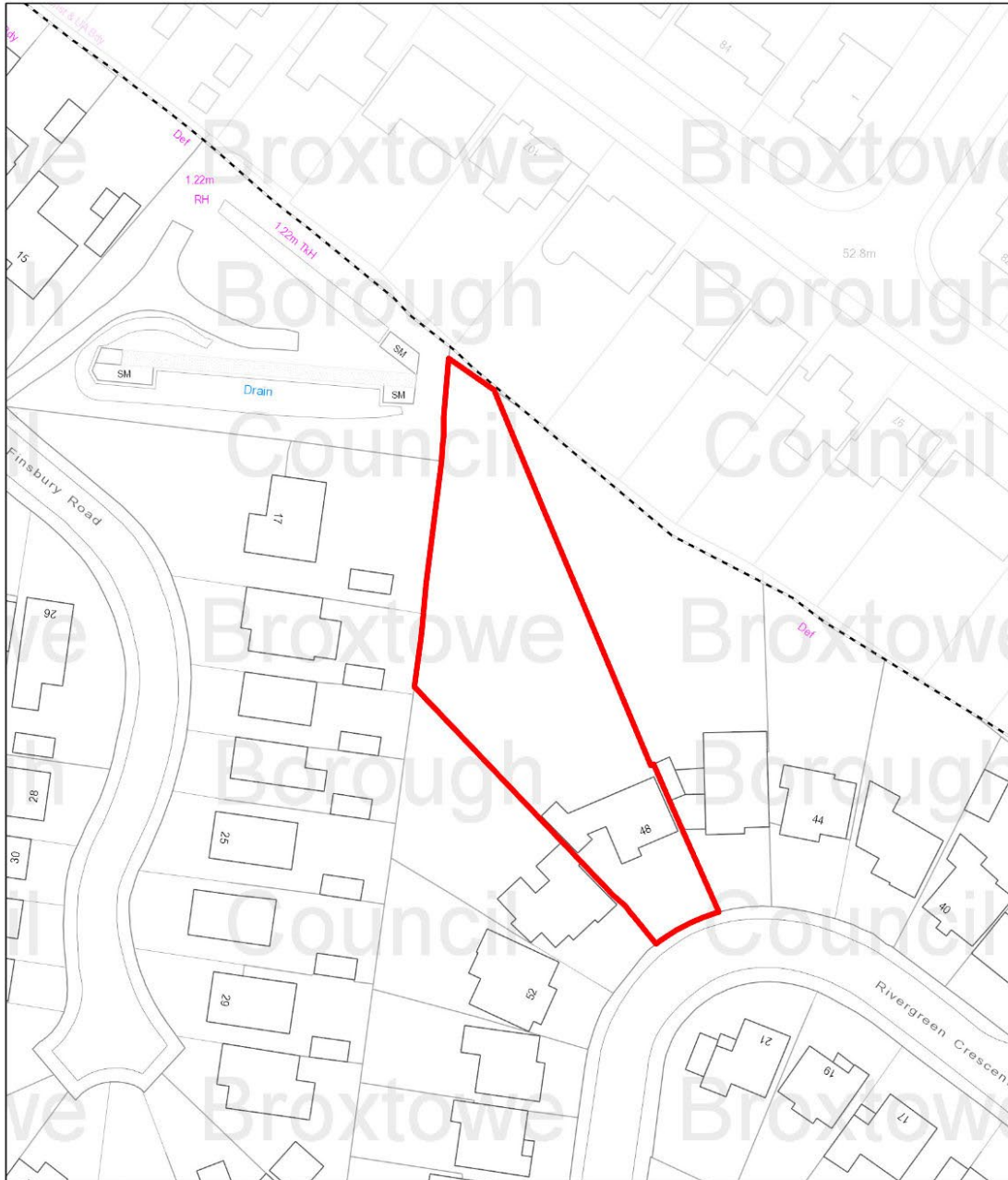
<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3.	<p>This outline permission relates to the Ordnance Survey Site Plan (1:1250) received by the Local Planning Authority on 11 August 2023 and Site Layout Plan (1:500) received by the Local Planning Authority on 25 August 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
4.	<p>No development shall commence until all of the reserved matters below have been approved on application to the Planning Authority:</p> <ul style="list-style-type: none"> i. a detailed layout of the site of the proposed development (including site levels as existing and proposed); ii. the design and external appearance of the proposed development; iii. landscaping proposals for the site of the proposed development (including boundary treatments); iv. details of access and parking arrangements; and <p>The development shall be carried out in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only and to ensure that the details of the development are acceptable to the Local Planning Authority.</i></p>

<p>5.</p>	<p>Any details pursuant to Condition four above shall show a development consisting of a single storey dwelling with a floor area not exceeding 150m².</p> <p><i>Reason: In order to ensure the development is of suitable scale and form which is in line with the character of the surrounding locality in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>No trees within the application site shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.</p> <p><i>Reason: In order to ensure the protection of retained trees, which are important amenity assets, both during construction and thereafter locality in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	<p>Notes to Applicant</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water.</p>

	<p>Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.</p> <p>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
<p>3.</p>	<p>You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).</p>
<p>4.</p>	<p>As this permission relates to the creation of a new unit, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address is 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>

Map

48 Rivergreen Crescent Bramcote NG9 3ET



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 Site



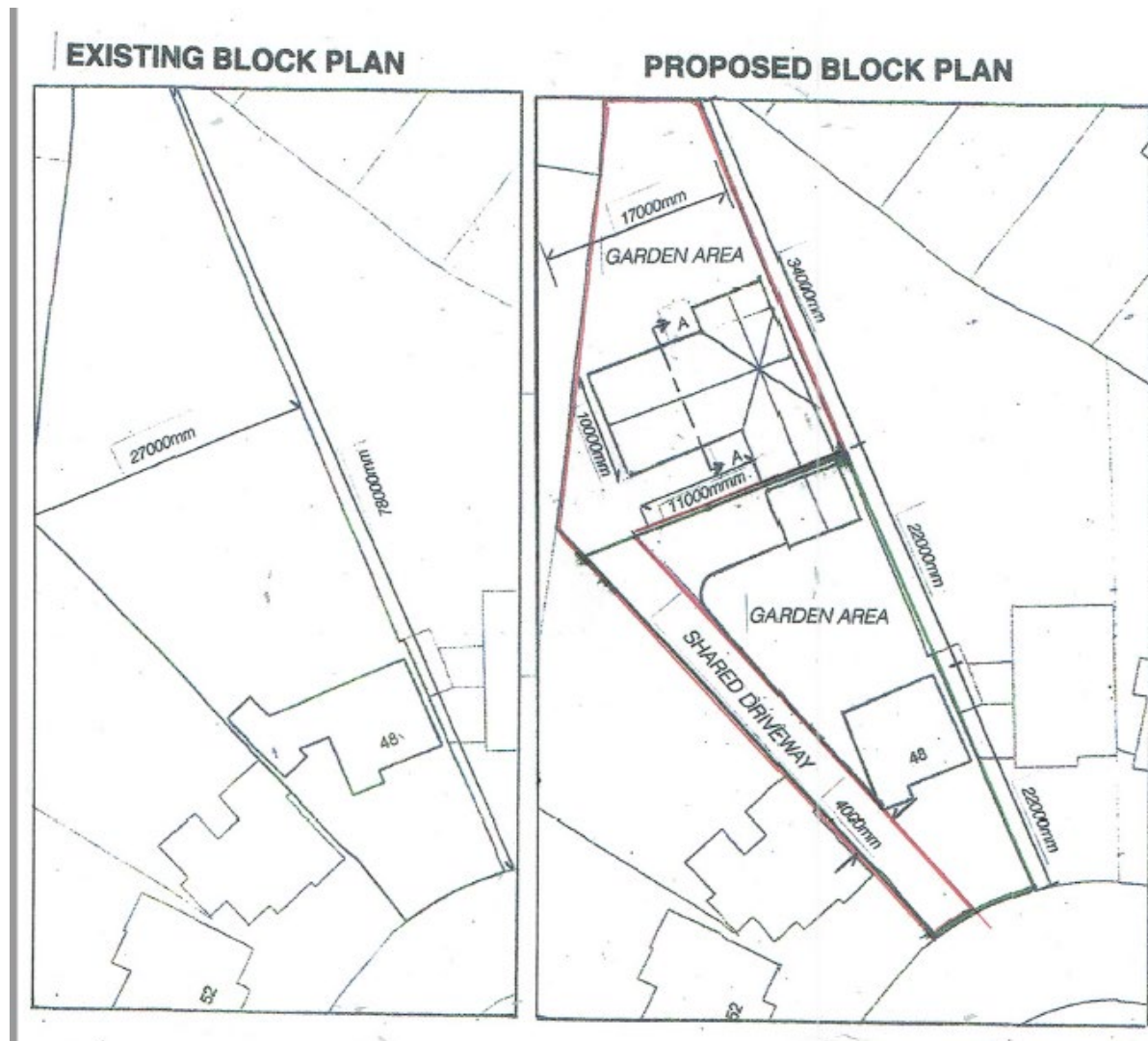
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Photos





Plans



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Report of the Chief Executive

APPLICATION NUMBER:	23/00344/FUL
LOCATION:	32 Town Street, Bramcote, Nottinghamshire, NG9 3HA
PROPOSAL:	Dormer window to bedroom 3 on first floor rear elevation and removal of window from third bedroom on gable wall

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

1.1 Purpose of Report

The application seeks permission to construct a dormer window to bedroom 3 on the first floor rear elevation and the removal of a window from the third bedroom on the gable wall.

1.2 Recommendation

The Committee is asked to RESOLVE that planning permission be refused for the reasons set out in the appendix.

1.3 Details

1.3.1 The dwelling is a detached house with a detached garage. The property is located in the Green Belt and in Bramcote Conservation Area, within the built up area along the classified Town Street. To the rear of the site is King George’s Park.

1.3.2 The main issues relate to whether or not the principle of development is acceptable in the Green Belt and Conservation Area, whether the design and appearance of the proposal is acceptable and impact on neighbour amenity and parking.

1.3.3 The benefits of the proposal are that it would provide an improved outlook and increased bedroom space for the occupiers. The negative impacts are the inappropriateness of the development in the Green Belt and its impact upon the openness in this location, in respect of which the applicant has not demonstrated very special circumstances which would allow for development over and above the allowed 30%.

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

Climate change implications are considered within the report.

1.8 Background Papers

Nil.

APPENDIX

1. Details of the Application

- 1.1 The application seeks permission to construct a dormer window to bedroom 3 on the first floor rear elevation and the removal of a window from the third bedroom on the gable wall. The dormer would be situated on the first floor, north west part of the rear roof slope and be a gable. It would be a depth of 3m extending out over the roof of the existing single storey rear extension, and a width of 2.1m. The dormer would have a total height of 2.3m, and be set down 0.5m below the main roof ridge. Facing the rear there would be a window.

2. Site and surroundings

- 2.1 The application property is a detached house, with a detached double garage. To the front of the dwelling Town Street is a classified highway and is at a lower level than the site, there is no pavement to the front of the site with a gate and stepped access up to the dwelling. The garage block is separate to the dwelling, slightly further downhill in a north westerly direction. The main garden area sits in between the dwelling and garage. To the rear there is paved amenity space which is lower than and shielded from the adjacent rear King George's park by a high wall, there is access from the garden to the park via steps upwards and landscaped areas. From the park the first floor of the dwelling can be seen. The site is less steep than Town Street, but slopes downhill to the garage.
- 2.2 The property is located in the Green Belt and in Bramcote Conservation Area. To the north west boundary no. 26 is a detached building operating as a nursery, is at a lower level and is beyond the site's detached garage. To the south east, No. 34 is a detached dwelling and a local interest building, is at a higher level, and has its garage block along the common boundary.

3. Relevant Planning History

- 3.1 There have been previous planning applications at this property with the associated works carried out, as follows:
- 85/00328/FUL Construct brick garage
 - 88/00130/FUL Construct two storey extension
 - 89/00765/FUL Construct utility and shower room extension
 - 05/00878/FUL Construct two storey rear extension – Withdrawn as would have exceeded 50% volume increase.
 - 05/00880/CAC Conservation Area Consent to demolish rear lean-to and single storey side extension
 - 06/00111/FUL Construct two storey rear extension and front porch (re-submission) – Approved as would have been below 50% volume increase, but not constructed.

- 09/00249/FUL Construct two storey and single storey rear and single storey side extensions (revised scheme) – Refused on Conservation Area grounds. Would represent a 48% volume increase.
- 09/00570/FUL Construct two storey and single storey rear extension (revised scheme) – Approved and constructed as would represent a below 50% volume increase.

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 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment

4.2 Part 2 Local Plan 2019

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

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity
- Policy 23: Proposals Affecting Designated and Non-Designated Heritage Assets

4.3 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
- Section 16: Conserving and enhancing the historic environment

5 Consultations

5.1 Councillors & Forum:

- Councillor H Land - no comment received.
- Councillor A Kingdon - no comment received.
- Councillor D Watts - no comment received
- Bramcote Neighbourhood Forum - no comment received.

5.2 No response has been received to the neighbour consultation letters or site notice.

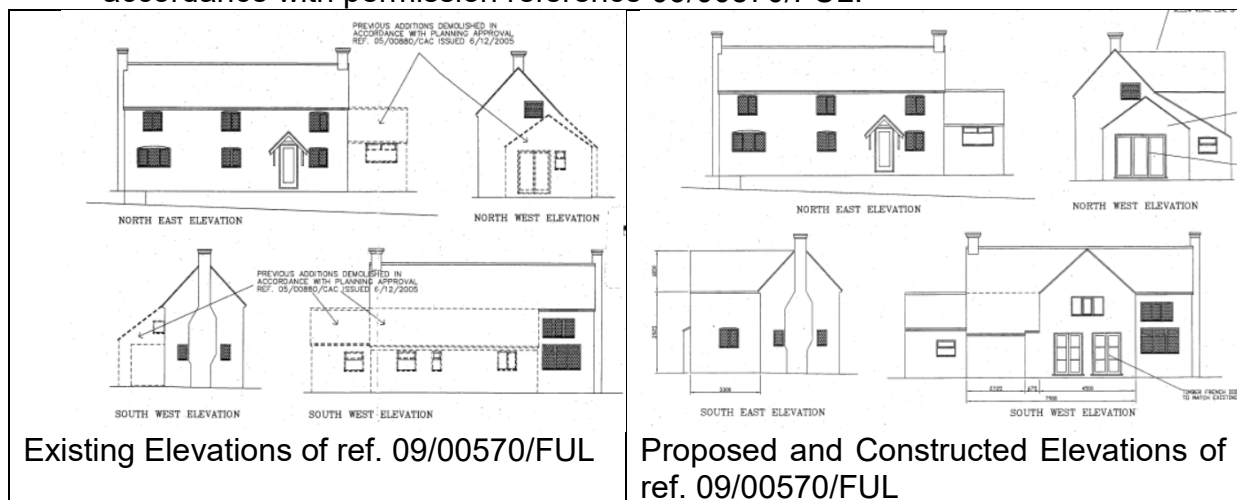
6 Assessment

6.1 The main issues for consideration are whether or not the principle of development is acceptable in the Green Belt and Conservation Area, the design and appearance of the proposal, and its impact on neighbouring amenity and parking.

6.2 **Principle of development and Green Belt**

6.2.1 The application site is within the Green Belt, the boundary of which runs along the centre of Town Street. Broxtowe Local Plan Part 2 (2019) Policy 8 states that development in the Green Belt will be determined in accordance with the NPPF. Para 149 of the NPPF states that the Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt, 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 of the P2LP states that additions which result in a total increase of more than 30% of the volume of the original building will be regarded as disproportionate.

6.2.2 As shown below, the subject dwelling has previously been extended in accordance with permission reference 09/00570/FUL:



6.2.3 The original dwelling, excluding the garage, had a volume of 238.5m³. The previous increase was 137.8m³, representing 57.7% (this was assessed against Broxtowe Local Plan 2004 Policy E8, which allowed up to a 50% increase). The current proposal has a volume of 7m³, which, together with the previous increase, equates to 60.7 % of the volume of the original dwelling.

6.2.4 Consequently, this far exceeds the 30% allowance. Therefore, it is considered the proposal will add to the cumulative impact, be inappropriate development, be contrary to Policy 8 and have a significant impact upon the openness and character of the Green Belt.

6.3 Design and Appearance

6.3.1 The proposal is considered to be of an appropriate scale in relation to the dwelling, as the proposal whilst on the existing and extended roof slope, would be to the rear, set in by 0.3m off the side north west elevation, smaller than the existing extended rear gable end and set in off the rear eaves by 2.2m. Therefore, it would represent a modestly sized extension compared to the size of the main dwelling. In design terms it is considered that it would provide a visual improvement and additional character to the rear of this dwelling, and whilst it would be seen from the neighbouring King George's Park it would by no means represent an incongruous addition. With the addition of this proposed rear dormer, the removal of the first floor north west side window would have no significant impact on light within the property and is considered minimal and acceptable works.

6.4 Impact on the Conservation Area

6.4.1 It is considered that the proposal would have no significant impact on the Conservation Area, as it would be to the rear and within the footprint of the existing dwelling. Whilst it could be viewed from King George's Park it would be in the context of the existing extended building and set below the highest ridge line.

6.5 Amenity

6.5.1 For the occupiers, the proposal would provide an increased third bedroom room size, and an outlook towards the park.

6.5.2 It is considered that the proposal would have no significant impact on surrounding neighbours, as the proposal would be on the existing previously extended roof slope, it would be to the rear and barely noticeable from within the plots of neighbours.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide an improved outlook and increased bedroom space for the occupiers, and it would not harm the Conservation Area.

7.2 The negative impacts due to the cumulative nature of the proposal, are the inappropriateness of the development in the Green Belt, its impact on openness in this location in respect of which there are no very special circumstances which would allow for development over and above the allowed 30%.

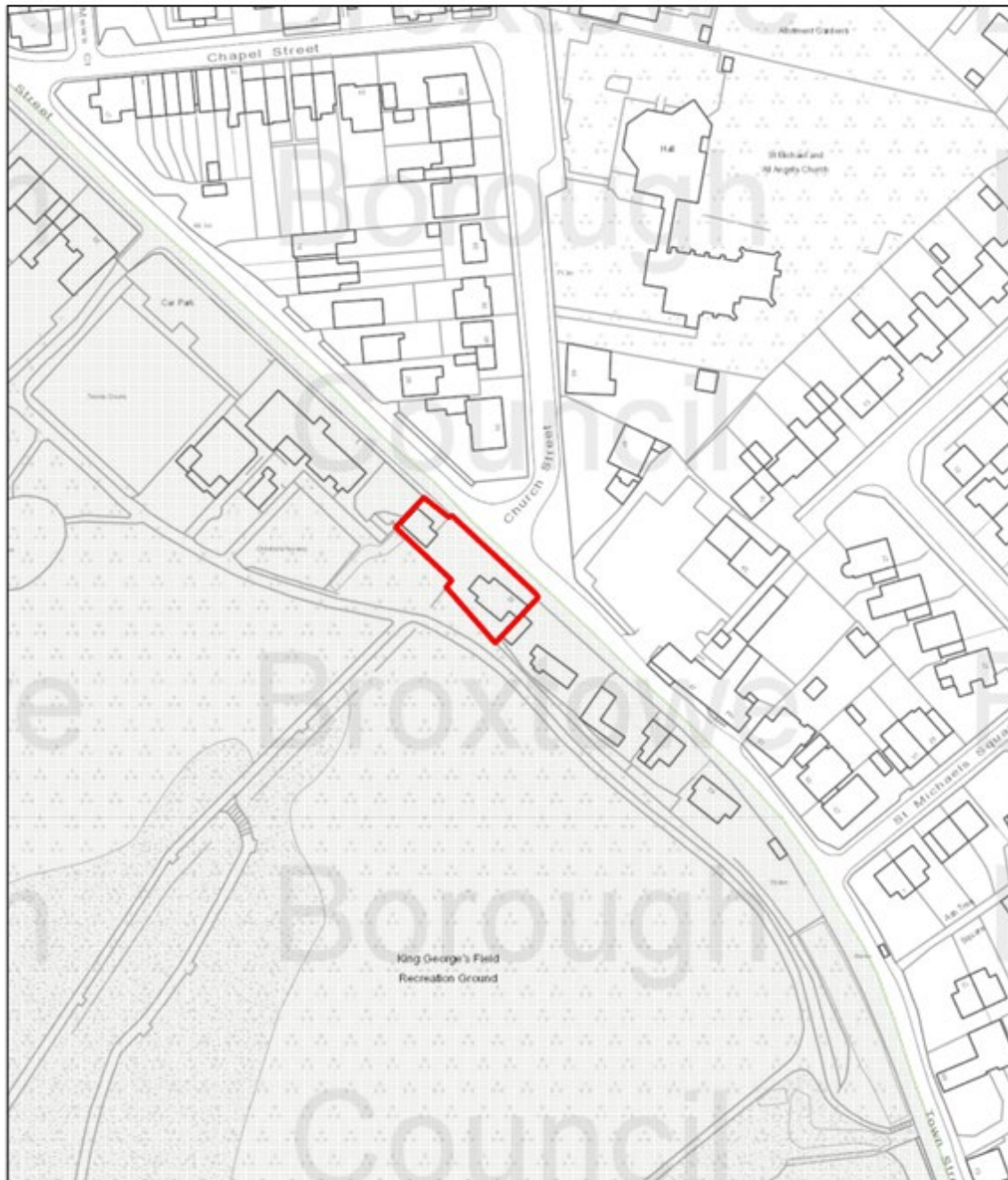
7.3 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

8 Conclusion

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

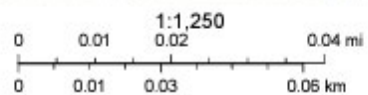
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons:	
1.	The proposal constitutes inappropriate development within the Green Belt as the proposed extension represents a disproportionate addition to the size of the original building. There 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.	Whilst it has not been possible to achieve a positive outcome due to the fundamental concern regarding impact on the Green Belt, the Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	Coal NTA: Yes

32 Town Street Bramcote Nottinghamshire NG9 3HA



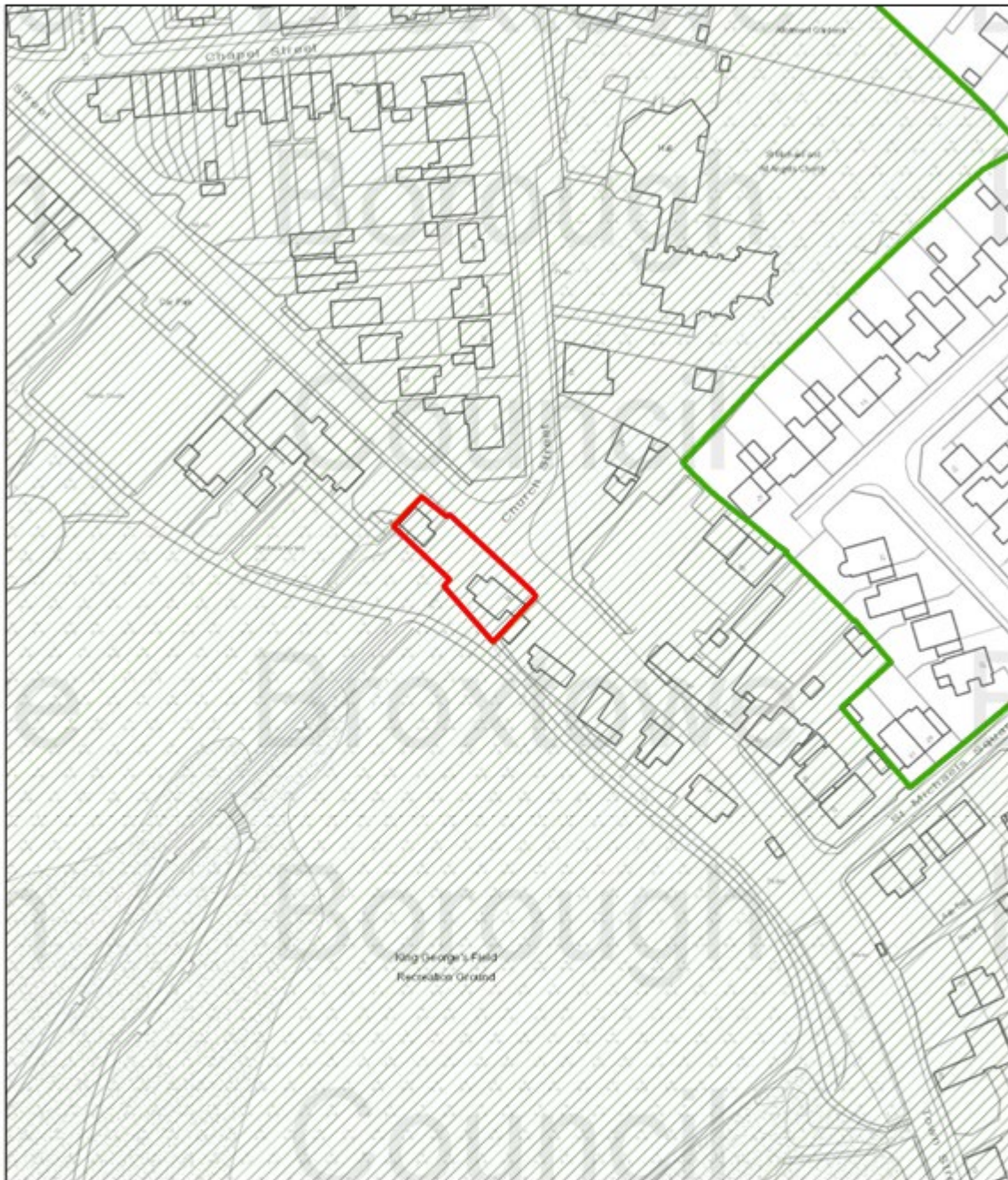
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-  Green Belt
-  Site



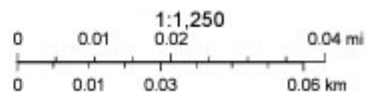
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32 Town Street Bramcote Nottinghamshire NG9 3HA



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-  Conservation Area
-  Site



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Photographs



Front (north east) elevation.



Detached garage.



Side (north west) elevation.



Side garden and detached garage, no. 26 nursery in background.



Rear elevation, garden and boundary wall.



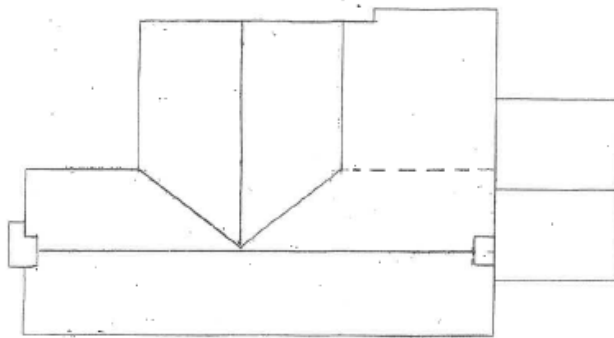
Access to parkland to the rear..



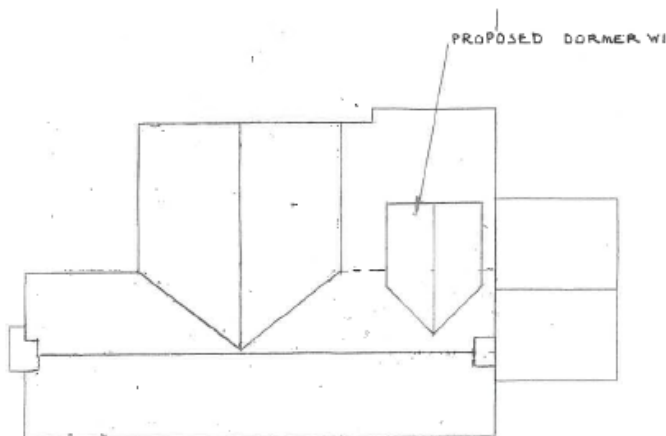
Rear (south west) elevation, and roof slope of proposed rear dormer.

Dwelling viewed from King George's park

Plans (not to scale)

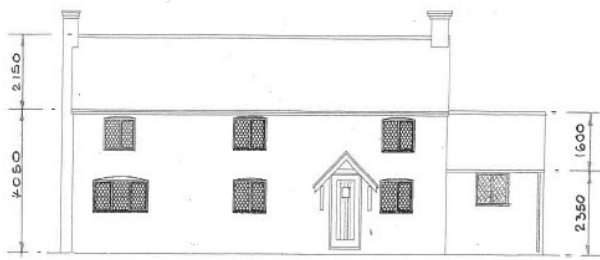


EXISTING ROOF PLAN

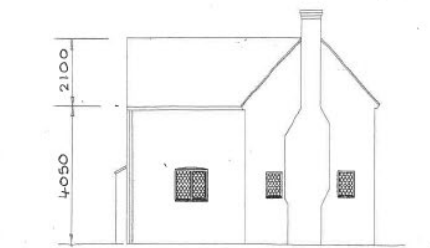


PROPOSED ROOF PLAN

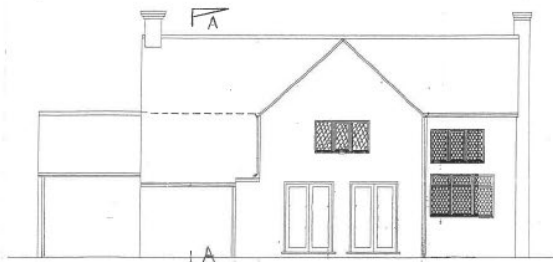
Existing and Proposed Roof Plan



EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION (SOUTH EAST FACING)

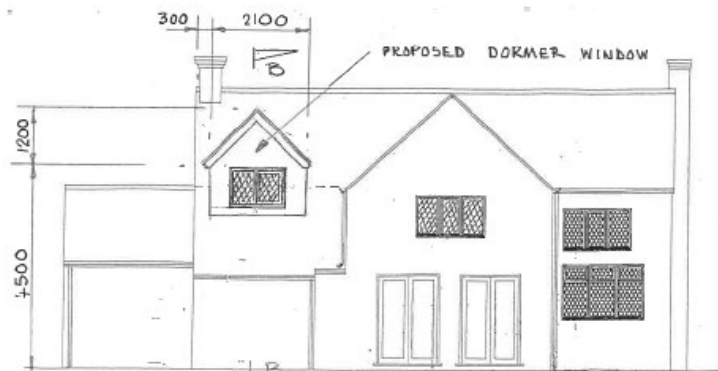


EXISTING REAR ELEVATION

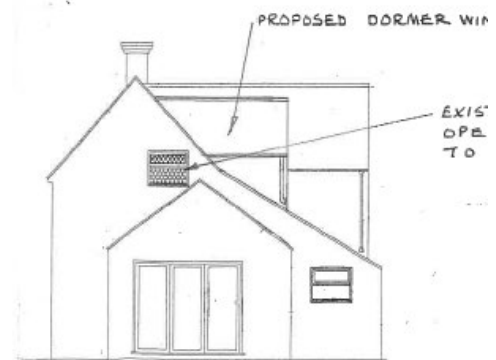


EXISTING SIDE ELEVATION (NORTH WEST FACING)

Existing Elevations

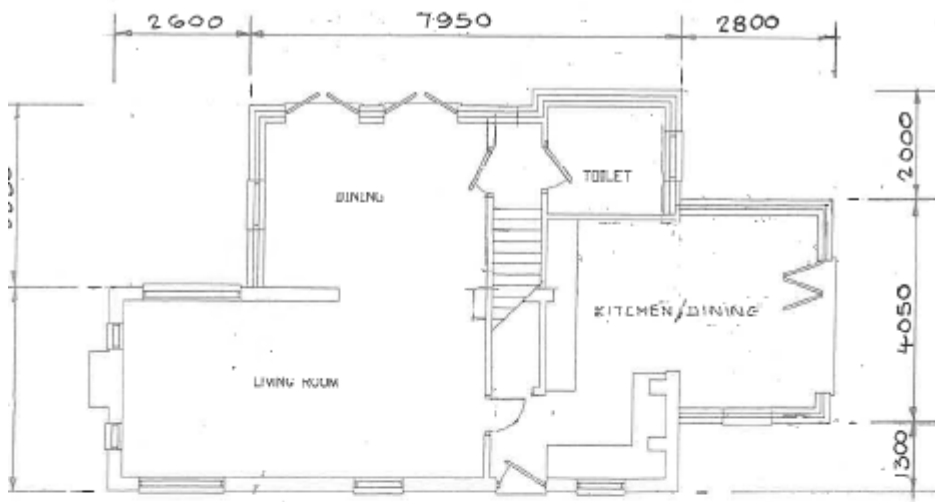


PROPOSED REAR ELEVATION

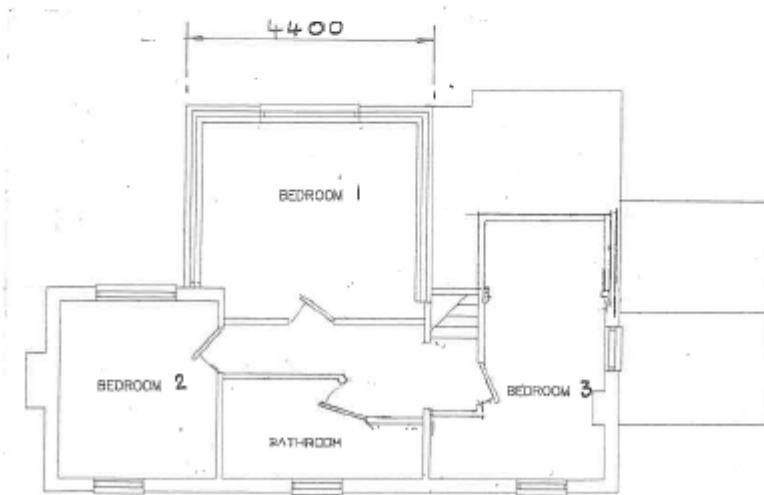


PROPOSED SIDE ELEVATION (NORTH WEST)

Proposed Elevations

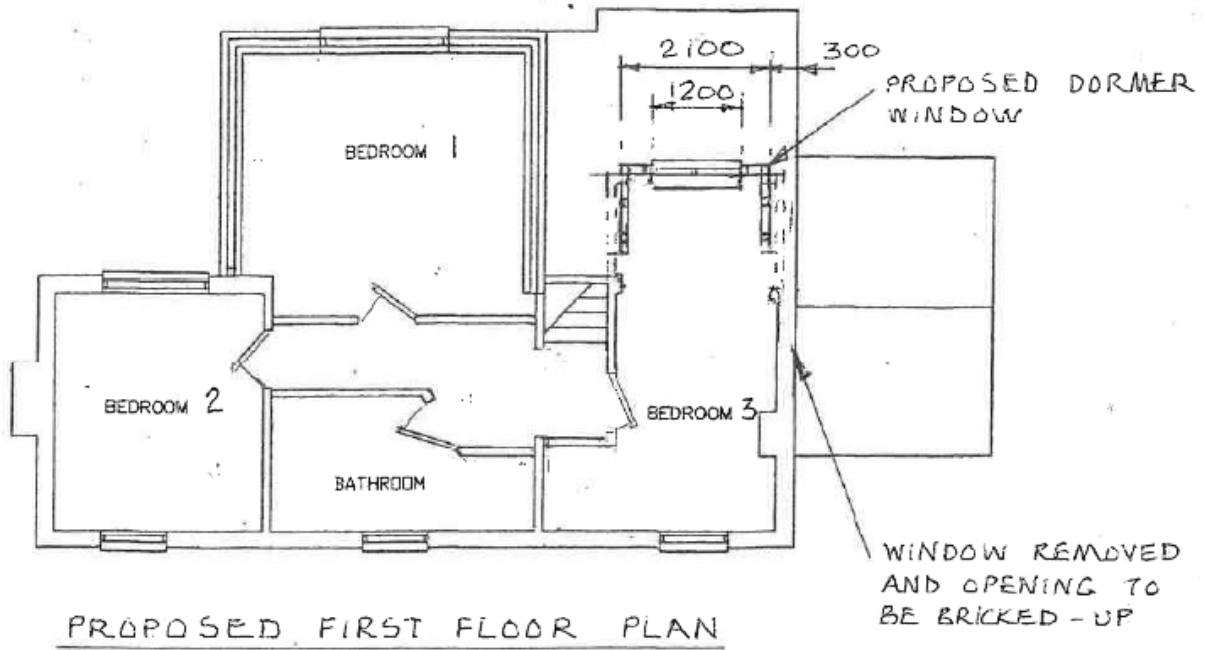


EXISTING GROUND-FLOOR PLAN



EXISTING FIRST FLOOR PLAN

Existing Floor Plan



Proposed First Floor Plan

Report of the Chief Executive

APPLICATION NUMBER:	23/00512/FUL
LOCATION:	97 Lynncroft, Eastwood, Nottinghamshire, NG16 3ER
PROPOSAL:	Construct ground floor side / rear extension

The application is brought to the Committee at request of Councillor M Radulovic MBE.

1 Purpose of the Report

1.1 The application seeks full planning permission for the construction of single storey side/rear extension to a semi-detached dwelling.

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 planning permission for the demolition of part of an existing single storey rear extension and the construction of a single storey rear/side extension to the semi-detached dwelling. The dwelling is currently unoccupied and requires significant modernisation to bring the dwelling up to modern day living standards.

3.2 During determination of the application a member of public referred the site to Historic England as D H Lawrence once lived at the dwelling. Historic England did not list the dwelling but has recommended the dwelling be put on the local interest building list, this is currently being undertaken.

3.3 To ensure the principal elevation is retained the agent has provided an amended plan that retains the door and changed the internal layout. As part of the modernisation of the dwelling works the dwelling will be turned in to a House of Multiple Occupation (HMO). The creation of a 6 bed HMO is permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L.

3.4 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.

3.5 The benefits of the scheme are that the extension will facilitate the dwelling being brought back into use.

3.6 The Committee is asked to resolve that planning permission be approved 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

Climate Change implications are considered within the report.

7 Background Papers

- 7.1 Nil.

APPENDIX**1 Details of the Application**

- 1.1 The proposal seeks to demolish part of the existing dilapidated extension to the rear elevation and create a flat roof single storey rear extension to the existing dwelling. The extension will square off the rear elevation creating a walkway, two bedrooms with en suites. To the principal elevation the existing elevations will be retained to ensure the character of the dwelling is retained.
- 1.2 The extension will measure approximately 2.69m wide, 7.9m in length, 2.69m to the eaves and 3m to the top of the flat roof. The extension will be constructed out of matching materials to the host dwelling.
- 1.3 The dwelling will be modernised to create a 6 bed HMO, to the ground floor is three bedrooms with en suite and communal kitchen. To the first floor is a further two bedrooms with en suite and to the second floor is an additional bedroom. The agent has confirmed each room will have one person within each of the rooms.

2 Site and Surroundings

- 2.1 The application site is located within the built framework of Eastwood. The property is a late Victorian two-storey semi-detached dwelling with a bay window to the principal elevation and dilapidated extensions to the rear. To the north western elevation is a vehicular access leading to the rear garden. The rear garden is very over grown and the dwelling is not being lived in due to the poor state. The land around the dwelling is fairly level.
- 2.2 Around the site is a mixture of semi-detached and terrace dwellings constructed out of red brick with some render added at a later date. The dwellings are either accessed off the pavement or have a small parcel of land forward of the principal elevation. The land levels fall east to west and the dwellings follow the lay of the land.

3 Relevant Planning History

- 3.1 No planning history.

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
- Policy 11: The Historic Environment

4.2 Part 2 Local Plan 2019:

4.2.1 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
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

4.3 National Planning Policy Framework (NPPF) 2023:

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision making
- Section 12 – Achieving well designed places
- Section 16 – Conserving and enhancing the historic environment

5 Consultations

5.1 Historic England

5.1.1 Historic England carried out an initial assessment to consider whether the building should be added to the List of Buildings of Special Architectural or Historic Interest.

5.1.2 The Secretary of State for Culture, Media and Sport has asked Historic England to consider this application in our role as the Government's statutory adviser on the historic environment with responsibility for listing. Historic England considered the application and completed an assessment of the building based on the material provided. The Secretary of State has decided not to add 97 Lyncroft, Eastwood to the List at this time. Historic England recommended the building be added to the Local Interest Building List.

5.2. Broxtowe Borough Council Conservation Officer

5.2.1 The Conservation Officer assessed the application and requested the principal elevation be retained, this was taken on board and amended plans were submitted.

5.2.2 The Conservation Officer welcomed the changes to the principal elevation and has had full sight of the outcome of Historic England assessment. The Conservation Officer notes the request to register the building as a Local Interest Building.

5.3. Private Sector Housing

5.3.1 The Private Housing Section commented on the layout of HMO and has not raised any objection to the layout but requested the HMO would be required. The Private Housing Section has requested that information be passed the applicant/agent regarding fire safety.

5.4 Neighbours and members of public

5.4.1 A total of five neighbours were consulted and a total of 36 letters of representation have been received of which 34 are objections. The comments can be summarised as follows:

- Concerned about the plans;
- Loss of our heritage together with loss of valuable architecture;
- Traffic and noise problems will increase;
- There are young children living next door;
- Who will live there;
- Down grading of the town;
- Parking issues and the lack of parking;
- The proposal is ridiculous and should be turned down;
- The house forms part of the blue line trail, which links parts of Eastwood with D H Lawrence – where he lived for 5 years before moving to Croydon;
- When the house was sold by auction recently it was hoped the property would be restored to be more in keeping with the lovely house that Lawrence once loved;
- Crime rate will go up and anti-social behaviour;
- This should be rented out to homeless veterans;
- The HMO will change the area and have a negative effect;
- Should be a family home not an HMO;
- Over intensification of the site;
- House prices will drop;
- How many people will be living at the property, shows double bedrooms;
- Should be treated as a C4 HMO not C3;
- The application should be rejected outright;
- An Article 4 direction should be put in place to stop further HMO's;
- Any changes should be restrained and not destroy the historic value of the site and;
- There is potential value as a tourist attraction or scholar's retreat if properly restored and managed.

5.4.2 The neighbours and objectors were consulted on the amended plans and this will be reported in the late papers.

5.5 Councillors & Parish/Town Councils:

- Councillor S Bagshaw – No comment
- Councillor M Radulovic – Requested the application be determined by Planning Committee
- Eastwood 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 adjoin part of the existing single storey rear extension to create a larger ground floor that will create habitable rooms. Given the position of the extension, behind the host dwelling and screened from views by the gates located to the west of the site. The extension will not dominate or appear overbearing prominent in the street scene and is modest in size.
- 6.2.3 The amended plans demonstrate the existing door to the principal elevation will be retained to keep the character of the dwelling, this is welcomed by the Conservation Officer and Historic England.
- 6.2.4 The single storey extension and modernisation of the dwelling complies with the NPPF and appropriate policies.

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 position of the extension will not have any impact on the adjoining dwelling located to the east, 95 Lynncroft, due to the position of the extension and the existing extensions to 95 Lynncroft. It is considered there would be no impact on this dwelling from the single storey extension.
- 6.3.3 The neighbour located to the west, 99 Lynncroft, is a semi-detached dwelling with a vehicular access leading to a detached garage adjacent to the boundary with the site. Given the position of the extension, the existing boundary treatment along with the vehicular hardstanding it is considered there would be no impact on this dwelling from the single storey extension.
- 6.3.4 The proposal seeks to install habitable room windows to the side elevation within the extension, to create two habitable rooms. There is approximately 2.7m between the side elevation and the boundary with the neighbour to the north west.
- 6.3.5 The proposal does not raise any residential amenity issues and should it be resolved to grant planning permission.

6.4 Highway Safety

- 6.4.1 There is an existing vehicular access and hardstanding located to the west of the site in the form of a long driveway which can accommodate up to 4 cars in a tandem parking arrangement.
- 6.4.2 There is no additional off road parking to be provided within the site other than the existing arrangement. It should be noted that the application is only for the

construction of a single storey rear extension and on this basis the level of parking provided is adequate to meet the requirements of a dwelling.

6.5 Other

- 6.5.1 A member of public referred the application to Historic England for Listing due to the dwelling once being D H Lawrence home from a period between around 1905 to 1908. He returned to visit his mother prior to her death in 1910. It is understood that some of his early poems and short stories were written during this time at this property, as well as a draft of Laetitia, which later became The White Peacock.
- 6.5.2 Historic England acknowledged there are few surviving historic features. Historic England rejection at initial Assessment Report states 97 Lynncoft is not of the sort of building that would normally meet the criteria for listing. The residence of Lawrence at this address in a period of his youth does give the property some interest, particularly as some of his early works were written here. However, for the building to merit listing, it would need to survive considerably better and better reflect how it would have appeared at the time when Lawrence lived there. In this case, the relatively short period of time in which Lawrence lived there, combined with the poor survival of the buildings, means that it does not meet the criteria for listing.
- 6.5.3 Broxtowe Borough Council Conservation Officer has been consulted on the application and states the retention of the principal elevation on the amended plan is welcomed. The comments of Historic England have been relayed to the Conservation Officer and are noted.
- 6.5.4 The submitted plans annotate the dwelling will become a 6 bed House of Multiple Occupation (HMO). The creation of a 6 bed HMO is permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class L and would not require the benefit of a formal planning permission.
- 6.5.5 The other points raised within the objection are not material planning considerations, specifically house prices.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would bring back a derelict dwelling back in to use and the extension would not have a significant impact on neighbour amenity. The proposal reflects an acceptable level of design and would not appear out of character with the surrounding area. On balance, the scheme is acceptable and should be approved.

8 Conclusion

- 8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments made within representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be approved for the following reasons:	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, existing and proposed block plan C112-ASD-DR-E001 received by the Local Planning Authority 11 July 2023. Proposed elevations C112-ASD-DR-PL04 Rev A, proposed floor plans C112-ASD-DR-PL02 Rev A and Demolition plan C112-ASD-DR-E004 Rev A received by the Local Planning Authority 7 September 2023.</p> <p><i>Reason: For the avoidance of doubt</i></p>
3.	<p>The extension hereby approved shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing dwelling.</p> <p><i>Reason: 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).</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.	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or</p>

within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Map

23/00512/FUL -97 Lynncroft



9/11/2023, 4:47:27 PM

 Site

0 0 1:500 0.01 0.02 mi
0 0.01 0.01 0.02 km

Photographs



Principal elevations



Rear elevation



Rear garden area



Rear elevation – some elements to be demolished



Neighbouring dwelling to the north west principal and rear elevation



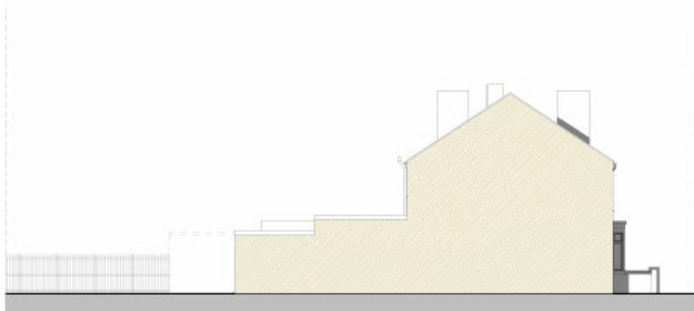
Plans (not to scale)



1 East Existing
1 : 100



1 South Existing
1 : 100

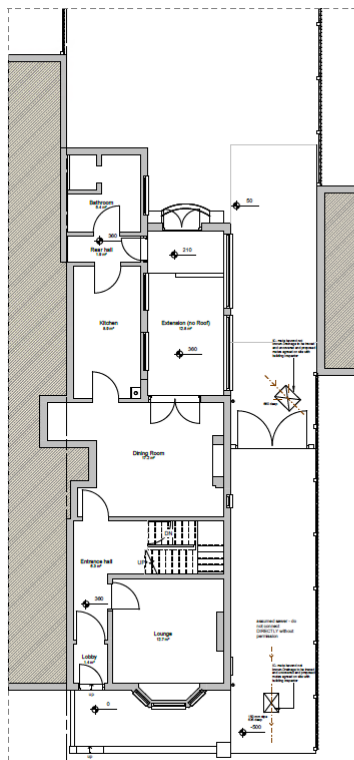


1 West Existing
1 : 100

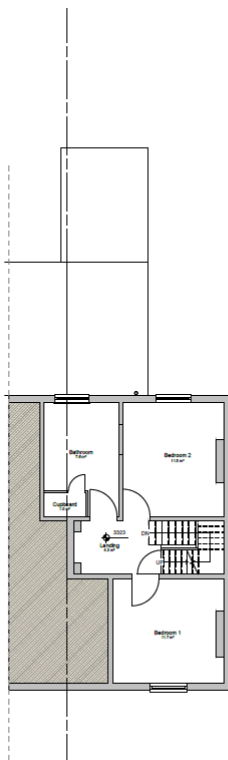


1 North Existing
1 : 100

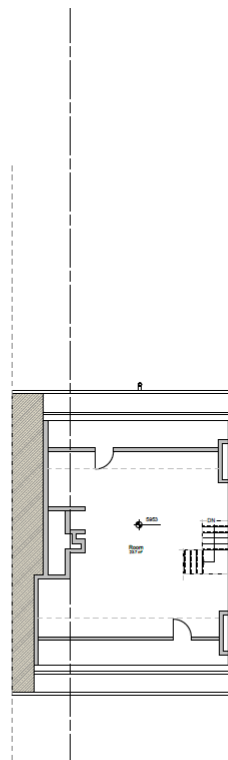
Existing elevation



1.0 Existing Ground Floor
1 : 50



1.1 Existing First Floor
1 : 50



1.2 Existing Second Floor
1 : 50



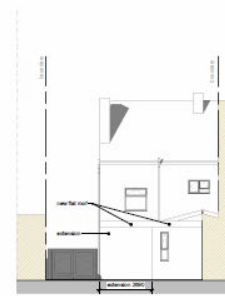
1.00 Existing Basement
1 : 50

Approved for submission to the Planning Committee on 12/09/2023. All drawings are subject to the Planning Committee's discretion and are not to be used for any other purpose without the consent of the Planning Committee. Planning applications should be made to the Planning Committee for any proposed changes to the drawings. The Planning Committee will consider all applications and will make a decision on whether to approve or refuse the application. The Planning Committee's decision is final and cannot be appealed.

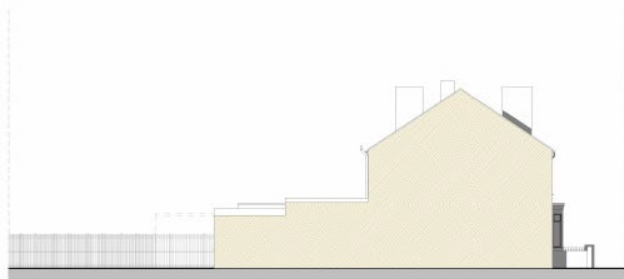
Existing floor plan



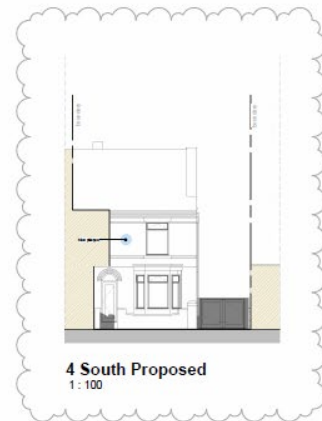
4 East Proposed
1 : 100



4 North Proposed
1 : 100

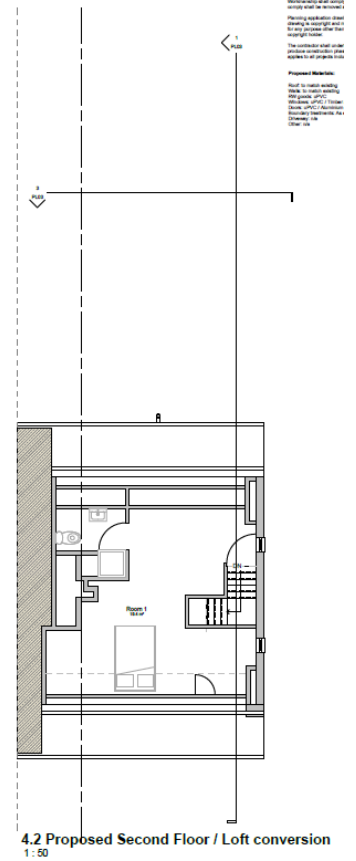
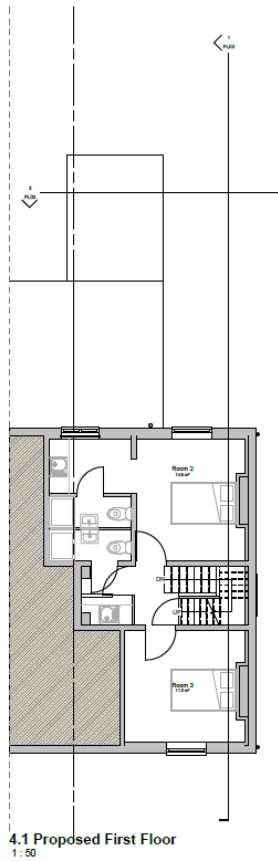
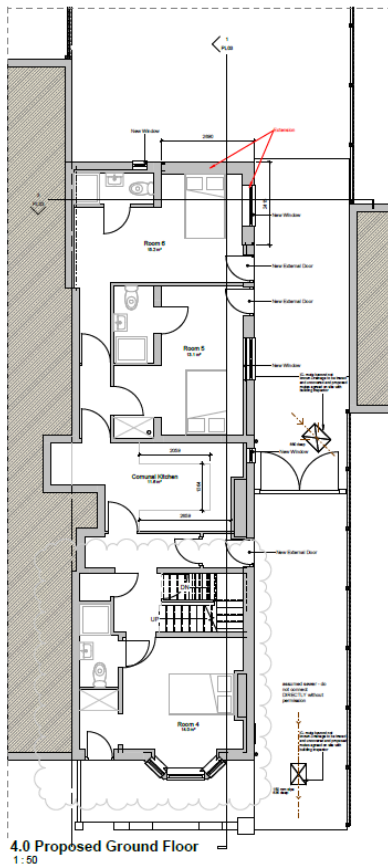


4 West Proposed
1 : 100



4 South Proposed
1 : 100

Proposed elevations



All materials to be used in accordance with the Building Regulations. The proposed materials shall be approved by the Council. The proposed materials shall be approved by the Council. The proposed materials shall be approved by the Council.

Proposed floor plans

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
14 AUGUST 2023 TO 8 SEPTEMBER 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

**PLANNING APPLICATIONS DETERMINED BY
DEVELOPMENT CONTROL**

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr & Mrs J Hallam 23/00319/FUL
Site Address : 202 Attenborough Lane Attenborough Nottinghamshire NG9 6AL
Proposal : **Construct single storey rear extension, two storey and first floor front extensions, first floor side extension and detached garage**
Decision : **Conditional Permission**

Applicant : Ian & Ruth Birkin 23/00498/FUL
Site Address : 7A Manor Avenue Attenborough Nottinghamshire NG9 6BP
Proposal : **Construct single/two-storey side extension, a porch and installation of solar PV panels**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Mabrouk 23/00550/FUL
Site Address : 23 Attenborough Lane Chilwell Nottinghamshire NG9 5JP
Proposal : **Construct single storey front, side and rear extension and two storey front and side extension**
Decision : **Conditional Permission**

Applicant : Mr Shaw 23/00562/FUL
Site Address : 1 Farm Road Chilwell Nottinghamshire NG9 5BZ
Proposal : **Construct single storey rear extension, raised deck to rear and storage shed to front**
Decision : **Conditional Permission**

Applicant : Mr Shaw 23/00563/CLUP
Site Address : 1 Farm Road Chilwell Nottinghamshire NG9 5BZ
Proposal : **Certificate of Lawfulness for proposed single storey side extension**
Decision : **Approval - CLU**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mrs Angela Hawkins 23/00400/FUL
Site Address : 3 Cossall Road Trowell Nottinghamshire NG9 3PG
Proposal : **Construct front, side and rear extensions with raised patio to rear. Change to external materials to all elevations.**
Decision : **Withdrawn**

Applicant : Mr & Mrs Wilkinson 23/00526/FUL
Site Address : 59 Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **Retain patio and air conditioning units**
Decision : **Conditional Permission**

Applicant : Mr & Mrs G Gensler 23/00529/FUL
Site Address : 3 Smithfield Avenue Trowell Nottinghamshire NG9 3PD
Proposal : **Construct single storey side / front extension**
Decision : **Conditional Permission**

Applicant : Mr Greg Parkes 23/00547/FUL
Site Address : 28 Old School Lane Awsworth Nottinghamshire NG16 2WX
Proposal : **Construct two storey rear / side extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Hawkins 23/00572/CLUP
Site Address : 3 Cossall Road Trowell Nottinghamshire NG9 3PG
Proposal : **Certificate of lawfulness for a proposed dormer loft conversion**
Decision : **Approval - CLU**

Applicant : Mr and Mrs Luke Burrows 23/00616/AGR
Site Address : Land Off Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **Prior notification to construct agricultural building**
Decision : **Prior Approval Not Required**

BEESTON CENTRAL WARD

Applicant : Alison Dudley Zenith Planning and Design 23/00293/FUL
Site Address : 3 Willoughby Street Beeston Nottinghamshire NG9 2LT
Proposal : **Change of use from Use Class C3 to an HMO within Use Class C4**
Decision : **Refusal**

BEESTON NORTH WARD

Applicant : Miss Yvonne Solomon University of Nottingham Estate 23/00456/FUL
Site Address : Dagfa Park Salthouse Lane Broadgate Park Student Village Beeston Nottinghamshire
Proposal : **Replacement roof to single storey**
Decision : **Conditional Permission**

Applicant : Miss Yvonne Solomon University of Nottingham Estate 23/00457/LBC
Site Address : Dagfa Park Salthouse Lane Broadgate Park Student Village Beeston Nottinghamshire
Proposal : **Replacement roof to single storey**
Decision : **Conditional Permission**

Applicant : MRS J BEGUM 23/00530/FUL
Site Address : 9 Broadgate Avenue Beeston Nottinghamshire NG9 2HE
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Miss Farida Daudali 23/00537/TPOW
Site Address : 55 Alderman Close Beeston Nottinghamshire NG9 2RH
Proposal : **T1 Oak Tree - Crown lift to crown break. Crown thin by 30% to allow nature light. Crown reduce by 5m.
T2 Lime - Crown lift to 5.5m. Crown thin and clean 30%. Remove all epicormic growth**
Decision : **Conditional Permission**

BEESTON RYLANDS WARD

Applicant : Mr & Mrs Juggins 23/00448/FUL
Site Address : 3 Lavender Grove Beeston Nottinghamshire NG9 1QJ
Proposal : **Construct front and rear dormers and render the dwelling**
Decision : **Conditional Permission**

Applicant : Nina Faresin 23/00478/FUL
Site Address : 54 Trent Road Beeston Nottinghamshire NG9 1LQ
Proposal : **Demolish existing dwelling and construct new dwelling (Re-submission)**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Siu 23/00536/FUL
Site Address : 9 Multimode Close Beeston Nottinghamshire NG9 1NY
Proposal : **Construct conservatory to rear elevation**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant	:	Mr L Hanna	23/00176/ADV
Site Address	:	25 Wollaton Road Beeston Nottinghamshire NG9 2NG	
Proposal	:	Display external sign	
Decision	:	Refusal	
<hr/>			
Applicant	:	Mrs C Jones Helping Hands Homecare	23/00203/ADV
Site Address	:	18 - 20 Wollaton Road Beeston Nottinghamshire NG9 2NR	
Proposal	:	Display banner	
Decision	:	Withdrawn	
<hr/>			
Applicant	:	Mr James Roberts JDR Holdings Ltd	23/00420/FUL
Site Address	:	41 Chilwell Road Beeston Nottinghamshire NG9 1EN	
Proposal	:	Construct two-storey side and rear extension.	
Decision	:	Conditional Permission	
<hr/>			
Applicant	:	Mr John Barratt	23/00491/FUL
Site Address	:	33 Park Street Beeston Nottinghamshire NG9 1DF	
Proposal	:	External alterations to elevations including clad / render wall insulation	
Decision	:	Conditional Permission	
<hr/>			
Applicant	:	Mr Alik Marshall	23/00492/FUL
Site Address	:	12 Hope Street Beeston Nottinghamshire NG9 1DR	
Proposal	:	Construct first floor front and two storey rear extensions, front porch and loft conversion	
Decision	:	Conditional Permission	
<hr/>			
Applicant	:	Mr Andrew Aldred	23/00505/FUL
Site Address	:	Bond House Chilwell Road Beeston Nottinghamshire	
Proposal	:	Construct additional storey to create three 3 bed self-contained flats	
Decision	:	Refusal	
<hr/>			
Applicant	:	Mrs Sarah Anderson	23/00513/FUL
Site Address	:	3 Richmond Drive Chilwell Nottinghamshire NG9 4EB	
Proposal	:	Construct ground floor rear extension	
Decision	:	Conditional Permission	
<hr/>			
Applicant	:	Josephine Mulligan	23/00535/PMPAP32
Site Address	:	1C Devonshire Avenue Beeston Nottinghamshire NG9 1BS	
Proposal	:	Prior Notification for change of use from business (Class E) to residential (Class C3) maisonette dwelling house	
Decision	:	Prior Approval Not Required	
<hr/>			
Applicant	:	Ms Christine (Tina) Eadie	23/00544/NMA
Site Address	:	2A Bramcote Drive Beeston Nottinghamshire NG9 1AW	
Proposal	:	Non Material Amendment to planning permission 20/00571/FUL: 1 Garage position moved away from southwest boundary and now providing a path with new location for bin store. 2 Driveway layout changes. Size and shape amended to provide better turning. Walls separating driveway from garden altered to suit. 3 Railings (gates and fence panels) changed from vertical to horizontal bars throughout. 4 Side elevation of garage facing main house amended to include a single pedestrian door and a small area of charred timber cladding to match that on the front elevation of the main house.	
Decision	:	Unconditional Permission	
<hr/>			
Applicant	:	Mrs Lynda Robertson	23/00560/CAT
Site Address	:	1 Grange Avenue Beeston Nottinghamshire NG9 1GJ	
Proposal	:	Remove Lime tree	
Decision	:	No Objection	

Applicant	:	Ms Pat Collings	23/00578/CAT
Site Address	:	60 Park Road Chilwell Nottinghamshire NG9 4DD	
Proposal	:	T1 - Cherry - 20% crown thin and target prune branches over driveway to give 2.5m clearance.	
Decision	:	No Objection	
Applicant	:	Mrs Shirley Jeary	23/00582/CAT
Site Address	:	64 Grove Avenue Chilwell Nottinghamshire NG9 4DX	
Proposal	:	Removal of large branch of eucalyptus Removal of lower branches of leylandii Removal of spruce Removal of Apple	
Decision	:	No Objection	
Applicant	:	Mrs S Jeary	23/00583/TPOW
Site Address	:	64 Grove Avenue Chilwell Nottinghamshire NG9 4DX	
Proposal	:	Remove Silver Birch - TPO/BEE/14/T182	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Tarr	23/00585/CAT
Site Address	:	6 Grange Avenue Beeston Nottinghamshire NG9 1GJ	
Proposal	:	Remove Lilac tree	
Decision	:	No Objection	
Applicant	:	Mr Bok Gan	23/00589/CAT
Site Address	:	4 West End Beeston Nottinghamshire NG9 1GL	
Proposal	:	2 x Leylandii Conifers - Fell	
Decision	:	No Objection	
BRAMCOTE WARD			
Applicant	:	Mr Rocco Labbate	23/00019/FUL
Site Address	:	5 Grangelea Gardens Bramcote Nottinghamshire NG9 3HR	
Proposal	:	Construct two storey detached garage and annex. External alterations to existing garage to connect to detached garage and annexe (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr Richard Adams North Sands Developments Ltd	23/00428/VOC
Site Address	:	88 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Variation of condition 2 (approved drawings) and condition 8 (implementation of landscaping scheme) of planning ref: 22/00126/FUL	
Decision	:	Conditional Permission	
Applicant	:	Julie Shaw	23/00470/FUL
Site Address	:	12 Sharnford Way Bramcote Nottinghamshire NG9 3LZ	
Proposal	:	Erect fence	
Decision	:	Conditional Permission	
Applicant	:	Mr & Ms Cardell-Williams & Blackburn	23/00553/NMA
Site Address	:	53 Thoresby Road Bramcote Nottinghamshire NG9 3EP	
Proposal	:	Non Material Amendment to 22/00271/FUL to substitute previously approved abutment rooflights, for a 3m x 1m roof lantern within flat roof to rear.	
Decision	:	Unconditional permission - hedgerows	
Applicant	:	Professor I MacDonald	23/00584/CAT
Site Address	:	1A The Home Croft Bramcote Nottinghamshire NG9 3DQ	
Proposal	:	Removal Hazel	
Decision	:	No Objection	

Applicant : Mr and Mrs Labatte 23/00596/NMA
Site Address : 22 Claremont Avenue Bramcote Nottinghamshire NG9 3DG
Proposal : **Non material amendment to 22/00268/FUL to change rear elevation fenestration, additional roof windows, minor changes to brickwork**
Decision : **Unconditional Permission**

BRINSLEY WARD

Applicant : Mr Mohammed Khaliq Barratt and David Wilson Homes
North Midlands 23/00357/VOC
Site Address : Brinsley Recreation Ground Church Lane Brinsley Nottinghamshire
Proposal : **Variation of Condition 2 of planning permission reference 20/00641/FUL to vary the layout plan, change house types and included PV panels to selected plots**
Decision : **Conditional Permission**

Applicant : MR & MRS KIDDIER 23/00395/FUL
Site Address : 40 Moor Road Brinsley Nottinghamshire NG16 5AZ
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Cornerstone 23/00522/FUL
Site Address : Army Cadet Force 120 Swiney Way Toton Nottinghamshire NG9 6QX
Proposal : **Replacement of existing 17.4m monopole with 25.0m monopole and associated ancillary equipment/cabinets**
Decision : **Conditional Permission**

EASTWOOD HALL WARD

Applicant : Mr & Mrs A Goodship 23/00458/FUL
Site Address : 25 Lower Beauvale Newthorpe Nottinghamshire NG16 3PY
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Avant Homes Central 22/00894/REM
Site Address : 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)**
Decision : **Refusal**

Applicant : MR Frank Johnston 23/00557/PNH
Site Address : 12 Kirby Road Eastwood Nottinghamshire NG16 3PZ
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.95 metres, with a maximum height of 3.00 metres, and an eaves height of 3.00 metres**
Decision : **Withdrawn**

Applicant : Mr Robert Wise 23/00569/CLUP
Site Address : 6 Daisy Farm Road Newthorpe Nottinghamshire NG16 2AY
Proposal : **Certificate of proposed development to construct a single storey rear extension**
Decision : **Approval - CLU**

EASTWOOD ST MARY'S WARD

Applicant : Stronghold Abbey Green Ltd 23/00600/CLUP
Site Address : 2 Park Avenue Eastwood Nottinghamshire NG16 3NY
Proposal : **Certificate of lawful development for a proposed single storey rear extension**
Decision : **Approval - CLU**

GREASLEY WARD

Applicant : Mr M Hodgkinson 21/00998/FUL
Site Address : Greasley Castle Farm 120 Church Road Greasley Nottinghamshire NG16 2AB
Proposal : **Subdivision of the farmhouse to create tea rooms on ground floor with separate living accommodation above. Repair works to farmhouse roof. Repair and conversion of the traditional barns to create a museum, function rooms, and craft workshops. Demolition of existing barn to create parking and servicing areas in association with the development**
Decision : **Conditional Permission**

Applicant : Mr M Hodgkinson 21/00999/LBC
Site Address : Greasley Castle Farm 120 Church Road Greasley NG16 2AB
Proposal : **Subdivision of the farmhouse to create tea rooms on ground floor with separate living accommodation above. Repair works to farmhouse roof. Repair and conversion of the traditional barns to create a museum, function rooms, and craft workshops. Demolition of existing barn to create parking and servicing areas in association with the development**
Decision : **Conditional Permission**

Applicant : Mrs H Sale 22/00818/FUL
Site Address : 12A Turner Drive Giltbrook Nottinghamshire NG16 2UJ
Proposal : **Retain single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Hodgkinson 23/00126/FUL
Site Address : Beauvale Manor Farm New Road Greasley Nottinghamshire NG16 2AA
Proposal : **Retain addition of hardstanding to an agricultural track, access and gate**
Decision : **Conditional Permission**

Applicant : Mr Kevin Marks 23/00318/FUL
Site Address : 24 Pinfold Road Newthorpe Nottinghamshire NG16 2FT
Proposal : **Demolish existing dwelling and construct 5 detached bungalows including new access road**
Decision : **Conditional Permission**

Applicant : Mr Cory Johnson 23/00490/FUL
Site Address : 1A Cromwell Street Giltbrook Nottinghamshire NG16 2FP
Proposal : **Construct single storey front and two storey side extensions and detached garage along with boundary wall**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mrs Hannah Dorey 23/00525/FUL
Site Address : 19 Clive Crescent Kimberley Nottinghamshire NG16 2QB
Proposal : **Construct two storey side and rear extension**
Decision : **Conditional Permission**

Applicant : Ms H Clark 23/00540/PNH
Site Address : 20 Norman Street Kimberley Nottinghamshire NG16 2LA
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.200 metres, with a maximum height of 2.999 metres, and an eaves height of 2.799 metres**
Decision : **Withdrawn**

Applicant : Mr Richard Sharp 23/00564/PNH
Site Address : 20 Babbington Lane Kimberley Nottinghamshire NG16 2PR
Proposal : **Construct single storey rear extension. extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 2.90 metres, and an eaves height of 2.60 metres**
Decision : **Prior Approval Not Required**

Applicant : Miss Izel Akar FAIRGROVE DEVELOPMENTS 23/00570/CAT
Site Address : 22 Barley Close Kimberley Nottinghamshire NG16 2PL
Proposal : **Acer Emerald Queen x 2 reduce in size**
Decision : **No Objection**

Applicant : Mr Ian Greaves Diocese of Southwell & Nottingham 23/00613/CAT
Site Address : The Rectory 1 Eastwood Road Kimberley Nottinghamshire NG16 2HX
Proposal : **T1 Ash - Fell**
Decision : **No Objection**

NUTHALL EAST & STRELLEY WARD

Applicant : Mr & Mrs S Jajawi 23/00345/FUL
Site Address : 32 Gunnersbury Way Nuthall Nottinghamshire NG16 1QD
Proposal : **Construct two storey and single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr R Hall 23/00314/FUL
Site Address : Land At Horsendale Farm Vernon Drive Nuthall Nottinghamshire NG16 1AR
Proposal : **Construct detached dwelling**
Decision : **Conditional Permission**

Applicant : Mr W Tariq 23/00479/NMA
Site Address : 25 Gloucester Avenue Nuthall Nottinghamshire NG16 1AL
Proposal : **Non Material Amendment to 21/00037/FUL - additional window to rear elevation, front elevation change in window type at first floor and rendered blockwork changed to brickwork**
Decision : **Unconditional Permission**

Applicant : Rebecca Jakhu Blakemore Design & shopfitting 23/00520/ADV
Site Address : 205 Nottingham Road Nuthall Nottinghamshire NG16 1AE
Proposal : **Consent to display illuminated fascia signs, window graphics, wall panel, 3 poster cases and 5m illuminated totem sign**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : Mr Ian Shakespeare Aston Properties(UK) Limited 23/00429/VOC
Site Address : Mill Farm 62 Mill Road Stapleford Nottinghamshire NG9 8GD
Proposal : **Variation of condition 8 (The coffee/farm shop hereby approved shall not be open to customers except between the hours of 09:00 -17:30 Monday to Friday and 10:00 - 17:00 on Sunday) of planning ref: 19/00452/FUL to include opening hours of 09:00-17:00 on Saturday**
Decision : **Conditional Permission**

Applicant : N/A Soloman Properties Limited 23/00508/FUL
Site Address : 49 Washington Drive Stapleford Nottinghamshire NG9 8PY
Proposal : **Change of use from House in Multiple Occupation (Use Class C4) to Children's Home (Use Class C2).**
Decision : **Refusal**

STAPLEFORD SOUTH WEST WARD

Applicant : Mr Parsa Arani Balfour Beatty 23/00543/PJ14PA
Site Address : Balfour Beatty Rail Plant Ltd Old Station Yard Derby Road Stapleford Nottinghamshire NG10 5AG
Proposal : **Installation Of Roof Mounted Solar PV Panels**
Decision : **Prior Approval Not Required**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Robert Jenkins 23/00339/FUL
Site Address : 28 Cleve Avenue Toton Nottinghamshire NG9 6JH
Proposal : **Construct two storey front extension and raising of the roof to create loft conversion**

Decision : **Conditional Permission**

Applicant : Mr Ben Smith 23/00435/FUL
Site Address : 37 Cleve Avenue Toton Nottinghamshire NG9 6JH
Proposal : **Construct two storey side and single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Jason Humphreys Outline Trees 23/00531/TPOW
Site Address : 24 Katherine Drive Toton Nottinghamshire NG9 6JB
Proposal : **T3-6 Sycamore trees - Fell**
Decision : **Conditional Permission**

WATNALL & NUTHALL WEST WARD

Applicant : Mrs Anita Willaims 23/00444/FUL
Site Address : 69 Philip Avenue Nuthall Nottinghamshire NG16 1EB
Proposal : **Construct single storey front and rear, and first floor rear extensions**
Decision : **Conditional Permission**

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Report of the Chief Executive

RESPONSES TO GOVERNMENT CONSULTATIONS1. Purpose of Report

To agree the Council's responses to two Government consultations.

2. Recommendation

The Committee is asked to RESOLVE that the consultation responses in Appendices 1 and 2 are sent to the Government.

3. Detail

The Government is currently consulting on two documents: "Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms" and "Consultation on additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons". Links to these two documents can be found below.

The former relates to plan-making measures which would be implemented once the Levelling-up and Regeneration Bill has been enacted, which is expected to be in the autumn of this year; the latter concerns proposed changes to 'permitted development' rights. The former consultation runs to 18 October, the latter to 25 September. It has therefore been necessary to send responses to the latter consultation on a provisional basis, subject to confirmation or amendment by members.

The consultation involves a series of questions, which are set out in the appendices to this report, together with proposed responses.

Links

[Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms](#)

[Consultation on additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons](#)

4. Financial Implications

The comments of the Head of Finance Services are as follows:

There are no budget implications for the Council at this consultation stage.

5. Legal Implications

The comments of the Head of Legal Services are as follows:

No Comments

6. Human Resources Implications

No comments.

7. Union Comments

No comments.

8. Data Protection Compliance Implications

No comments.

9. Climate Change Implications

Climate change implications are considered within the report.

10. Equality Impact Assessment

An Equality Impact Assessment is not required.

11. Background Papers

Nil.

Proposed responses to the “consultation on implementation of plan-making reforms”.

Government Question	Proposed Response
Chapter 1: Plan content	
<p>Question 1: Do you agree with the core principles for plan content? Do you think there are other principles that could be included?</p>	<p>Yes, broadly we agree with the “additional core principles” referred to at paragraphs 19-24.</p> <p>(It would be helpful to clarify the relationship between the “key diagram” (paragraph 23) and the “policies map” (paragraph 24); and to clarify the relationship between the policies map and the plan itself (paragraph 15 seems to indicate that the map is separate from (“in addition” to) the plan).</p> <p>The term “golden thread” (paragraph 21), as in the NPPF, is perhaps rather unclear and not particularly helpful.)</p>
<p>Question 2: Do you agree that plans should contain a vision, and with our proposed principles [for] preparing the vision? Do you think there are other principles that could be included?</p>	<p>The proposals regarding “visions” could potentially be valuable, and the “principles” referred to at paragraph 25 are appropriate.</p> <p>Further clarification of the proposals and principles would be helpful, including via the “template” referred to at paragraph 28.</p> <p>Clarification might include whether the reference at paragraph 26 to visions being “able to respond” suggests that they might be amended after the plan has been adopted.</p> <p>Clarification might also include the relationship between the “key diagram” (paragraph 26) and policies map.</p> <p>(With regard to paragraph 25, it may be helpful for forthcoming guidance to</p>

	<p>recognise the difficulties with ensuring that plans “sufficiently capture” the “views of the communities”, unless the plans propose very little development; and the difficulties of reflecting the views of various “communities” with different interests.)</p>
<p>Question 3: Do you agree with the proposed framework for local development management policies?</p>	<p>Broadly yes.</p>
<p>Question 4: Would templates make it easier for local planning authorities to prepare local plans? Which parts of the local plan would benefit from consistency?</p>	<p>Yes, the use of “templates” could be valuable. Helping users to “navigate and engage with” plans (paragraph 33) is important and all parts of the local plan might benefit from consistency.</p> <p>However, a lot will depend on the details of these “templates”. ‘Suggestions’ (paragraph 35) would be welcome and “flexibility” (paragraph 36) would be important; however, there appears to be a risk of over-emphasis on ‘standardisation’ (paragraph 34), as local variations could well be appropriate.</p>
<p>Question 5: Do you think templates for new style minerals and waste plans would need to differ from local plans? If so, how?</p>	<p>Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.</p>
<p>Chapter 2: The new 30 month plan timeframe</p>	
<p>Question 6: Do you agree with the proposal to set out in policy that planning authorities should adopt their plan, at the latest, 30 months after the plan preparation process begins?</p>	<p>Other things being equal, quicker plan preparation benefits everyone. However, the 30-month period does not appear to make sufficient allowance for factors which are mainly out of the control of authorities, such as changes to government policy, or the examination taking longer than expected.</p> <p>As suggested at paragraph 45, it would not be helpful if timings were to be rigidly imposed. For example, it would be very counter-productive if the plan-making process was required to ‘start again’ if the 30-month (or 34-month) period expired</p>

	<p>when a plan was about to be submitted, or when an inspector was preparing a report.</p> <p>Consistency of approach at government level would help in avoiding delays, as would the removal of, arguably, excessive requirements for evidence. (The use of the term “proportionate evidence” in Figure 1, as also used in NPPF paragraph 35, does not in itself help in this regard.)</p>
<p>Question 7: Do you agree that a Project Initiation Document will help define the scope of the plan and be a useful tool throughout the plan making process?</p>	<p>This approach could be valuable, depending on the subsequent details.</p> <p>It would be helpful if subsequent policy and guidance made government expectations clear, minimising the use of terms such as “might” (as in paragraph 51 of the consultation document).</p>
<p>Chapter 3: Digital plans</p>	
<p>Question 8: What information produced during plan-making do you think would most benefit from data standardisation, and/or being openly published?</p>	<p>Relevant information includes the policies map, site allocations, SHLAA/SHELAA and monitoring.</p> <p>Data standardisation is a long overdue requirement but will need to include schemas and capture scale to produce data that can be aggregated between systems and planning authorities easily.</p> <p>Open data released should adhere to international formats for structure and metadata and only be data that isn’t available from other open data sources.</p> <p>Not all data on plans is from the Local Planning Authority, so guidelines will need to include information for these circumstances and how to handle licences / memorandums of understanding.</p> <p>Any data that would aid evidence</p>

	<p>gathering and monitoring within the minimum requirements mandated for planning authorities should also be considered, even if not held by planning authorities.</p>
<p>Question 9: Do you recognise and agree that these are some of the challenges faced as part of plan preparation which could benefit from digitalisation? Are there any others you would like to add and tell us about?</p>	<p>With regards to plans being static etc (paragraph 71), this is not a problem for plan preparation but, yes, they do go out of date quickly; yet the snapshot in time can be useful and some organisations and demographics want printed plans even if there is an interactive option available. ‘Digital first but not digital only’ is less likely to discriminate against certain demographics. If plans are more frequent some of the concern around currency has less of an impact.</p> <p>General lack of investment in data and system experts within planning departments may hinder adoption of digital first plans and the efficiencies that digital / machine readable formats could provide.</p> <p>National geospatial agreements and licences need to be considered when determining what data to release and, also, whether conflict between laws and licences will have an impact on release.</p> <p>We agree with the third bullet point of paragraph 71 regarding “fear of challenge at examination” driving “over production of evidence”; and with the sixth bullet point regarding the importance of monitoring and feedback.</p>
<p>Question 10: Do you agree with the opportunities identified? Can you tell us about other examples of digital innovation or best practice that should also be considered?</p>	<p>Broadly yes, we agree.</p> <p>The links between evidence, plan and monitoring should be part of the same system so that a continuous data loop is formed with everything kept in machine readable format, utilising the tools available – i.e. consultation responses could be in csv to be imported into a system that can then be searched. This</p>

	<p>sort of machine readable format should persist and be acceptable across the process – standardisation of schemas and data captured could then ensure that data is passed in those formats to other interested organisations for use within their processes – consultees, inspectorate etc.</p>
<p>Question 11: What innovations or changes would you like to see prioritised to deliver efficiencies in how plans are prepared and used, both now and in the future?</p>	<p>Please see our response to question 10.</p> <p>We agree with the reference in Figure 2, part 7, to the potential for “automation tools to speed up labour intensive tasks such as processing feedback from consultations”. However, this would need to be done in a way that did not over-simplify important points made by consultees.</p>
<p>Chapter 4: The local plan timetable</p>	
<p>Question 12: Do you agree with our proposals on the milestones to be reported on in the local plan timetable and minerals and waste timetable, and our proposals surrounding when timetables must be updated?</p>	<p>Depending on the subsequent details, these appear to be helpful proposals.</p>
<p>Question 13: Are there any key milestones that you think should automatically trigger a review of the local plan timetable and/or minerals and waste plan timetable?</p>	<p>The three “gateways” (as referred to at paragraph 79) would probably be the most relevant “milestones”.</p>
<p>Chapter 5: Evidence and the tests of soundness</p>	
<p>Question 14: Do you think this direction of travel for national policy and guidance set out in this chapter would provide more clarity on what evidence is expected? Are there other changes you would like to see?</p>	<p>Potentially yes, this could be helpful.</p> <p>It is unclear how the removal of the ‘justified’ soundness test (referred to at paragraph 87) would help, as it is this test that already expects evidence to be “proportionate”. However, clarification of the term “proportionate” (referred to at paragraph 89), could be helpful. This could include guidance on the extent to which transport modelling is needed and</p>

	the extent to which consultants' advice on retail / town centre issues is needed.
Question 15: Do you support the standardisation of evidence requirements for certain topics? What evidence topics do you think would be particularly important or beneficial to standardise and/or have more readily available baseline data?	We agree that some standardisation could be helpful. This could include (as mentioned at paragraph 95) economic development needs assessments, HELAAs and transport assessments. Housing need assessments and Environmental Outcome Reports would also benefit from standardisation.
Question 16: Do you support the freezing of data or evidence at certain points of the process? If so which approach(es) do you favour?	It would certainly be helpful to 'freeze' the evidence at the point of publication of the plan (paragraph 97, third bullet point). The other two approaches referred to at paragraph 97 may also be helpful, depending on what the government has in mind regarding "certain evidence topics or documents".
Question 17: Do you support this proposal to require local planning authorities to submit only supporting documents that are related to the soundness of the plan?	Yes, this is a helpful proposal, particularly as regards the move from evidence that is "relevant" to that which is "necessary" (paragraph 99).
Chapter 6: Gateway assessments during plan-making	
Question 18: Do you agree that these should be the overarching purposes of gateway assessments? Are there other purposes we should consider alongside those set out above?	Yes, these purposes could result in the "gateways" being a valuable part of the plan-making process. We have no suggestions for other purposes.
Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?	It would seem to be helpful if the first "gateway", as well as the second and third, definitely involved planning inspectors (from PINS). Otherwise, the proposals seem likely to be helpful. (Incidentally, there appears to be some inconsistency between Figure 4 and

	paragraph 111 regarding whether inspectors would “always” conduct “Gateway 2” assessments.)
Question 20: Do you agree with our proposals for the gateway assessment process, and the scope of the key topics? Are there any other topics we should consider?	Yes, we agree with the proposals and no, we do not think that there are other topics that should be considered.
Question 21: Do you agree with our proposal to charge planning authorities for gateway assessments?	No, we do not agree. As this would appear to be an ‘additional burden’, it would seem to be appropriate for the costs to PINS of the “gateways” to be funded by the government (or for the government to refund LPAs for the costs).
Chapter 7: Plan examination	
Question 22: Do you agree with our proposals to speed up plan examinations? Are there additional changes that we should be considering to enable faster examinations?	Yes, we agree with the proposals and no, we do not propose additional changes.
Question 23: Do you agree that six months is an adequate time for the pause period, and with the government’s expectations around how this would operate?	Yes, six months seems reasonable, provided it is made clear that this would add 6 months on to the 30-month period. However, a required recommendation to withdraw a plan after that time (paragraph 124) seems bound to slow down, rather than speed up, the plan-making process.
Chapter 8: Community engagement and consultation	
Question 24: Do you agree with our proposal that planning authorities should set out their overall approach to engagement as part of their Project Initiation Document? What should this contain?	Yes, we agree with this proposal. The contents suggested at paragraph 139 seem appropriate.
Question 25: Do you support our proposal to require planning authorities to notify relevant persons and/or bodies and invite participation, prior to commencement of the 30 month process?	Yes, the proposals are likely to be an improvement on the current Regulation 18 requirements. (It is nevertheless, unfortunately, unlikely that ‘notification’ and ‘invitation’ will

	<p>generate a great deal of useful input at the earliest stages of plan preparation.</p> <p>It may be helpful to amend references to the “30 month process” (paragraph 143) and the “30 month timeframe” (paragraph 148), as the “early participation” is in addition to the 30 months.)</p>
<p>Question 26: Should early participation inform the Project Initiation Document? What sorts of approaches might help to facilitate positive early participation in plan-preparation?</p>	<p>Yes, if constructive early responses are received, these could inform the Project Initiation Document.</p> <p>(Experience at Broxtowe unfortunately suggests that any arrangements may struggle to generate “positive early participation” before draft policies and proposals emerge.)</p> <p>There could be a section in the Project Initiation Document on the sorts of responses received and how the authority has considered these, although this could be a lengthy exercise.</p> <p>A number of approaches could be used (all with varying degrees of resources needed in terms of both time and finances, which will need to be considered) – such as in person workshops, online workshops, leaflets, social media, letters to residents.</p>
<p>Question 27: Do you agree with our proposal to define more clearly what the role and purpose of the two mandatory consultation windows should be?</p>	<p>Yes, we agree that the role and purpose should be clearly defined.</p> <p>(Although it may be doubtful whether many helpful responses will be received at the first “window” (paragraph 153) regarding the “vision” and “broad options”.)</p>
<p>Question 28: Do you agree with our proposal to use templates to guide the form in which representations are submitted?</p>	<p>Yes, we agree with this proposal, as it may streamline the process and make it easier to collate and evaluate responses, saving a lot of time.</p> <p>However, it would be essential that the ‘machine reading’ used (paragraph 155)</p>

	<p>were able to genuinely pick up the key points made in representations (rather than, for example, simply recording ‘votes’ for or against a particular policy or proposal).</p>
<p>Chapter 9: Requirement to assist with certain plan-making</p>	
<p>Question 29: Do you have any comments on the proposed list of prescribed public bodies?</p>	<p>The most important bodies of those listed in Table 2 would include the Environment Agency, “Heritage England” (should this read ‘Historic England’?), Natural England, “Homes and Communities Agency” (now ‘Homes England’?), Integrated Care Boards, Highway Authority, Local Nature Recovery Strategy responsible authorities, Lead Local Flood Authority, Sport England, Energy Undertakers, Water and Sewerage Undertakers, County Councils and the Coal Authority.</p>
<p>Question 30: Do you agree with the proposed approach? If not, please comment on whether the alternative approach or another approach is preferable and why.</p>	<p>Yes.</p>
<p>Chapter 10: Monitoring of plans</p>	
<p>Question 31: Do you agree with the proposed requirements for monitoring?</p>	<p>Yes.</p>
<p>Question 32: Do you agree with the proposed metrics? Do you think there are any other metrics which planning authorities should be required to report on?</p>	<p>Generally, the proposed metrics in Table 3 are reasonable. However: monitoring “net change in employment floorspace” has been made difficult or impossible as a result of the introduction of Use Class E, which combines some ‘employment’ uses (former Class B1) with a wide range of other uses; “net change in designated open space” is largely beyond the influence of local plans; and, as noted in the Table, further thought will be needed regarding “progress toward net zero emissions from buildings”.</p> <p>We do not think there are other metrics</p>

	<p>which authorities should be required to report on.</p>
<p>Chapter 11: Supplementary plans</p>	
<p>Question 33: Do you agree with the suggested factors which could be taken into consideration when assessing whether two or more sites are ‘nearby’ to each other? Are there any other factors that would indicate whether two or more sites are ‘nearby’ to each other?</p>	<p>The suggested factors, in themselves, seem reasonable.</p> <p>However, the concept that supplementary plans should be “site specific or relate to two or more sites which an authority consider nearby to each other” (paragraph 188) is unclear and potentially problematic. Supplementary plans could be valuable with regard to “unforeseen circumstances” (paragraph 175) which relate to a part of the authority’s area which is limited in extent but which might not be readily described as being one or more “sites”. This might apply, for example, to emerging issues with HMOs.</p> <p>It will be important that forthcoming regulations, policy and guidance allow authorities flexibility, with regard to location and subject matter, to introduce supplementary plans in such circumstances.</p>
<p>Question 34: What preparation procedures would be helpful, or unhelpful, to prescribe for supplementary plans? e.g. Design: design review and engagement event; large sites: masterplan engagement, etc.</p>	<p>The appropriate types of preparation procedures are likely to vary with the particular plan (as mentioned at paragraph 191), so it seems unlikely to be helpful for fixed procedures to be prescribed. Examples could however be provided in practice guidance, including those referred to in the question.</p>
<p>Question 35: Do you agree that a single formal stage of consultation is considered sufficient for a supplementary plan? If not, in what circumstances would more formal consultation stages be required?</p>	<p>Yes, a single formal stage of consultation would be appropriate. No further consultations would be necessary.</p>
<p>Question 36: Should government set thresholds to guide the decision that authorities make about the choice of</p>	<p>Yes. Although thresholds are likely to be difficult to define, it would be helpful for guidance or policy to try to do so, at least</p>

<p>supplementary plan examination routes? If so, what thresholds would be most helpful? For example, minimum size of development planned for, which could be quantitative both in terms of land use and spatial coverage; level of interaction of proposal with sensitive designations, such as environmental or heritage.</p>	<p>in broad terms. Some less complex and/or less controversial supplementary plans, such as those with low “level of interaction of proposal with sensitive designations” (question 36), would be likely to be suitable for examination by “an examiner of the authority’s choosing” (paragraph 197), rather than by the Planning Inspectorate.</p>
<p>Question 37: Do you agree that the approach set out above provides a proportionate basis for the independent examination of supplementary plans? If not, what policy or regulatory measures would ensure this?</p>	<p>Yes, the approach set out is broadly appropriate (subject to the points made regarding questions 33 and 36).</p> <p>However, it is likely that the proposed approach will have significant time and resource implications for preparing supplementary plans. There is a need to ensure that the requirements do not result in a level of burden on local authorities which would prevent them coming forward.</p>
<p>Chapter 12: Minerals and waste plans</p>	
<p>Question 38: Are there any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan-making system?</p>	<p>Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.</p>
<p>Chapter 13: Community Land Auctions</p>	
<p>Question 39: Do you have any views on how we envisage the Community Land Auctions process would operate?</p>	<p>The principle of “Community Land Auctions” is fundamentally wrong.</p> <p>They will provide a strong, perverse, financial incentive, to both landowners and authorities, for land to be allocated for development in the least appropriate locations, where ‘hope value’ is very low (because, for example, the land concerned is relatively remote from services and facilities, and/or because it is in a location that is particularly valuable for landscape or wildlife, etc) and</p>

	<p>therefore where financial benefits, for landowners and authorities, are potentially very high.</p> <p>Although paragraph 221 refers to the continuing requirement to “prepare local plans with the objective of contributing to the achievement of sustainable development”, in the context of “Community Land Auctions” the concept of “sustainable development” will have become all but meaningless.</p>
<p>Question 40: To what extent should financial considerations be taken into account by local planning authorities in Community Land Auction pilots, when deciding to allocate sites in the local plan, and how should this be balanced against other factors?</p>	<p>To no extent at all.</p> <p>Please see our response to question 39.</p>
<p>Chapter 14: Approach to roll out and transition</p>	
<p>Question 41: Which of these options should be implemented, and why? Are there any alternative options that we should be considering?</p>	<p>The ‘proposed approach’ (paragraphs 243-246) seems preferable.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p> <p>Two-part plans work well, as in Greater Nottingham. Mechanisms must be in place, through forthcoming regulations, policy and guidance, to ensure that two-part plans can continue. Without them, cross-boundary planning and genuinely strategic planning are likely to be made much more difficult, or impossible.</p>
<p>Chapter 15: Saving existing plans and planning documents</p>	
<p>Question 42: Do you agree with our proposals for saving existing plans and planning documents? If not, why?</p>	<p>Yes.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p>

Equalities impacts	
Question 43: Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?	We are not aware of any potential adverse impacts.

APPENDIX 2

Proposed responses to the “consultation on additional flexibilities”.

The Government, at paragraph 13 of this consultation document, refers to the importance of the planning system in providing “local influence to local authorities” and providing “local communities with more confidence”. Similarly, the Government’s ‘Building planning capacity and capability’ document of July 2023 refers to the role of the planning system as being “essential” “for the benefit of all our communities”. However, the current proposals for the further expansion of permitted development rights (including new rights, amended rights and revised ‘prior approval’ arrangements) would accelerate the continued erosion of the development management aspect of the planning system. The proposals would therefore result in the opposite of the Government’s stated intentions, reducing the influence of local authorities and reducing the confidence of local communities in their ability to influence development in their localities, as the proposals would further reduce the ability of local authorities and local communities to take account of all relevant issues associated with development proposals.

The Government’s proposals would also add to the complexity of the ‘prior approval’ elements of the development management system, to the detriment of both applicants and local authorities.

The proposals are unlikely to have a significant impact on overall housing delivery. They would cause significant harm, with few benefits.

It would therefore be preferable for the permitted development rights which are referred to in the consultation document to be removed, rather than amended or relaxed.

Government Question	Proposed Response (The options are generally ‘Yes’ / ‘No’ / ‘Don’t know’)	Proposed Reasons
Design codes		
Q.1 Do you agree that prior approvals for design or external appearance in existing permitted development rights should be replaced by consideration of design codes where they are in place locally?	Yes.	Yes, design codes should carry significant weight, although it would be difficult to incorporate them into ‘prior approval’ arrangements. However, for the reasons given

		previously, it would be preferable for the rights to be removed.
<p>Q.2 Do you think that any of the proposed changes to permitted development rights in relation to design codes could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	Yes.	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p> <p>Some impacts could be positive, as mentioned in response to Q.1.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Supporting housing delivery through change of use permitted development rights</p>		
<p>Q.3 Do you agree that the permitted development right for the change of use from the Commercial, Business and Service use class (Use Class E) to residential (Class MA of Part 3), should be amended to either:</p> <p>a) Double the floorspace that can change use to 3,000 square metres b) Remove the limit on the amount of floorspace that can change use c) No change d) Don't know</p>	No change.	<p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.4 Do you agree that the permitted development right (Class MA of Part 3) should be amended to remove the requirement that the premises must be vacant for at least three continuous months immediately prior to the date of the application for prior approval?</p>	No.	<p>The proposal would be likely, in some cases, to displace important local businesses.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.5 Do you think that the permitted development right</p>	No.	<p>However, this change would not relate to land in Broxtowe.</p>

<p>(Class MA of Part 3) should apply in other excluded article 2(3) land?</p>		
<p>Q.6 Do you think the prior approval that allows for the local consideration of the impacts of the change of use of the ground floor in conservation areas on the character or sustainability of the conservation [area] is working well in practice?</p> <p>If no, please explain why you don't think the prior approval works in practice?</p>	<p>No.</p>	<p>The meaning, in this context, of the current reference in Class MA to the “sustainability” of conservation areas is very unclear (it presumably implies merely economic “sustainability” considerations) and it may therefore be helpful to remove this term.</p> <p>The “character” of conservation areas should remain an important consideration.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.7 Do you agree that permitted development rights should support the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses?</p>	<p>No.</p>	<p>As noted at paragraph 32 of the consultation document, such changes of use “may” better serve their local communities: however, depending on local circumstances, they may not. As with many other proposals in this consultation, the issues should be assessed by local communities and local authorities through the planning application process.</p>
<p>Q.8 Are there any safeguards or specific matters that should be considered if the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses was supported through permitted development rights?</p>	<p>Yes.</p>	<p>Those matters referred to at paragraph 34 of the consultation document should be considered.</p> <p>However, for the reasons given previously, it would be preferable if such a right were not introduced.</p>
<p>Q.9 Do you think that any of the proposed changes in relation to the Class MA permitted development right could impact on: a) businesses b) local planning authorities c)</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p>

<p>communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>		<p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.10 Do you think that changes to Class MA will lead to the delivery of new homes that would not have been brought forward under a planning application?</p>	<p>Yes.</p>	<p>The changes would probably result in the delivery of a limited number of new homes, many of which would be delivered in circumstances where, having regard to all the relevant considerations (of which the number of new homes should not be the only one), it would be preferable that they were not delivered.</p> <p>However, the need to submit a planning application (or to submit an application for prior approval under the current arrangements) is unlikely to be a significant deterrent to owners or developers who have well-thought-out proposals for new homes.</p>
<p>Q. 11 Do you agree that the right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderettes (Class M of Part 3) is amended to:</p> <p>a) Double the floorspace that can change use to 300 square metres b) Remove the limit on the amount of floorspace that can change use c) No change d) Don't know</p>	<p>No change.</p>	<p>The proposed amendments would be very unlikely to have a significant impact on overall housing delivery.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.12 Do you agree that the</p>	<p>Yes.</p>	<p>We agree with the important</p>

<p>existing right (Class M of Part 3) is amended to no longer apply to launderettes?</p>		<p>principle that, as set out at paragraph 39 of the consultation document, there should be “local consideration of any proposed change of use through a full planning application”.</p> <p>The same principle applies to all the changes of use that are referred to in the consultation document.</p>
<p>Q. 13 Do you agree that the right for the change of use from amusement arcades and centres, and casinos (Class N of Part 3) is amended to:</p> <p>a) Double the floorspace that can change use to 300 square metres b) Remove the limit on the amount of floorspace that can change use c) No change d) Don't know</p>	<p>No change.</p>	<p>The proposed amendments would be very unlikely to have a significant impact on overall housing delivery.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.14 Do you agree that the right (Class M of Part 3) should be amended to replace the existing date on which the building must have been in use as a hot food takeaway, betting office, pay day loan shop or launderette instead to a two-year rolling requirement?</p>	<p>Yes.</p>	<p>A ‘rolling’ date would be more appropriate than a fixed one.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.15 Do you agree that the right (Class N of Part 3) should be amended to replace the existing date on which the building must have been in use as an amusement arcade or centre, or casino instead to two-year rolling requirement?</p>	<p>Yes.</p>	<p>A ‘rolling’ date would be more appropriate than a fixed one.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.16 Do you think that the permitted development right for the change of use from hot food</p>	<p>No.</p>	<p>Control over this form of development should be retained in conservation areas.</p>

<p>takeaways, betting offices, pay day loan shops and launderette (Class M of Part 3) should apply in other article 2(3) land?</p>		<p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.17 Do you think that the permitted development right for the change of use of amusement arcade or centre, or casino (Class N of Part 3) should apply in other excluded article 2(3) land?</p>	<p>No.</p>	<p>However, this change would not relate to land in Broxtowe.</p>
<p>Q.18 Do you think that any of the proposed changes in relation to the Class M and N permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Q.19 Do you think that changes to Class M and N will lead to the delivery of new homes that would not have been brought forward under a planning application?</p>	<p>Yes.</p>	<p>The changes would probably result in the delivery of a limited number of new homes, many of which would be delivered in circumstances where, having regard to all the relevant considerations (of which the number of new homes should not be the only one), it would be preferable that they were not delivered.</p> <p>However, the need to submit a planning application (or to submit an application for prior approval under the current arrangements) is unlikely to be a significant deterrent to owners or developers who have well-thought-out proposals for new homes.</p>
<p>Q.20 Do you agree that the right</p>	<p>No.</p>	<p>It is unclear which “other existing</p>

<p>(Class G of Part 3) is expanded to allow for mixed use residential above other existing uses?</p>		<p>uses” the Government has in mind. It would be likely to be inappropriate to create flats above some uses (such as B2 and B8), at least without consideration of all relevant issues, via a planning application.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.21 Do you agree that the number of flats that may be delivered under the right (Class G of Part 3) is doubled from two to four?</p>	<p>No.</p>	<p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.22 Do you agree that the permitted development right (Class H of Part 3) is amended to align with any changes made to the uses to which Class G of Part 3 applies?</p>	<p>Yes.</p>	<p>This seems to be a logical proposal, if changes were made to Class G.</p> <p>However, as noted at Q.21, the Council disagrees with the proposals regarding Class G.</p>
<p>Q.23 Do you think that any of the proposed changes in relation to the Class G and H permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Q.24 Do you think that changes to Class G will lead to the delivery of new homes that would not have been brought forward under a planning application?</p>	<p>Yes.</p>	<p>The changes would probably result in the delivery of a limited number of new homes, many of which would be delivered in circumstances where, having regard to all the relevant considerations (of which the number of new homes should not</p>

		<p>be the only one), it would be preferable that they were not delivered.</p> <p>However, the need to submit a planning application (or to submit an application for prior approval under the current arrangements) is unlikely to be a significant deterrent to owners or developers who have well-thought-out proposals for new homes.</p>
<p>Q.25 Do you agree that the smaller and larger home size limits within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be replaced with a single maximum floorspace limit of either:</p> <p>a) 100 square metres per dwellinghouse b) 150 square metres per dwellinghouse c) No change d) Don't know</p>	<p>100 square metres.</p>	<p>A single figure would probably somewhat simplify the current arrangements.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.26 Do you agree that an overall limit on the amount of floorspace that can change use, set at 1,000 square metres, should be introduced for the agricultural buildings to dwellinghouses right (Class Q of Part 3)?</p>	<p>Yes.</p>	<p>Yes, for consistency with Part 6, if the right is to be retained.</p> <p>However, for the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.27 Do you agree that the 5 home limit within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be increased to allow up to a total of 10 homes to be delivered within an agricultural unit?</p>	<p>No.</p>	<p>This would significantly increase the potential adverse impacts.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.28 Do you agree that the permitted development right for the change of use from agricultural buildings to</p>	<p>No.</p>	<p>This would increase the potential adverse impacts.</p> <p>For the reasons given previously,</p>

<p>residential use (Class Q of Part 3) should be amended to allow for an extension to be erected as part of the change of use on previously developed land?</p>		<p>it would be preferable for the right to be removed.</p>
<p>Q.29 Do you agree that a prior approval be introduced, allowing for the consideration of the impacts of an extension on the amenity of neighbouring premises, including overlooking, privacy and light?</p>	<p>Yes.</p>	<p>Yes, if the right were to be expanded as proposed. Amenity should be an important consideration.</p> <p>However, for the reasons given at Q.28, the Council disagrees with the expansion of the right.</p>
<p>Q.30 Do you agree that buildings should have an existing floorspace of at least 37 square metres to benefit from the right?</p>	<p>Yes.</p>	<p>Yes, if the right were to be expanded as proposed. As indicated at paragraph 71 of the consultation document, the impact of development “sited sporadically across the open countryside” could be seriously harmful.</p> <p>However, for the reasons given at Q.28, the Council disagrees with the expansion of the right.</p>
<p>Q.31 Do you think that the permitted development right for the change of use from agricultural buildings to residential use (Part 3 Class Q) should be amended to apply in other article 2(3) land?</p>	<p>No.</p>	<p>This amendment would not relate to land in Broxtowe, however it would seriously affect National Parks which are valued by Broxtowe residents.</p> <p>As indicated at paragraph 71 of the consultation document, the impact of development “sited sporadically across the open countryside” could be seriously harmful, and especially so in National Parks. There is little reason to think that, as suggested at paragraph 74 of the consultation document, conversion of barns in National Parks would be likely to provide homes “for local people” or “support local communities”.</p> <p>For the reasons given previously,</p>

		it would be preferable for the right to be removed.
Q.32 Do you agree that the right be amended to apply to other buildings on agricultural units that may not have been solely used for agricultural purposes?	No.	This would enlarge the existing 'loophole' which enables dwellings to be created in unsuitable locations. For the reasons given previously, it would be preferable for the right to be removed.
Q.33 Are there any specific uses that you think should benefit from the right? If yes, please give examples of the types of uses that the right should apply to.	No.	n/a
Q.34 Are there any specific uses that you think should not benefit from the right? If yes, please give examples of the types of uses that the right should not apply to.	Yes.	All uses, for the reason given at Q.32.
Q.35 Do you agree that the right be amended to apply to agricultural buildings that are no longer part of an agricultural unit?	No.	This would enlarge the existing 'loophole' which enables dwellings to be created in unsuitable locations. For the reasons given previously, it would be preferable for the right to be removed.
Q.36 Do you agree that any existing building must already have an existing suitable access to a public highway to benefit from the right?	Yes.	Yes, if the right if the right were to be retained or expanded. Otherwise, the adverse impacts on the countryside / Green Belt would be further increased.

		However, for the reasons given previously, it would be preferable for the right to be removed.
<p>Q.37 Do you have a view on whether any changes are required to the scope of the building operations permitted by the right?</p> <p>If yes, please provide details.</p>	No.	n/a
<p>Q.38 Do you have a view on whether the current planning practice guidance in respect of the change of use of agricultural buildings to residential use should be amended?</p> <p>If yes, please provide details of suggested changes.</p>	No.	n/a
<p>Q.39 Do you agree that permitted development rights should support the change of use of buildings in other predominantly rural uses to residential?</p> <p>If yes, please specify which uses.</p>	No.	<p>This would enlarge the existing 'loophole' which enables dwellings to be created in unsuitable locations.</p> <p>For the reasons given previously, it would be preferable for these rights to be removed.</p>
<p>Q.40 Are there any safeguards or specific matters that should be considered if the right is extended to apply to buildings in other predominantly rural uses?</p>	No.	We consider that the right should not be extended.

<p>If yes, please specify.</p>		
<p>Q.41 Do you think that any of the proposed changes in relation to the Class Q permitted development right could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Q.42 Do you think that changes to Class Q will lead to the delivery of new homes that would not have been brought forward under a planning application?</p>	<p>Yes.</p>	<p>The changes would probably result in the delivery of a limited number of new homes, many of which would be delivered in circumstances where, having regard to all the relevant considerations (of which the number of new homes should not be the only one), it would be preferable that they were not delivered.</p> <p>However, the need to submit a planning application (or to submit an application for prior approval under the current arrangements) is unlikely to be a significant deterrent to owners or developers who have well-thought-out proposals for new homes.</p>
<p>Supporting the agricultural sector through additional flexibilities</p>		
<p>Q.43 Do you agree that permitted development rights should support the change of use of other buildings in a</p>	<p>No.</p>	<p>Such changes of use should continue to be assessed via planning applications, so that all relevant issues can be taken into</p>

<p>predominantly rural land use to a flexible commercial use?</p> <p>If yes, please specify which uses.</p>		<p>account.</p> <p>For the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Q.44 Do you agree that the right be amended to allow for buildings and land within its curtilage to be used for outdoor sports, recreation or fitness?</p>	<p>No.</p>	<p>Such changes of use should continue to be assessed via planning applications, so that all relevant issues can be taken into account.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p> <p>With regard to paragraph 104 of the consultation document, Class E already allows a very great deal of 'flexibility', with many potentially harmful consequences.</p>
<p>Q.45 Do you agree that the right be amended to allow buildings to change use to general industrial, limited to only allow the processing of raw goods produced on the site and which are to be sold on the site, excluding livestock?</p>	<p>No.</p>	<p>Such changes of use should continue to be assessed via planning applications, so that all relevant issues can be taken into account.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.46 Should the right allow for the change of uses to any other flexible commercial uses?</p> <p>If yes, please specify which uses.</p>	<p>No.</p>	<p>Such changes of use should continue to be assessed via planning applications, so that all relevant issues can be taken into account.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.47 Do you agree that the right be amended to allow for a mix of the permitted uses?</p>	<p>Yes.</p>	<p>Yes, only if the right is to be retained, as this may slightly simplify the arrangements.</p> <p>However, for the reasons given previously, it would be preferable</p>

		for the right to be removed.
Q.48 Do you agree that the right be amended to increase the total amount of floorspace that can change use to 1,000 square metres?	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously, it would be preferable for the right to be removed.
Q.49 Is the trigger as to whether prior approval is for required set at the right level (150 square metres)? If not, please say what it should be, and give your reasons.	No.	For the reasons given previously, it would be preferable for the right to be removed, so there would be no ‘trigger’, and for a planning application to be required in all cases.
Q.50 Do you think that any of the proposed changes in relation to the Class R permitted development right could impact on: a) businesses b) local planning authorities c) communities? Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	Yes.	The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities. However, for the reasons given previously, it would be preferable for the right to be removed.
Q.51 Do you agree that the ground area limit of new buildings or extensions erected under the right be increased from 1,000 to 1,500 square metres?	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously, it would be preferable for the right to be removed.
Q.52 Do you agree that we remove the flexibility for extensions and the erection of new buildings where there is a designated scheduled monument?	Yes.	The current arrangements enable significant harm to important heritage assets.
Q.53 Do you agree that the right be amended to allow extensions of up to 25% above the original building cubic content?	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously,

		it would be preferable for the right to be removed.
Q.54 Do you agree that the right be amended to allow the ground area of any building extended to reach 1,250 square metres?	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously, it would be preferable for the right to be removed.
Q.55 Do you agree that we remove the flexibility for extensions where there is a designated scheduled monument?	Yes.	The current arrangements enable significant harm to important heritage assets.
Q.56 Do you think that any of the proposed changes in relation to the Part 6 permitted development rights could impact on: a) businesses b) local planning authorities c) communities? Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	Yes.	The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities. However, for the reasons given previously, it would be preferable for the right to be removed.
Supporting businesses and high streets through greater flexibilities		
Q.57 Do you agree that the maximum floorspace limit for the extension or alteration to a Commercial, Business and Service establishment on non-protected land is increased to either 200 square metres or a 100% increase over the original building, whichever is lesser?	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously, it would be preferable for the right to be removed.
Q.58 Do you agree that the maximum floorspace of a new industrial and/or warehousing building on non-protected land permitted under the Part 7 Class H permitted development right	No.	This would further increase the likelihood of adverse impacts. For the reasons given previously, it would be preferable for the right to be removed.

<p>be amended to 400 square metres?</p>		
<p>Q.59 Do you agree that the maximum floorspace of a new industrial and/or warehousing extension on non-protected land be increased to either 1,500 square metres or a 75% increase over the original building, whichever is lesser.</p>	<p>No.</p>	<p>This would further increase the likelihood of adverse impacts.</p> <p>For the reasons given previously, it would be preferable for the right to be removed.</p>
<p>Q.60 Do you think that any of the proposed changes in relation to the Part 7 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” businesses, authorities and communities.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Q.61 Do you agree that the permitted development right for the temporary use of land should be amended so that markets can operate either:</p> <p>a) 28 days per calendar year (in line with other uses permitted under the right) b) A different number of days per calendar year c) No change d) Don't know</p> <p>Please give your reasons. If you have chosen a different number of days per calendar year, please specify what number of days the right should provide for?</p>	<p>No change.</p>	<p>A larger number of days would increase the likelihood of adverse impacts; however, the current number seems appropriate.</p>
<p>Q.62 Do you think that any of the proposed changes in relation to the Part 4 permitted</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact</p>

<p>development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>		<p>on” businesses, authorities and communities.</p> <p>However, for the reasons given previously, it would be preferable for the rights to be removed.</p>
<p>Ensuring the sufficient capacity of open prisons</p>		
<p>Q.63 Do you agree that the existing Class M of Part 7 permitted development right is amended to additionally apply to open prisons?</p>	<p>Don't know.</p>	<p>The Council has no prisons within its area and no opinion on this issue.</p>
<p>Q.64 Do you agree that there should be a prior notification process where the development under the Class M of Part 7 right is being used for open prisons?</p>	<p>Don't know.</p>	<p>The Council has no prisons within its area and no opinion on this issue.</p>
<p>Q.65 Do you think that the proposed changes to the Class M of Part 7 permitted development right in relation to open prisons could impact on: a) businesses b) local planning authorities c) communities?</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p>	<p>The question seems rather unclear: the proposed changes are clearly intended to “impact on” authorities and communities.</p> <p>However, this is not a relevant issue for Broxtowe.</p>
<p>Public Sector Equality Duty</p>		
<p>Q.66 Do you think that the changes proposed in this consultation could give rise to any impacts on people who</p>	<p>No.</p>	<p>It seems clear that the proposals would have no impacts of this kind.</p>

share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).		
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1. Financial Implications: None
2. Legal Implications: None
3. Human Resources Implications: None
4. Union Comments: Not applicable
5. Climate Change Implications: None
6. Data Protection Compliance Implications: None
7. Equality Impact Assessment: Not applicable
8. Background Papers: None

Recommendation

The Committee is asked to RESOLVE that the consultation responses in Appendices 1 and 2 are sent to the Government.

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APPENDIX 2

Government Question	Proposed Response
<p>Chapter 1: Plan content</p>	
<p>Question 1: Do you agree with the core principles for plan content? Do you think there are other principles that could be included?</p>	<p>Yes, broadly we agree with the “additional core principles” referred to at paragraphs 19-24.</p> <p>(It would be helpful to clarify the relationship between the “key diagram” (paragraph 23) and the “policies map” (paragraph 24); and to clarify the relationship between the policies map and the plan itself (paragraph 15 seems to indicate that the map is separate from (“in addition” to) the plan).</p> <p>The term “golden thread” (paragraph 21), as in the NPPF, is perhaps rather unclear and not particularly helpful.)</p>
<p>Question 2: Do you agree that plans should contain a vision, and with our proposed principles [for] preparing the vision? Do you think there are other principles that could be included?</p>	<p>The proposals regarding “visions” could potentially be valuable, and the “principles” referred to at paragraph 25 are appropriate.</p> <p>Further clarification of the proposals and principles would be helpful, including via the “template” referred to at paragraph 28.</p> <p>Clarification might include whether the reference at paragraph 26 to visions being “able to respond” suggests that they might be amended after the plan has been adopted.</p> <p>Clarification might also include the relationship between the “key diagram” (paragraph 26) and policies map.</p> <p>(With regard to paragraph 25, it may be helpful for forthcoming guidance to recognise the difficulties with ensuring that plans “sufficiently capture” the “views of the communities”, unless the plans propose very little development; and the difficulties of reflecting the views of</p>

	various “communities” with different interests.)
Question 3: Do you agree with the proposed framework for local development management policies?	Broadly yes.
Question 4: Would templates make it easier for local planning authorities to prepare local plans? Which parts of the local plan would benefit from consistency?	<p>Yes, the use of “templates” could be valuable. Helping users to “navigate and engage with” plans (paragraph 33) is important and all parts of the local plan might benefit from consistency.</p> <p>However, a lot will depend on the details of these “templates”. ‘Suggestions’ (paragraph 35) would be welcome and “flexibility” (paragraph 36) would be important; however, there appears to be a risk of over-emphasis on ‘standardisation’ (paragraph 34), as local variations could well be appropriate.</p>
Question 5: Do you think templates for new style minerals and waste plans would need to differ from local plans? If so, how?	Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.
Chapter 2: The new 30 month plan timeframe	
Question 6: Do you agree with the proposal to set out in policy that planning authorities should adopt their plan, at the latest, 30 months after the plan preparation process begins?	<p>Other things being equal, quicker plan preparation benefits everyone. However, the 30-month period does not appear to make sufficient allowance for factors which are mainly out of the control of authorities, such as changes to government policy, or the examination taking longer than expected.</p> <p>As suggested at paragraph 45, it would not be helpful if timings were to be rigidly imposed. For example, it would be very counter-productive if the plan-making process was required to ‘start again’ if the 30-month (or 34-month) period expired when a plan was about to be submitted, or when an inspector was preparing a report.</p> <p>Consistency of approach at government level would help in avoiding delays, as</p>

	<p>would the removal of, arguably, excessive requirements for evidence. (The use of the term “proportionate evidence” in Figure 1, as also used in NPPF paragraph 35, does not in itself help in this regard.)</p>
<p>Question 7: Do you agree that a Project Initiation Document will help define the scope of the plan and be a useful tool throughout the plan making process?</p>	<p>This approach could be valuable, depending on the subsequent details.</p> <p>It would be helpful if subsequent policy and guidance made government expectations clear, minimising the use of terms such as “might” (as in paragraph 51 of the consultation document).</p>
<p>Chapter 3: Digital plans</p>	
<p>Question 8: What information produced during plan-making do you think would most benefit from data standardisation, and/or being openly published?</p>	<p>Relevant information includes the policies map, site allocations, SHLAA/SHELAA and monitoring.</p> <p>Data standardisation is a long overdue requirement but will need to include schemas and capture scale to produce data that can be aggregated between systems and planning authorities easily.</p> <p>Open data released should adhere to international formats for structure and metadata and only be data that isn’t available from other open data sources.</p> <p>Not all data on plans is from the Local Planning Authority, so guidelines will need to include information for these circumstances and how to handle licences / memorandums of understanding.</p> <p>Any data that would aid evidence gathering and monitoring within the minimum requirements mandated for planning authorities should also be considered, even if not held by planning authorities.</p>
<p>Question 9: Do you recognise and agree</p>	<p>With regards to plans being static etc</p>

<p>that these are some of the challenges faced as part of plan preparation which could benefit from digitalisation? Are there any others you would like to add and tell us about?</p>	<p>(paragraph 71), this is not a problem for plan preparation but, yes, they do go out of date quickly; yet the snapshot in time can be useful and some organisations and demographics want printed plans even if there is an interactive option available. Digital first but not digital only is less likely to discriminate against certain demographics. If plans are more frequent some of the concern around currency has less of an impact.</p> <p>General lack of investment in data and system experts within planning departments may hinder adoption of digital first plans and the efficiencies that digital / machine readable formats could provide.</p> <p>National geospatial agreements and licences need to be considered when determining what data to release and, also, whether conflict between laws and licences will have an impact on release.</p> <p>We agree with the third bullet point of paragraph 71 regarding “fear of challenge at examination” driving “over production of evidence”; and with the sixth bullet point regarding the importance of monitoring and feedback.</p>
<p>Question 10: Do you agree with the opportunities identified? Can you tell us about other examples of digital innovation or best practice that should also be considered?</p>	<p>Broadly yes, we agree.</p> <p>The links between evidence, plan and monitoring should be part of the same system so that a continuous data loop is formed with everything kept in machine readable format, utilising the tools available – i.e. consultation responses could be in csv to be imported into a system that can then be searched. This sort of machine readable format should persist and be acceptable across the process – standardisation of schemas and data captured could then ensure that data is passed in those formats to other interested organisations for use within their processes – consultees, inspectorate etc.</p>

<p>Question 11: What innovations or changes would you like to see prioritised to deliver efficiencies in how plans are prepared and used, both now and in the future?</p>	<p>Please see our response to question 10.</p> <p>We agree with the reference in Figure 2, part 7, to the potential for “automation tools to speed up labour intensive tasks such as processing feedback from consultations”. However, this would need to be done in a way that did not oversimplify important points made by consultees.</p>
<p>Chapter 4: The local plan timetable</p>	
<p>Question 12: Do you agree with our proposals on the milestones to be reported on in the local plan timetable and minerals and waste timetable, and our proposals surrounding when timetables must be updated?</p>	<p>Depending on the subsequent details, these appear to be helpful proposals.</p>
<p>Question 13: Are there any key milestones that you think should automatically trigger a review of the local plan timetable and/or minerals and waste plan timetable?</p>	<p>The three “gateways” (as referred to at paragraph 79) would probably be the most relevant “milestones”.</p>
<p>Chapter 5: Evidence and the tests of soundness</p>	
<p>Question 14: Do you think this direction of travel for national policy and guidance set out in this chapter would provide more clarity on what evidence is expected? Are there other changes you would like to see?</p>	<p>Potentially yes, this could be helpful.</p> <p>It is unclear how the removal of the ‘justified’ soundness test (referred to at paragraph 87) would help, as it is this test that already expects evidence to be “proportionate”. However, clarification of the term “proportionate” (referred to at paragraph 89), could be helpful. This could include guidance on the extent to which transport modelling is needed and the extent to which consultants’ advice on retail / town centre issues is needed.</p>
<p>Question 15: Do you support the standardisation of evidence requirements for certain topics? What evidence topics do you think would be particularly important or beneficial to</p>	<p>We agree that some standardisation could be helpful. This could include (as mentioned at paragraph 95) economic development needs assessments, HELAAs and transport assessments.</p>

<p>standardise and/or have more readily available baseline data?</p>	<p>Housing need assessments and Environmental Outcome Reports would also benefit from standardisation.</p>
<p>Question 16: Do you support the freezing of data or evidence at certain points of the process? If so which approach(es) do you favour?</p>	<p>It would certainly be helpful to ‘freeze’ the evidence at the point of publication of the plan (paragraph 97, third bullet point).</p> <p>The other two approaches referred to at paragraph 97 may also be helpful, depending on what the government has in mind regarding “certain evidence topics or documents”.</p>
<p>Question 17: Do you support this proposal to require local planning authorities to submit only supporting documents that are related to the soundness of the plan?</p>	<p>Yes, this is a helpful proposal, particularly as regards the move from evidence that is “relevant” to that which is “necessary” (paragraph 99).</p>
<p>Chapter 6: Gateway assessments during plan-making</p>	
<p>Question 18: Do you agree that these should be the overarching purposes of gateway assessments? Are there other purposes we should consider alongside those set out above?</p>	<p>Yes, these purposes could result in the “gateways” being a valuable part of the plan-making process.</p> <p>We have no suggestions for other purposes.</p>
<p>Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?</p>	<p>It would seem to be helpful if the first “gateway”, as well as the second and third, definitely involved planning inspectors (from PINS).</p> <p>Otherwise, the proposals seem likely to be helpful.</p> <p>(Incidentally, there appears to be some inconsistency between Figure 4 and paragraph 111 regarding whether inspectors would “always” conduct “Gateway 2” assessments.)</p>
<p>Question 20: Do you agree with our proposals for the gateway assessment process, and the scope of the key topics? Are there any other topics we should consider?</p>	<p>Yes, we agree with the proposals and no, we do not think that there are other topics that should be considered.</p>

<p>Question 21: Do you agree with our proposal to charge planning authorities for gateway assessments?</p>	<p>No, we do not agree. As this would appear to be an ‘additional burden’, it would seem to be appropriate for the costs to PINS of the “gateways” to be funded by the government (or for the government to refund LPAs for the costs).</p>
<p>Chapter 7: Plan examination</p>	
<p>Question 22: Do you agree with our proposals to speed up plan examinations? Are there additional changes that we should be considering to enable faster examinations?</p>	<p>Yes, we agree with the proposals and no, we do not propose additional changes.</p>
<p>Question 23: Do you agree that six months is an adequate time for the pause period, and with the government’s expectations around how this would operate?</p>	<p>Yes, six months seems reasonable, provided it is made clear that this would add 6 months on to the 30-month period.</p> <p>However, a required recommendation to withdraw a plan after that time (paragraph 124) seems bound to slow down, rather than speed up, the plan-making process.</p>
<p>Chapter 8: Community engagement and consultation</p>	
<p>Question 24: Do you agree with our proposal that planning authorities should set out their overall approach to engagement as part of their Project Initiation Document? What should this contain?</p>	<p>Yes, we agree with this proposal.</p> <p>The contents suggested at paragraph 139 seem appropriate.</p>
<p>Question 25: Do you support our proposal to require planning authorities to notify relevant persons and/or bodies and invite participation, prior to commencement of the 30 month process?</p>	<p>Yes, the proposals are likely to be an improvement on the current Regulation 18 requirements.</p> <p>(It is nevertheless, unfortunately, unlikely that ‘notification’ and ‘invitation’ will generate a great deal of useful input at the earliest stages of plan preparation.</p> <p>It may be helpful to amend references to the “30 month process” (paragraph 143) and the “30 month timeframe” (paragraph 148), as the “early participation” is in addition to the 30 months.)</p>

<p>Question 26: Should early participation inform the Project Initiation Document? What sorts of approaches might help to facilitate positive early participation in plan-preparation?</p>	<p>Yes, if constructive early responses are received, these could inform the Project Initiation Document.</p> <p>(Experience at Broxtowe unfortunately suggests that any arrangements may struggle to generate “positive early participation” before draft policies and proposals emerge.)</p> <p>There could be a section in the Project Initiation Document on the sorts of responses received and how the authority has considered these, although this could be a lengthy exercise.</p> <p>A number of approaches could be used (all with varying degrees of resources needed in terms of both time and finances, which will need to be considered) – such as in person workshops, online workshops, leaflets, social media, letters to residents.</p>
<p>Question 27: Do you agree with our proposal to define more clearly what the role and purpose of the two mandatory consultation windows should be?</p>	<p>Yes, we agree that the role and purpose should be clearly defined.</p> <p>(Although it may be doubtful whether many helpful responses will be received at the first “window” (paragraph 153) regarding the “vision” and “broad options”.)</p>
<p>Question 28: Do you agree with our proposal to use templates to guide the form in which representations are submitted?</p>	<p>Yes, we agree with this proposal, as it may streamline the process and make it easier to collate and evaluate responses, saving a lot of time.</p> <p>However, it would be essential that the ‘machine reading’ used (paragraph 155) were able to genuinely pick up the key points made in representations (rather than, for example, simply recording ‘votes’ for or against a particular policy or proposal).</p>
<p>Chapter 9: Requirement to assist with certain plan-making</p>	

<p>Question 29: Do you have any comments on the proposed list of prescribed public bodies?</p>	<p>The most important bodies of those listed in Table 2 would include the Environment Agency, “Heritage England” (should this read ‘Historic England’?), Natural England, “Homes and Communities Agency” (now ‘Homes England’?), Integrated Care Boards, Highway Authority, Local Nature Recovery Strategy responsible authorities, Lead Local Flood Authority, Sport England, Energy Undertakers, Water and Sewerage Undertakers, County Councils and the Coal Authority.</p>
<p>Question 30: Do you agree with the proposed approach? If not, please comment on whether the alternative approach or another approach is preferable and why.</p>	<p>Yes.</p>
<p>Chapter 10: Monitoring of plans</p>	
<p>Question 31: Do you agree with the proposed requirements for monitoring?</p>	<p>Yes.</p>
<p>Question 32: Do you agree with the proposed metrics? Do you think there are any other metrics which planning authorities should be required to report on?</p>	<p>Generally, the proposed metrics in Table 3 are reasonable. However: monitoring “net change in employment floorspace” has been made difficult or impossible as a result of the introduction of Use Class E, which combines some ‘employment’ uses (former Class B1) with a wide range of other uses; “net change in designated open space” is largely beyond the influence of local plans; and, as noted in the Table, further thought will be needed regarding “progress toward net zero emissions from buildings”.</p> <p>We do not think there are other metrics which authorities should be required to report on.</p>
<p>Chapter 11: Supplementary plans</p>	
<p>Question 33: Do you agree with the suggested factors which could be taken into consideration when assessing whether two or more sites are ‘nearby’ to</p>	<p>The suggested factors, in themselves, seem reasonable.</p> <p>However, the concept that supplementary</p>

<p>each other? Are there any other factors that would indicate whether two or more sites are 'nearby' to each other?</p>	<p>plans should be “site specific or relate to two or more sites which an authority consider nearby to each other” (paragraph 188) is unclear and potentially problematic. Supplementary plans could be valuable with regard to “unforeseen circumstances” (paragraph 175) which relate to a part of the authority’s area which is limited in extent but which might not be readily described as being one or more “sites”. This might apply, for example, to emerging issues with HMOs.</p> <p>It will be important that forthcoming regulations, policy and guidance allow authorities flexibility, with regard to location and subject matter, to introduce supplementary plans in such circumstances.</p>
<p>Question 34: What preparation procedures would be helpful, or unhelpful, to prescribe for supplementary plans? e.g. Design: design review and engagement event; large sites: masterplan engagement, etc.</p>	<p>The appropriate types of preparation procedures are likely to vary with the particular plan (as mentioned at paragraph 191), so it seems unlikely to be helpful for fixed procedures to be prescribed. Examples could however be provided in practice guidance, including those referred to in the question.</p>
<p>Question 35: Do you agree that a single formal stage of consultation is considered sufficient for a supplementary plan? If not, in what circumstances would more formal consultation stages be required?</p>	<p>Yes, a single formal stage of consultation would be appropriate. No further consultations would be necessary.</p>
<p>Question 36: Should government set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes? If so, what thresholds would be most helpful? For example, minimum size of development planned for, which could be quantitative both in terms of land use and spatial coverage; level of interaction of proposal with sensitive designations, such as environmental or heritage.</p>	<p>Yes. Although thresholds are likely to be difficult to define, it would be helpful for guidance or policy to try to do so, at least in broad terms. Some less complex and/or less controversial supplementary plans, such as those with low “level of interaction of proposal with sensitive designations” (question 36), would be likely to be suitable for examination by “an examiner of the authority’s choosing” (paragraph 197), rather than by the Planning Inspectorate.</p>
<p>Question 37: Do you agree that the approach set out above provides a proportionate basis for the independent</p>	<p>Yes, the approach set out is broadly appropriate (subject to the points made regarding questions 33 and 36).</p>

<p>examination of supplementary plans? If not, what policy or regulatory measures would ensure this?</p>	<p>However, it is likely that the proposed approach will have significant time and resource implications for preparing supplementary plans. There is a need to ensure that the requirements do not result in a level of burden on local authorities which would prevent them coming forward.</p>
<p>Chapter 12: Minerals and waste plans</p>	
<p>Question 38: Are there any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan-making system?</p>	<p>Broxtowe is not a minerals or waste planning authority and we do not have any comments on this question.</p>
<p>Chapter 13: Community Land Auctions</p>	
<p>Question 39: Do you have any views on how we envisage the Community Land Auctions process would operate?</p>	<p>The principle of “Community Land Auctions” is fundamentally wrong.</p> <p>They will provide a strong, perverse, financial incentive, to both landowners and authorities, for land to be allocated for development in the least appropriate locations, where ‘hope value’ is very low (because, for example, the land concerned is relatively remote from services and facilities, and/or because it is in a location that is particularly valuable for landscape or wildlife, etc) and therefore where financial benefits, for landowners and authorities, are potentially very high.</p> <p>Although paragraph 221 refers to the continuing requirement to “prepare local plans with the objective of contributing to the achievement of sustainable development”, in the context of “Community Land Auctions” the concept of “sustainable development” will have become all but meaningless.</p>
<p>Question 40: To what extent should</p>	<p>To no extent at all.</p>

<p>financial considerations be taken into account by local planning authorities in Community Land Auction pilots, when deciding to allocate sites in the local plan, and how should this be balanced against other factors?</p>	<p>Please see our response to question 39.</p>
<p>Chapter 14: Approach to roll out and transition</p>	
<p>Question 41: Which of these options should be implemented, and why? Are there any alternative options that we should be considering?</p>	<p>The ‘proposed approach’ (paragraphs 243-246) seems preferable.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p> <p>Two-part plans work well, as in Greater Nottingham. Mechanisms must be in place, through forthcoming regulations, policy and guidance, to ensure that two-part plans can continue. Without them, cross-boundary planning and genuinely strategic planning are likely to be made much more difficult, or impossible.</p>
<p>Chapter 15: Saving existing plans and planning documents</p>	
<p>Question 42: Do you agree with our proposals for saving existing plans and planning documents? If not, why?</p>	<p>Yes.</p> <p>However, it should be made clear how current two-part plans will be addressed.</p>
<p>Equalities impacts</p>	
<p>Question 43: Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?</p>	<p>We are not aware of any potential adverse impacts.</p>