



Tuesday, 28 November 2023

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 6 December 2023 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 6.00 pm.

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

Yours faithfully

Chief Executive

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

## A G E N D A

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 5 - 40)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 8 November 2023.

Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB

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4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 23/00606/REG3 (Pages 41 - 56)

Install external wall insulation to the front, side and rear of  
68-82 Princes Street  
68-82 Princes Street, Eastwood, Nottinghamshire

5.2 23/00689/FUL (Pages 57 - 68)

Construct two storey side and rear extensions  
74 Moorgreen, Newthorpe, Nottinghamshire, NG16 2FB

5.3 23/00681/FUL (Pages 69 - 80)

Construct Juliet balcony to rear and insertion of roof lights  
and wall and gates to front.  
70 Beeston Fields Drive, Bramcote

5.4 23/00750FUL (Pages 81 - 94)

Construct two storey side extension, two storey front  
extension including canopy over, additions to roof including  
half hipped roofs to facilitate increase in height of overall  
building, single storey rear extension, rear dormer,  
installation of external wall insulation, installation of PV  
panels to the resulting roof front and rear, changes to glazed  
openings and external finishes, new front boundary wall and  
driveway. (Revised scheme)  
5 Audon Avenue, Chilwell.

6. INFORMATION ITEMS

6.1 Delegated Decisions (Pages 95 - 104)

7. EXCLUSION OF PUBLIC AND PRESS

**The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.**

8. KIMBERLEY BREWERY SITE UPDATE (Pages 105 - 110)
9. 23/00035/ENF (Pages 111 - 116)

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## PLANNING COMMITTEE

WEDNESDAY, 8 NOVEMBER 2023

Present: Councillor D Bagshaw, Chair

Councillors: R S Falvey (Vice-Chair)  
P J Bales  
L A Ball BEM  
R E Bofinger  
G S Hills  
G Marshall  
D D Pringle  
D K Watts  
R Bullock (Substitute)  
V C Smith (Substitute)  
S Webb (Substitute)

Also in attendance were Councillor A Kingdon and Councillor J M Owen.

The officers in attendance were R Ayoub, R Dawson, C Hallas, S Heron and K Newton.

Apologies for absence were received from Councillors G Bunn, S J Carr, H E Skinner and P A Smith and E Williamson.

### 31 DECLARATIONS OF INTEREST

Councillor R Bullock declared a non-registrable, personal interest in item 5.6 as he was acquainted with the agent. Minute number 34.6 refers.

Councillor P Bales declared a non-registrable, personal interest in item 5.9 as he was acquainted with the objector to the application. Minute number 34.9 refers.

### 32 MINUTES

The minutes of the meeting on 4 October 2023 were confirmed and signed as a correct record.

### 33 NOTIFICATION OF LOBBYING

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

34 DEVELOPMENT CONTROL

34.1 23/00512/FUL

Construct ground floor side / rear extension  
97 Lynncroft, Eastwood, Nottinghamshire, NG16 3ER

This item was deferred at the meeting of 4 October 2023.

The late items were noted and comprised of a plan demonstrating the difficulty in providing parking to the rear of the property.

There were no public speakers.

Having considered all of the information before it, the Committee debated the application. It was stated that there would be a number of benefits to the renovation of the property, but that the intensity of the development would impact negatively on neighbour amenity, in particular car parking. There was a discussion about the possibility of listing the building, though it was noted that the initial attempt had been rejected and the subsequent appeal was yet to be determined.

**RESOLVED that planning permission be refused with the reasons to include the intensification of use exacerbating existing car parking issues.**

**RESOLVED that the precise wording of the refusal be delegated to the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.**

Reasons

The development, by virtue of the potential level of occupation and, as a result, increased demand for on-street parking, would have a detrimental impact on highway safety contrary to Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

34.2 22/00967/FUL

Construct 470 dwellings and associated access, public open space, drainage, infrastructure, earthworks and ancillary enabling works  
Land East of Coventry Lane, Bramcote, Nottinghamshire

The application was brought to the Committee at the request of Councillor D K Watts on behalf of all Bramcote Ward Councillors.

A number of late items were considered by the Committee, including an amendment to the resolution to include reference to the signing of the Section 106 Agreement. There were also a number of comments from residents and partner agencies.

Andrea Caplan, the applicant and Councillor A Kingdon, Ward Member, made representation to the Committee prior to the general debate. The Committee also noted a statement from Councillor S J Carr.

Having considered all the evidence, the Committee debated the item with particular concerns regarding the design of the scheme, flooding at the site and the travel plan. There was also discussion of the grass habitats, Section 106 contributions and the access to the site.

The debate progressed on to the need for housing and it was noted that the site was allocated for development in the Local Plan.

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

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

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

- 2. The development hereby permitted shall be carried out in accordance with drawings numbered:**

- 47039/001 REV A - Proposed Exploratory Hole Location**
- 47039/002 REV A - Proposed Exploratory Hole Location**

**Received by the Local Planning Authority on 05.12.22**

**Boundary treatments:**

- SD 12-045 - Hedgehog Highway Standard Design**
- SD 12-001 – Boundary Treatment**
- SD 12-010 – Boundary Treatment**
- SD 12-025 – Boundary Treatment**
- Q9229 – Play Equipment**

**Received by the Local Planning Authority on 28.04.23**

- 500-005 – Single Gable Front Garage**
- 502-006 – Double Side Gable Garage**
- 503-006 – Double Hipped Garage**
- 506-006 – Jack and Jill Hipped Garage**

**Received by the Local Planning Authority on 02.05.23**

**House types:**

- APP/0-001 REV A**
- APP/0-002 REV A**
- ASK/END/0-001.5 REV A**
- ASK/END/0-002.5 REV A**
- ASK/MID/0-001.5 REV A**
- ASK/MID/0-002.5 REV A**

- BAI/0-001 REV A (END)
- BAI/0-002 REV A (END)
- BAI/0-001 REV A (MID)
- BAI/0-002 REV A (MID)
- BIL/0-001 REV A
- BIL/0-002 REV 2
- COO/0-001.5 REV A
- COO/0-002.5 REV A
- COV/0-001 REV A
- COV/0-002-REV A
- DAL/0-001 REV A
- DAL/0-002 REV A
- DAR/0-001.5 REV A
- DAR/0-002.5 REV A
- EAS/END/0-001.5 REV A
- EAS/END/0-002.5 REV A
- EAS/MID/0-001.5 REV A
- EAS/MID/0-002.5 REV A
- FER/END/0-001.5 REV A
- FER/END/0-002.5 REV A
- HOR/0-001 REV A
- HOR/0-002 REV A
- LEY/DET/0-001 REV A
- LEY/DET/0-002 REV A
- OAK/0-001 REV A
- OAK/0-002 REV A
- RIP/END/0-001.5 REV A
- RIP/END/0-002.5 REV A
- SAL/END/0-001.5 REV A
- SAL/END/0.002.5 REV A
- THO/DET/0-001.5 REV A
- THO/DET/0-002.5 REV A
- B3/0.001 REV A (END)
- B3/0.002 REV A (END)
- B3/0-001 REV A (MID)
- B3/0-002 REV A (MID)
- E2.1/END/0-001.5 REV A
- E2.1/END/0-002.5 REV A
- E2.1/MID/0-001.5 REV A
- E2.1/MID/0-002.5 REV A
- MILLER HOMES HOUSE TYPE PACK

Received by the Local Planning Authority on 18.08.23

- 6220-261 (Boundary treatment plan)
- NC1v-004 REV 1.1 (substation details)
- SD 12-027 (Timber knee rail)

Received by the Local Planning Authority on 01.09.23

Detailed landscaping proposals:



- 3942/6 REV A
- 3942/7 REV A
- 3942/8 REV A
- 3942/9 REV A
- 3942/10 REV A
- 3942/11 REV A

Received by the Local Planning Authority on 08.09.23

- 6220-201 REV D (Site Layout)
- 6220-290 REV B (Tracking Plan)

Received by the Local Planning Authority on 20.09.23

- ADC2733-DR-001 REV P5 (Off-site Highway works)

Received by the Local Planning Authority on 25.09.23

- 6220-270 Rev A - Bus Stop Distribution Plan
- 6220-280 Rev B - Ecological Mitigation Plan
- 6220-250 Rev B - Materials Layout
- 6220-260 Rev C – Boundary Treatment
- BRAM/PL003 REV B - Materials Plan
- BRAM/PL/004 REV A - Boundary Treatment

Received by the Local Planning Authority on 04.10.23

- 6220-220 Rev A – Site Sections

Received by the Local Planning Authority on 10.10.23

In addition to the above, the development as hereby approved shall be phased in accordance with the details shown on drawing number 6220-201 Rev D (site layout), unless otherwise agreed in writing by the Local Planning Authority.

*Reason: For the avoidance of doubt.*

3. (a) No part of the development hereby approved within a phase, (excluding the carrying out of any site investigation and/or remediation works) shall be commenced until an investigative survey of the phase 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 within a phase to be erected pursuant to this permission shall be first occupied or brought into use until:

**i) all the necessary remedial measures for that phase have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and**

**ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures for that phase have been implemented in full and that they have rendered the phase free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.**

***Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).***

**4 The development hereby permitted within a phase shall not be commenced (excluding the carrying out of any site investigation and/or remediation works) until:**

**a) any remediation works and/or mitigation measures to address the mine entries and the shallow coal mine workings, as may be necessary, have been implemented within a phase in full in order to ensure that the site within that phase is safe and stable for the development proposed.**

**The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.**

**Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019)**

**5. The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy for that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme for that phase shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:**

- Demonstrate that the development will use SuDS throughout the phase as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.**
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area within that phase.**
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme for that phase, including details on any attenuation system, the outfall arrangements and any private drainage assets within that phase.**

**Calculations should demonstrate the performance of the designed system for a range of return periods and storm**

**durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.**

- No surcharge shown in a 1 in 1 year.**
- No flooding shown in a 1 in 30 year.**
- For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.**
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from that phase.**
- Provide a surface water management plan for that phase demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.**
- Evidence of how the on-site surface water drainage systems for that phase shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.**

***Reason: To ensure the development is in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of Broxtowe Part 2 Local Plan (2019).***

- 6. No above ground works shall be commenced within a phase until details including samples of all external materials for that phase have first been submitted to and approved in writing. The development shall thereafter be carried out in accordance with the approved details.**

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

- 7. The development hereby permitted shall not be commenced within a phase, (excluding the carrying out of any site investigation and/or remediation works) until details of any necessary piling or other penetrative foundation design for that phase have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.**

***Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).***

- 8. The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) until details of a Construction Method Statement for that phase shall have been submitted to and approved in writing by the Local Planning Authority. The statement shall include:**

- a) The means of access and routing to / from the site for construction traffic;**
- b) Parking provision for site operatives and visitors;**

- c) The loading and unloading of plant and materials including details of hours of loading / unloading;
- d) The storage of plant and materials used in construction of the development;
- e) A scheme for the recycling / disposal of waste resulting from construction / development works;
- f) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- g) Details of dust and noise suppression to be used during the construction period;
- h) Full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence: and
- i) Details, where vibro-compaction machinery is to be used i)  
  - Details, where vibro-compaction machinery is to be used, of the use of such machinery and a method statement.

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

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

9. No development (excluding the carrying out of any site investigation and/or remediation works) within a phase shall take place until a programme of archaeological work within a phase has been secured, in accordance with an approved Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall include a programme for the archaeological investigation and recording (including extant earthworks) of all significant remains across that phase with provision for post-excavation analysis, reporting and publication proportionate to the significance of the remains. The scheme shall thereafter be implemented in full accordance with the approved details.

**Reason:** *In order to safeguard potential designated and non-designated heritage assets in accordance with Policy 11 of the Broxtowe Aligned Core Strategy (2014), and Policy 23 of the Broxtowe Part 2 Local Plan (2019).*

10. No development within Phase 1 (excluding the carrying out of any site investigation and/or remediation works) shall take place until details of any above ground works associated with the pump station including elevations and plans of above ground structures, and any enclosures have first been submitted to and approved in writing by the Local Planning authority. The approved details shall be carried out in accordance with the agreed details.

**Reason:** *Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).*

11. No above ground works shall take place within a phase until a landscaping scheme for that phase has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:

- (a) measures for the protection of any trees, hedges and shrubs to be retained during the course of development
- (b) proposed boundary treatments including to public spaces including retained pond, public highways, and railway boundaries
- (c) proposed external lighting details (other than to the public highway / adopted roads)
- (d) enclosures pertaining to bin collection points where outwith dwelling curtilage

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

*Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).*

12. No above ground works shall take place until details of play equipment to be provided within the site has been submitted to and approved by the Local Planning Authority. This scheme shall include the following and shall thereafter be provided in accordance with the approved details:

- a) Appearance, position and location of the play equipment which shall include provision for accessible equipment and surfacing;
- b) Access and boundary treatments; and
- c) Timetable for delivery of the play area and associated equipment.

*Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).*

13. No above ground works shall take place within a phase until details of solar panels for that phase, including design, appearance and location, have been submitted to and approved by the Local Planning Authority. The solar panels shall thereafter be installed in accordance with the approved details prior to first occupation.

*Reason: In the interests of addressing climate change, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).*

14. Prior to the commencement of the development including any site investigation or land clearance works, a Landscape Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved LEMP.

*Reason: In the interests of ensuring that biodiversity enhancements can*

*be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).*

15. Prior to the commencement of the development within a phase including any site investigation or land clearance works, a detailed Construction and Environmental Management Plan (CEMP) for that phase shall be submitted to and approved by the Local Planning Authority. The Construction and Environmental Management Plan shall contain mitigation measures to ensure the protection of wildlife on the site. The development shall be implemented in accordance with the approved CEMP.

*Reason: In the interests of protecting existing environmental features and habitats during the construction period, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).*

16. Prior to the commencement of the development, a badger survey shall first be carried out and the results submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of safeguarding protected species, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).*

17. Prior to first occupation of the development within a phase, or the development within a phase being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the phase is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary for that phase to address the risks posed by the recorded mine entry.

*Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).*

18. No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new bus stops located on Coventry Lane fronting the development to the south of the access junction have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole; polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.

*Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).*

19. No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new pairs of bus stops (four in total) within the site including two safeguarded bus stop locations within the site to facilitate the counter direction operation and two stops with infrastructure to facilitate single direction working have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole; polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.

*Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).*

20. No dwelling shall be occupied until the off-site highway works relating to the site access, and no more than 50 dwellings shall be occupied until the associated highway improvements including improved cycle lanes shown indicatively on drawing reference ADC2733-DR-001 revision P5 received 25.09.23 have been provided.

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

21. No dwelling shall be occupied until the boundary enclosure, parking and access pertinent to that dwelling have first been provided in accordance with the approved details. Parking bays shall be surfaced in a material other than loose gravel for a minimum of 5 metres behind the highway boundary, and shall be constructed so as to prevent the discharge of surface water to the public highway and retained as such for the lifetime of the development.

*In the interests of the appearance of the area and to ensure highway safety and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).*

22. No dwelling shall be occupied until the noise mitigation measures as approved under BWB ref 220488-003 for that dwelling have been installed, and shall be retained for the lifetime of the development.

*Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).*

23. No dwelling shall be occupied until an Electric Vehicle Charging point for that dwelling has first been provided and made operational.

*Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and*

*Policy 20 of the Broxtowe Local Plan Part 2 (2019).*

24. No more than 10% dwellings within a phase shall be occupied until a travel plan co-ordinator has been appointed for that phase. The travel plan co-ordinator shall then be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan, and whose details of shall be submitted to the Local Planning Authority. The travel plan co-ordinator shall thereafter remain in place for a minimum period of 5 years to perform this role, with any changes in details to be submitted to the Local Planning Authority.

*Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).*

25. The revised Travel Plan (reference ADC2773-RP-D received 04.10.23) shall be implemented and monitoring carried out in accordance with the approved details contained within the Travel Plan.

*Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).*

26. If, during development, contamination not previously identified is found to be present at within a phase then no further development (unless otherwise agreed in writing with the local planning authority) within a phase shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

*Reason: In the interests of public health and safety as well as prevention of contamination to the water system and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policies 1 and 19 of the Broxtowe Local Plan Part 2 (2019).*

27. No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturdays and at no time on Sundays or Bank / Public Holidays.

*Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).*

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



variation.

***Reason: In the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).***

## **NOTES TO APPLICANT**

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
- 2. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto: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.**
- 3. The County Council Public Rights of Way team advise:**
  - There should be no disturbance to the surface of the paths without prior authorisation from the Rights of Way team.**
  - If the Public Right of Way is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.**
  - If a structure is to be built adjacent to the paths, the width of the right of way is not to be encroached upon.**
  - Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of Way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.**
  - The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line, ensuring that it is cut back so as not to interfere with the right of way.**
  - Should scaffolding be required on or over the RoW then the applicant should apply for a license via email [licences@viaem.co.uk](mailto:licences@viaem.co.uk) and ensure that the scaffold is constructed so as to allow the public use without interruption.  
If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), via email [countryside.access@nottsc.gov.uk](mailto:countryside.access@nottsc.gov.uk)**

If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit.

<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit> and also ensure that the RoW can still be accessed appropriately by the users permitted by its status e.g. equestrians if on a bridleway, motorised vehicles if on a byway open to all traffic.

4. The Council's Waste and Refuse team advise:

- Developer to purchase the first time provision of bins. Notice served in due course.
- Each property would be allocated the following:
  - 1 x 240 litre bin for residual waste
  - 1 x 240 litre bin for recycling waste
  - 1 x 37 litre bag for glass
- The size of a 240 litre bin is 1074mm (h) x 580mm (w) x 734mm (d)
- Bins need to be presented at the edge of adopted highway for emptying or within 15m of the adopted highway in accordance with BS5906 for properties on private roads
- The layout in the design and access statement appears to show some roads servicing properties are unadopted. The refuse vehicle and operatives will not enter these roads to collect, empty and return bins
- The road needs to be wide enough to accommodate the access and maneuvering of a vehicle with the attached specification

5. The Environment Agency advise:

The proposed development is located on or within 250 metres of a landfill site that is potentially producing landfill gas.

Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.

The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

Under the conditions of the environmental permit for the landfill, the operator is required to monitor for sub-surface migration of landfill gas from the site. An examination of our records of this monitoring show that there is no previous evidence of landfill gas migration from the site that could affect the proposed development. This environmental monitoring data from the site is available on our public register.

The following publications provide further advice on the risks from landfill gas and ways of managing these:

- Waste Management Paper No 27

- Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas'
- Building Research Establishment guidance – BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001
- Building Research Establishment guidance – BR 212 'Construction of new buildings on gas-contaminated land' 1991
- CIRIA Guidance – C665 'Assessing risks posed by hazardous ground gases to buildings' 200

**6. The Coal Authority advise:**

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

The undertaking of remedial measures, prior to the commencement of the development, is considered to be necessary. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: <https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

**7. Network Rail advise:**

**Wayleaves and or easements for underline drainage assets:**

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

**Protection of existing railway drainage assets within a clearance area:**

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection ([assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk)) for further information and assistance.

**Fail Safe Use of Crane and Plant**

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a 'fail safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following: crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

**Excavations/Earthworks**

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

**Security of Mutual Boundary**

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

**Demolition**

Any demolition or refurbishment works must not be carried out on the

development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

#### **Scaffolding**

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### **Bridge Strikes**

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

#### **Abnormal Loads**

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

#### **Two Metre Boundary**

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

#### **ENCROACHMENT**

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the

proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land they must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

#### Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

8. 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.
9. The Travel Plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year after 50% occupation, and produce monitoring reports at intervals as required by the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Local Planning Authority.
10. Nottinghamshire County Council as Highway Authority advise:
  - 1) Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible after Planning Permission is granted.  
  
Correspondence with Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)
  - 2) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at:

- 3) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring by installing wheel washing facilities on site.
- 4) In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) for details.

### 34.3 23/00510/FUL

Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. (Revised Scheme)

Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT

This application is brought to the Committee upon the request of Councillor D D Pringle.

There were no late items for the Committee to consider.

Marie Gilbert, supporting and Tim Allen, objecting on behalf of Historic England, made representation to the Committee prior to the debate.

The Committee, having paid due regard to the representations made to it, debated the item with particular reference to the current dilapidated state of the almshouses, the importance of preservation and the need to bring the buildings back into use. Local support for the application was noted.

It was proposed by Councillor G Marshall and seconded by Councillor R Falvey that, should the proposed development be approved, any permitted development rights should be removed. On being put to the meeting the motion was carried.

**RESOLVED that should the proposed development be approved, any permitted development rights should be removed.**

**RESOLVED that planning permission be granted with the wording of the approval to include conditions on plans, time, materials, boundary treatments and the removals of permitted development rights.**

**RESOLVED that the precise wording of the approval be delegated to the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.**

**Conditions:**

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawing(s) numbered Proposed South Elevation Image, 259/30, Proposed North Elevation Image, 2259/29B, Site Location Plan, 2259/15A, Proposed Site Block Plan, 2259/14J, Proposed Elevations, 2259/21H, Proposed Ground Floor Plan, 2259/12K, Proposed First Floor Plan, 2259/12I, Proposed Sections A,B,C and D, Tree and Arboricultural Impact Assessment (08.02.2021) received by the Local Planning Authority on 03 July 2023.**
- 3. No building operations shall be carried out until details of the manufacturer, type and colour of the materials to be used in facing Elevations, Roof, Windows, Doors, Bin/Cycle Storage Areas, Walls, Driveway/Parking Areas and Cycle/Bin Storage Areas 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.**
- 4. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
  - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
  - (b) numbers, types, sizes and positions of proposed trees and shrubs**
  - (c) proposed boundary treatments**
  - (d) proposed hard surfacing treatment**
  - (e) proposed lighting details**
  - (f) planting, seeding/turfing of other soft landscape areas**

**The approved scheme shall be carried out strictly in accordance with the agreed details.**
- 5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 6. 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.

- 7. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.
- 8. No part of the development hereby permitted shall be brought into use until the parking/turning areas and access driveway are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing titled proposed site plan' number 2259/14J. The parking/turning areas and access driveway shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning and access of vehicles.
- 9. No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with drawing titled proposed access (5.3m) Visibility splays number CL-HSP-00-00-DR-C-209.
- 10. No part of the development hereby permitted shall be brought into use until the access has been widened and provides a minimum width of 5.3 (m) for the first 8.0 (m) rear of the highway boundary in accordance with drawing titled proposed access (5.3m) Visibility splays number CL-HSP-00-00-DR-C-209.
- 11. The rooflights hereby approved shall be of a traditional conservation type and maintained as such for the life of the development.
- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further extensions to the dwelling or outbuildings shall be erected within the curtilage of the dwelling without the prior approval of the local planning authority, by way of a formal planning application.

Reasons:

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2. For the avoidance of doubt.

3. **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 such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).**
5. **In the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).**
6. **To protect the amenity of neighbouring properties, in accordance with policy 17 of the Broxtowe Part 2 Local Plan (2019).**
7. **To protect the amenity of neighbouring properties, in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).**
8. **To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area, in accordance with policy 17 of the Broxtowe Part 2 Local Plan (2019).**
9. **In the interest of highway safety.**
10. **To enable vehicles to enter and leave the public highway in a slow and controlled manner and in the interests of general Highway safety.**
11. **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).**
12. **Further extensions to the dwelling or outbuildings in the garden would be considered disproportionate additions within the Green Belt and would be contrary to Policy 8 of the Part 2 Local Plan (2019).**

#### **Note to Applicant**

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

- 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](http://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](http://www.gov.uk/government/organisations/the-coal-authority)**

- 3. As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto:3015snn@broxtowe.gov.uk) to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 4. 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.**
- 5. There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team. It is noted that the developer intends to resurface the footpath. Before any works are undertaken the Rights of Way team should be provided with full details of the works that are intended to be carried out. Authorisation should be given before any works are carried out, by contacting Helen Spencer at email: [helen.spencer@viaem.co.uk](mailto:helen.spencer@viaem.co.uk)**

6. **No works shall commence following the granting of planning permission until Listed Building Consent (LBC) has been granted (23/00511/LBC).**

34.4 23/00511/LBC

Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. (Revised Scheme)

Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT

This application is brought to the Committee upon the request of Councillor D D Pringle.

There were no late items for the Committee to consider.

The Committee debated the listed building consent, with reference to the evidence before it.

**RESOLVED that planning permission be granted with the wording of the approval to include conditions on plans, time, materials, boundary treatments and the removals of permitted development rights.**

**RESOLVED that the precise wording of the approval be delegated to the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.**

**Conditions:**

1. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
2. **The development hereby permitted shall be carried out in accordance with drawing(s) numbered Proposed South Elevation Image, 259/30, Proposed North Elevation Image, 2259/29B, Site Location Plan, 2259/15A, Proposed Site Block Plan, 2259/14J, Proposed Elevations, 2259/21H, Proposed Ground Floor Plan, 2259/12K, Proposed First Floor Plan, 2259/12I, Proposed Sections A,B,C and D, Tree and Arboricultural Impact Assessment (08.02.2021) received by the Local Planning Authority on 03 July 2023.**
3. **No building operations shall be carried out until details of the manufacturer, type and colour of the materials to be used in facing Elevations, Roof, Windows, Doors, Bin/Cycle Storage Areas, Walls, Driveway/Parking Areas and Cycle/Bin Storage Areas 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.**

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

- (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
- (b) numbers, types, sizes and positions of proposed trees and shrubs**
- (c) proposed boundary treatments**
- (d) proposed hard surfacing treatment**
- (e) proposed lighting details**
- (f) planting, seeding/turfing of other soft landscape areas**

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

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

6. **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.**

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

8. **No part of the development hereby permitted shall be brought into use until the parking/turning areas and access driveway are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing titled proposed site plan' number 2259/14J. The parking/turning areas and access driveway shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning and access of vehicles.**
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11. **The rooflights hereby approved shall be of a traditional conservation type and maintained as such for the life of the development.**
12. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further extensions to the dwelling or outbuildings shall be erected within the curtilage of the dwelling without the prior approval of the local planning authority, by way of a formal planning application.**

**Reasons:**

1. **To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
2. **For the avoidance of doubt.**
3. **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 such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).**
5. **In the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).**
6. **To protect the amenity of neighbouring properties, in accordance with policy 17 of the Broxtowe Part 2 Local Plan (2019).**

7. To protect the amenity of neighbouring properties, in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).
8. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area, in accordance with policy 17 of the Broxtowe Part 2 Local Plan (2019).
9. In the interest of highway safety.
10. To enable vehicles to enter and leave the public highway in a slow and controlled manner and in the interests of general Highway safety.
11. 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).
12. Further extensions to the dwelling or outbuildings in the garden would be considered disproportionate additions within the Green Belt and would be contrary to Policy 8 of the Part 2 Local Plan (2019).

#### **Note to Applicant**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
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](http://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](http://www.gov.uk/government/organisations/the-coal-authority)

3. As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto:3015snn@broxtowe.gov.uk) to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
4. 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.
5. There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team. It is noted that the developer intends to resurface the footpath. Before any works are undertaken the Rights of Way team should be provided with full details of the works that are intended to be carried out. Authorisation should be given before any works are carried out, by contacting Helen Spencer at email: [helen.spencer@viaem.co.uk](mailto:helen.spencer@viaem.co.uk)
6. No works shall commence following the granting of planning permission until Listed Building Consent (LBC) has been granted (23/00511/LBC).

#### 34.5 23/00554/FUL

Construct detached bungalow to rear garden, with access from Old Kiln Lane Land Behind 79 Chewton Street, Eastwood, Nottinghamshire, NG16 3JQ

The application had been brought before Committee at request of Councillor M Radulovic MBE.

There were no late items.

Daniel Bright, the applicant, made representation to the Committee prior to the general debate.



Having given due regard to the evidence before it, the Committee considered the application with the debate focussing on the size of the site, access and the size of the bungalow. It was considered that, should an extension be made to the bungalow, this would make the development over intensive.

It was proposed by Councillor R Bullock and seconded by Councillor R Falvey, that should the development be approved, permitted development rights be removed. On being put to the meeting the motion was carried.

**RESOLVED that should the development be approved, permitted development rights be removed.**

**RESOLVED that planning permission be granted with the conditions of the approval to include plans, materials, a construction management plan and the removal of permitted development rights.**

**RESOLVED that the precise wording of the approval and conditions be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.**

#### Reasons and Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the Proposed Plan (Drawing Number: 011B) received by the Local Planning Authority on 29 August 2023.

Reason: For the avoidance of doubt.

3. No above ground works shall commence until a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) has been submitted to, and approved in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these approved details.

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

4. Notwithstanding the provisions of Schedule 2 Part 1 Classes A, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development of a type identified in the aforementioned classes shall take place within the curtilage of the property without planning permission being granted on application to the Planning Authority.

Reason: In the interests of neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the

Aligned Core Strategy (2014)

5. 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 / site clearance ; and
  - f) details of dust and noise suppression to be used during the construction phase.

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

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

6. No development shall commence until;
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

*Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and in accordance with the aims of Policy 21 of the Broxtowe Part 2 Local Plan (2019).*

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

*Reason: In order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and in accordance with the aims of Policy 21 of the Broxtowe Part 2 Local Plan (2019).*

34.6 23/00659/FUL

Construct detached bungalow  
Land at 196 Cator Lane, Chilwell, Nottinghamshire, NG9 4BE

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

There were no late items to consider and no public speakers.

The Committee considered the application and all matters pertaining to it, including the size of the bungalow in relation to the plot, the intensity of proposed development and the character of the area. It was stated that the bungalow would be well below recommended space standards, with very little space around it on the plot.

**RESOLVED that planning permission be refused subject to the following conditions:**

- 1. The proposal by virtue of its scale and massing and the small site of the plot is considered to be contrary to the local vernacular and settlement pattern and also constitutes overdevelopment of the site. Consequently, the development would be contrary to Policies 8 and 10 of the Broxtowe Aligned Core Strategy 2014, and Policies 15 and 17 of the Part 2 Local Plan 2018.**

**The proposal by virtue of its limited amenity space and reduced amenity space to 196 Cator Lane would adversely affect the living conditions of the occupiers of no 196 Cator Lane in terms of outlook, and the living conditions of the future occupiers of the proposed bungalow with regard to adverse impact on the proposed bungalow and the existing house. Consequently, the development would be contrary to Policy 10 of the Broxtowe Aligned Core Strategy 2014, and Policy 17 of the Part 2 Local Plan 2018.**

**The proposal will have an unacceptable impact on the amenity of the proposed occupiers of the building from neighbouring properties by virtue of the distance to boundaries of the neighbouring properties windows creating an overlooking issue onto the amenity spaces of the proposed property. Consequently, the development would be contrary to Policy 10 of the Broxtowe Aligned Core Strategy 2014, and Policy 17 of the Part 2 Local Plan 2018.**

**NOTES TO APPLICANT**

- 1. The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any alterations which could be made to the scheme to make the proposal acceptable.**

(Having declared a non - registrable, personal interest in the item, as he was acquainted with the developer, Councillor Bullock left the meeting for the duration of the item and did not vote thereon.)

34.7 23/00676/VOC

Variation of condition 2 of application 21/00376/FUL  
76 Abbey Road, Beeston, Nottinghamshire, NG9 2QH

This application was called before Committee by Councillor S J Carr.

There were no late items and no public speakers. A statement was read out on behalf of Councillor S J Carr.

The Committee considered all representations before it and debated the application with reference to the size and scale of the dormer windows.

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

- 1. The development hereby permitted shall be retained in accordance with drawings:**

**Received on by the Local Planning Authority on 14 September 2023:**

- **Proposed Elevations ref: 74AR-23-P02**
- **Site Location Plan, Proposed Floor and Roof Plans and Site Location plan ref: 74AR-23-P01 Rev A**

**Reason: For the avoidance of doubt.**

**NOTES TO APPLICANT**

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

34.8 23/00677/VOC

Variation of condition 2 of application 20/00147/FUL  
74 Abbey Road, Beeston, Nottinghamshire, NG9 2QH

This application was brought before Committee by Councillor S J Carr.

There were no late items and no public speakers.

The Committee considered all evidence before it, including the statement from Councillor S J Carr that had been read pertaining to both this and the previous application.

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

1. The development hereby permitted shall be retained in accordance with drawings:

Received on by the Local Planning Authority on 14 September 2023:

- Proposed Elevations ref: 74AR-23-P02
- Site Location Plan, Proposed Floor and Roof Plans and Site Location plan ref: 74AR-23-P01 Rev A

Reason: For the avoidance of doubt.

#### NOTES TO APPLICANT

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

#### 34.9 23/00627/FUL

Construct a single storey side/rear extension  
181 Nottingham Road, Nuthall

Councillor P J Owen had requested that this application be determined by the Committee.

There were no late items.

Samantha Beckworth, objecting, made representation to the Committee prior to the general debate.

After giving due regard to the evidence before it the Committee debated the item, with reference to the size of the proposed extension, its scale and the detrimental impact this would have on neighbour amenity. There was specific concern that the size and position of the proposed development would cause a tunnel effect and have a negative impact on the privacy of the neighbour.

It was proposed by Councillor L A Ball BEM and seconded by Councillor G Marshall that the item be deferred to allow the applicant to consider reducing the impact of the proposed extension on the amenity of the neighbour. On being put to the meeting the motion was carried.

**RESOLVED that the item be deferred.**

#### Reason

To allow the applicant to consider reducing the impact of the proposed extension on the amenity of the neighbour

(Having declared a non - registrable, personal interest in the item, Councillor Bales left the meeting for the duration of the item and did not vote thereon.)

34.10 23/00666/REG3

Replacement roofs to 38 properties (3-12 and 14-41 Scalby Close) with insulation, increase in roof height and replacement cladding to some properties  
Scalby Close (3-12 and 14-41), Eastwood Nottinghamshire

This item was brought to the Committee because as the Council was the landowner and applicant.

There were no late items for consideration and no public speakers.

The Committee, having given due regard to the representations made to it, debated the item. It was noted that the proposed development was aimed at making the properties more energy efficient.

**RESOLVE that planning permission be approved for the following reasons:**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the proposed eaves details for 3 and 4 Scalby Close SC2023-004-A, proposed elevations of bungalows SC2023-001 and SC2023-007, proposed elevations of 3 and 4 Scalby Close and Ultratile brochure and Hardie-Plank Family Brochure received by the Local Planning Authority 15 September 2023.**

***Reason: For the avoidance of doubt***

**NOTES TO APPLICANT**

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

35 INFORMATION ITEMS

35.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

35.2 PLANNING ENFORCEMENT SERVICE UPDATE

The Committee noted the Planning Enforcement Service Update.

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**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>23/00606/REG3</b>
<b>LOCATION:</b>	<b>68-82 Princes Street, Eastwood, Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Install external wall insulation to the front, side and rear of 68-82 Princes Street</b>

The application is brought to the Committee as it is an application submitted by the Council.

1. Purpose of the Report

1.1 The application seeks planning permission for installation of external wall insulation and brick effect render to 15 terraced properties

2. Recommendation

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

3. Detail

3.1 The application site consists of a row of 15 x two storey brick built Victorian terraced properties located within a built up residential area of Eastwood. This block of properties is one of the two remaining blocks from the original housing dating back to the late 19<sup>th</sup> century. The front of the properties is pedestrianised with vehicular access to the roads to the side and rear of the properties.

3.2 The site is located within the Eastwood Conservation Area.

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:

None.

**APPENDIX**

1. Details of the application

- 1.1 The application seeks full planning permission for the installation of external wall insulation to be installed on all external walls of the properties and finished in brick effect render.

2. Site and surroundings

- 2.1 The application site consists of a row of 15 x two storey brick built Victorian terraced properties located within a built up residential area of Eastwood. This block of properties is one of the two remaining blocks from the original housing dating back to the late 19th century. The front of the properties is pedestrianised with vehicular access to the roads to the side and rear of the properties.

3. Relevant Planning History

- 3.1 No Relevant Planning History Found

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 1 - Climate Change
- Policy 8 - Housing Size, Mix and Choice
- 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 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**

- Part 2 - Achieving Sustainable Development.
- Part 4 - Decision-making.
- Part 16 - Conserving and enhancing the Historic Environment
- Part 14 - Meeting the challenge of climate change, flooding and coastal change

## 5. Consultations

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

- Councillor D Bagshaw – No Comments Received
- Councillor K Woodhead - No Comments Received
- Eastwood Town Council - No Comments Received

### 5.2 **Consultees:**

Conservation Officer – Recommend that the application is refused, as there would be less than substantial harm to the character and appearance of the conservation area, that is not sufficiently counterbalanced by public benefits, in accordance with Para 202 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990). There are other opportunities to thermally upgrade the properties, such as internally, at the side and rears and also in the roof.

The Conservation Officer has searched the Planning Appeal register on the government website to try and identify relevant planning applications that have been decided by the planning inspector. They can only identify appeals such as

- **APP/Y1945/W/21/3279893** - here the Planning Inspector overturned the LPA's refusal for external insulation - however here the host dwelling was originally covered in a roughcast render. As such the change is less impactful than in Eastwood.

- **APP/X1118/D/16/3159340** - here once more the Planning Inspector overturned the LPA's refusal - this time it was for external insulation and render on a 19th century terraced property. However, once more there is not a direct comparison to the Eastwood case because in this appeal case the property had already been rendered with a modern cement render, presumably before the conservation area was designated.

- **APP/E2001/D/21/3274144** - in contrast to the above two appeals that were overturned, here the Inspector dismissed the application for external render and insulation on a property that was already rendered. The Inspector stated:

*'Insulated render to the front elevation would add to the depth of the property and this would be particularly noticeable at the eaves line, in the depth of the window and door reveals and along the line of the joint boundary with the attached cottage. The additional depth to the front elevation would appear incongruous with the character of the adjacent cottages and noticeably change the similarity between them. Consequently, the contribution of the row of cottages to the street scene would be diminished. The changes to the front elevation of the cottage would be clearly visible from The Green and would be detrimental to the character and appearance of the CCA'*

When turning to the public benefits of thermal upgrading, the Inspector stated:

*'The Framework supports development that mitigates climate change. Although not quantified, the insulation of the building would likely reduce energy consumption. Even so, in the absence of any quantifiable evidence I can only attach moderate weight to the benefit of reduced energy consumption. While I have not found harm due to the insulation of the side gable or the rear elevation of the building in themselves these visual changes to the cottage are neutral and do not weigh in favour of the proposal. Overall, the moderate public benefits would not outweigh the great weight to be attached to the conservation of heritage assets and the proposal would therefore conflict with the Framework.'*

I echo the comments of this *Planning* Inspector in relation to the Eastwood application, specifically where they stated:

*'Overall, the moderate public benefits would not outweigh the great weight to be attached to the conservation of heritage assets and the proposal would therefore conflict with the Framework.'*

- Environmental Health – No Objection

### 5.3 Neighbours:

- Sixteen neighbours were consulted on the application with one response received from neighbouring properties with no comments supplied and no comments received from any third parties.

## 6. Assessment

### 6.1 Principle

The principle of external wall insulation and rendering within a residential area, is deemed acceptable subject to any assessment of the design and appearance and its impact on heritage assets.

### 6.2 Design

Policy 1 of the Aligned Core Strategy states that all development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible.

Policy 8 of the Aligned Core Strategy states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. All residential developments should contain adequate internal living space and a proportion of homes should be capable of being adapted to suit the lifetime of its occupants. Policy 10 states that massing, scale, proportion, materials,

architectural style and detailing will be considerations when assessing development.

According to the supporting documents, the proposed external wall insulation system is comprised by mechanically fixed insulation boards with a render finishes. The total thickness of the proposed insulation system would be 100mm with approximately 10mm of render attached.

The properties are traditional in appearance with painted lintels and painted stone projecting cills. At the eaves of the properties there are projecting dogs tooth detailing located underneath the gutter line. Concerns were raised with the applicants with regards to how these important characteristics of the buildings would be retained. Further information was submitted with the finish detailing for the cills, lintels, eaves and gutter lines that proposed to replicate the existing detailing like for like.

The installation of the insulation would add a further 100mm to the outside of the properties. This would create large recesses at both window and door reveals which would appear as an incongruous feature on the historic buildings. It was agreed following discussions with the applicants that to overcome this issue the existing windows and doors would be removed and pulled forward within the recess to match the existing aperture depth.

### 6.3 **Amenity**

Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of the impact on the amenity of nearby residents or occupiers. 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.

Given the scope of the works involved it is considered that the proposal would have no negative impact on the neighbour amenity of the surrounding properties.

### 6.4 **Conservation**

The statutory duty of sections 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 194 of the NPPF (2023) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected and paragraph 197 states in determining applications, local planning authorities should take into account a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 202 of the NPPF (2023) states that where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance. Policy 23 of the Part 2 Local Plan 2019 states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance.

The basic Heritage and Design Statement states that the addition of the external wall insulation will have a limited detrimental effect on the appearance of the property as it will be very similar and will not cause loss of character to the existing dwelling given the minimal change to the appearance of the properties. It also states that the external insulation will positively enhance the appearance of the house and will be consistent with the character of the Conservation Area. It is considered the heritage statement inadequately explains the impact of the proposed wall insulation on the external appearance of the house, as the Conservation officer advised that the exterior of the property would be detrimentally altered.

This application relates to the proposal to externally insulate the late Victorian terraced row of properties within the Eastwood Conservation Area, that are situated between Albert, Victoria and Wellington Street. The properties are visible on the 1880 OS 25" map and are recognised as 'bye-law' terraced housing that were built, most likely after the passing of the 1875 Public Health Act. The 1880 and 1900 map show a primitive Methodist chapel at the heart of these terraced properties. The original builder of these houses is uncertain, but it is likely they were built speculatively and some may have an association to the Methodist church. The houses are located in close proximity to the DH Lawrence Museum and they form a strong association with the DH Lawrence heritage of the town. Thus they are considered an integral component of Eastwood's literary heritage and also hold a strong association with the former mining industry.

In comparing the proposed render sample to the existing houses it was evident that the impact on the street scene of the conservation area would be harmful, as it would transform the character of the Victorian terraced rows. The reveals of the windows would be deepened with the subsequent distortion of original proportions, the rustic humble brickwork of the terraced properties would be wholly compromised, the external imitation brick render would not finish at the base of the building (as it needs to avoid water penetration) and the faux mortar joints and brick bond cannot be imitated so as to be indistinguishable from the original facade.

An application such as this will always be a delicate balancing act because the public benefits of the proposal are so plainly evident - the tenure is social housing, there is a climate emergency with escalating fuel bills and there is a

pressing requirement to thermally upgrade these properties. The public benefits must be considered as a counter balance to the harm caused to the street scene of the conservation area, in accordance with Paragraph 202 of the NPPF.

The level of harm caused by the proposed insulation render is considered to be less than substantial, with the level set at a moderate to higher level of less than substantial harm. It is not entirely the role of the conservation officer to identify the public benefits of the proposal - and it is noted the applicant (Broxtowe Estates) has not taken the time to carry out a detailed Heritage Impact Assessment or demonstrate the public benefits in great detail - however it is my estimation that the public benefits do not outweigh the harm in this instance. The terraced properties contribute so much significance to the DH Lawrence literary history of Eastwood, which is a town that has had its heritage so heavily compromised in other areas. If the character of these terraced rows were compromised to this extent, there would be an impact that would transcend its immediate location; the harm caused to its kinetic setting would permeate outwardly, towards the DH Lawrence Museum and onto Nottingham Street.

## 6.5 Ecology

A bat survey was carried out due to the potential for bat habitation within the houses in question. The survey returned no bats present within the buildings but did pick up potential bat roost ion locations that were not able to be inspected without scaffolding. A condition, should planning permission be granted, has been requested by Notts Wildlife Trust that requires properties 70, 72 and 78-80 Princes Street to be re-inspected once scaffolding has been erected.

During this survey a separate assessment was carried out regarding nesting birds. It was decided that if works are carried out between March and September then a check for nesting birds should be carried out prior to any works commencing. It was also requested that a condition be added to any decision requiring the installation of two groups of three swift boxes be installed within the scheme. However, this would result in the boxes being located to the front of the properties which could detract from the appearances of the buildings. As such it was concluded that these would be installed within the second phase of any such works which would place the boxes on the rear of the properties and therefore not undermining the historical context of the buildings.

## 7. Conclusion

- 7.1 The proposal fails to demonstrate that the proposed works would not create a substantial harm to the character and appearance of the conservation area and of the existing buildings. All relevant matters have been taken into account when appraising this application. It is considered that the proposal

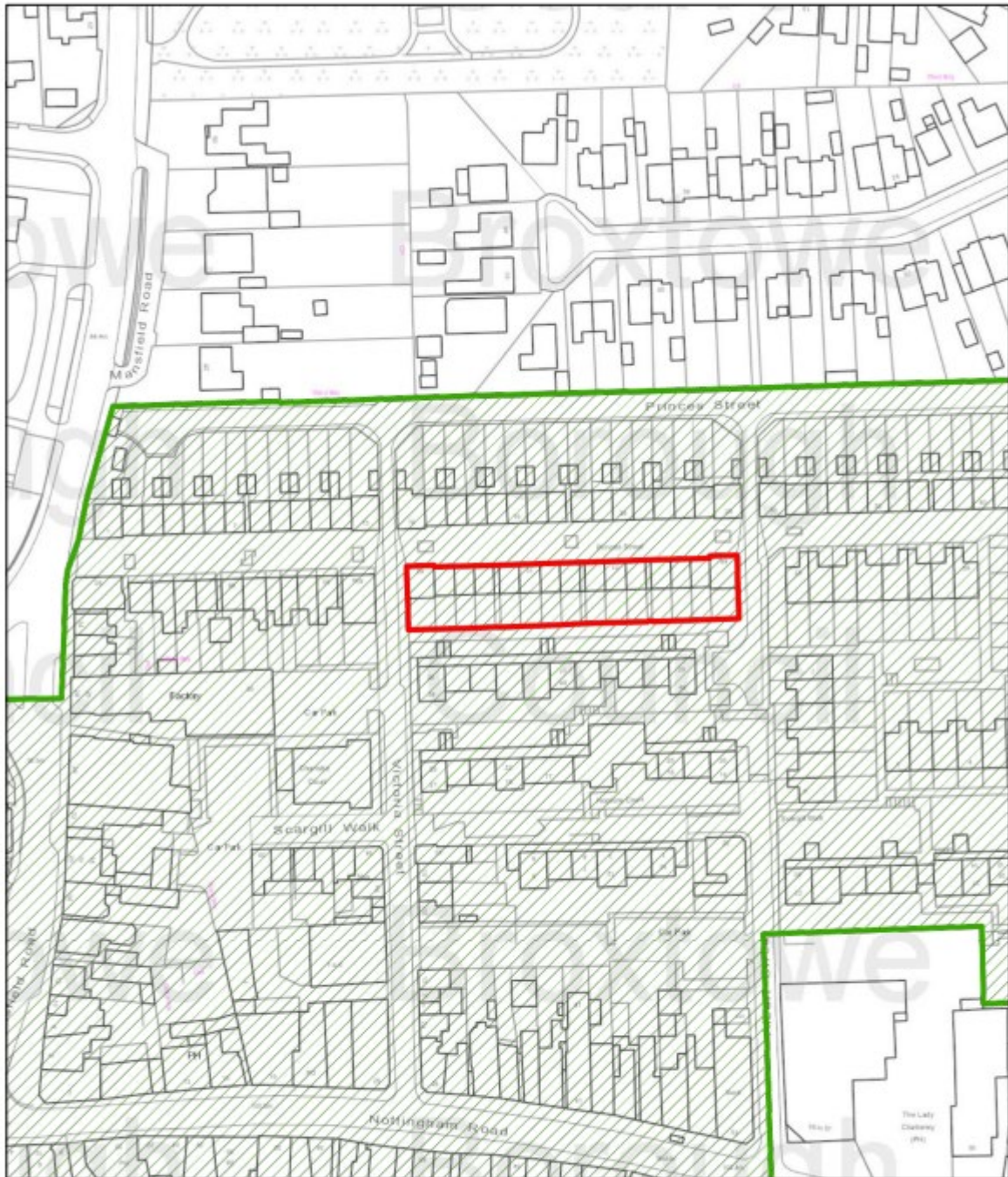


does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations and planning permission should be refused.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.</b>	
<b>1.</b>	<b>Reason The external insulation system constitutes an incongruous feature in terms of detail and material which would appear out of character with the character of the buildings and surrounding area. The proposal therefore would create substantial harm to the character and appearance of the conservation area and of the existing buildings, and there are no public benefits which would outweigh this harm. Accordingly, the development would be contrary to the aims of Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014), Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) with Section 202 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990).</b>
	<b>NOTES TO APPLICANT</b>
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to seek amendments to the plans to make the development acceptable but amendments were not forthcoming which would render the proposal acceptable.</b>

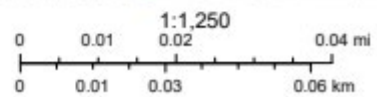
Map

23/00606/REG3



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-  Conservation Area
-  Site



Photos of site

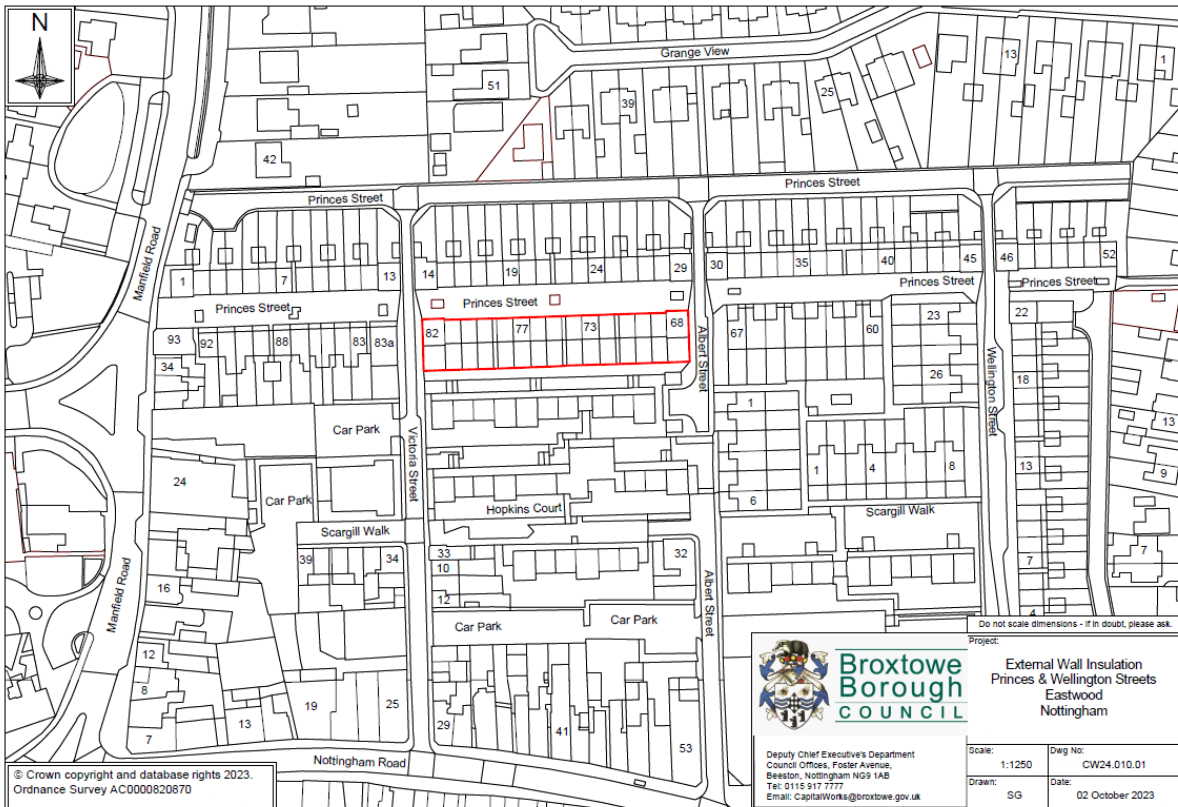


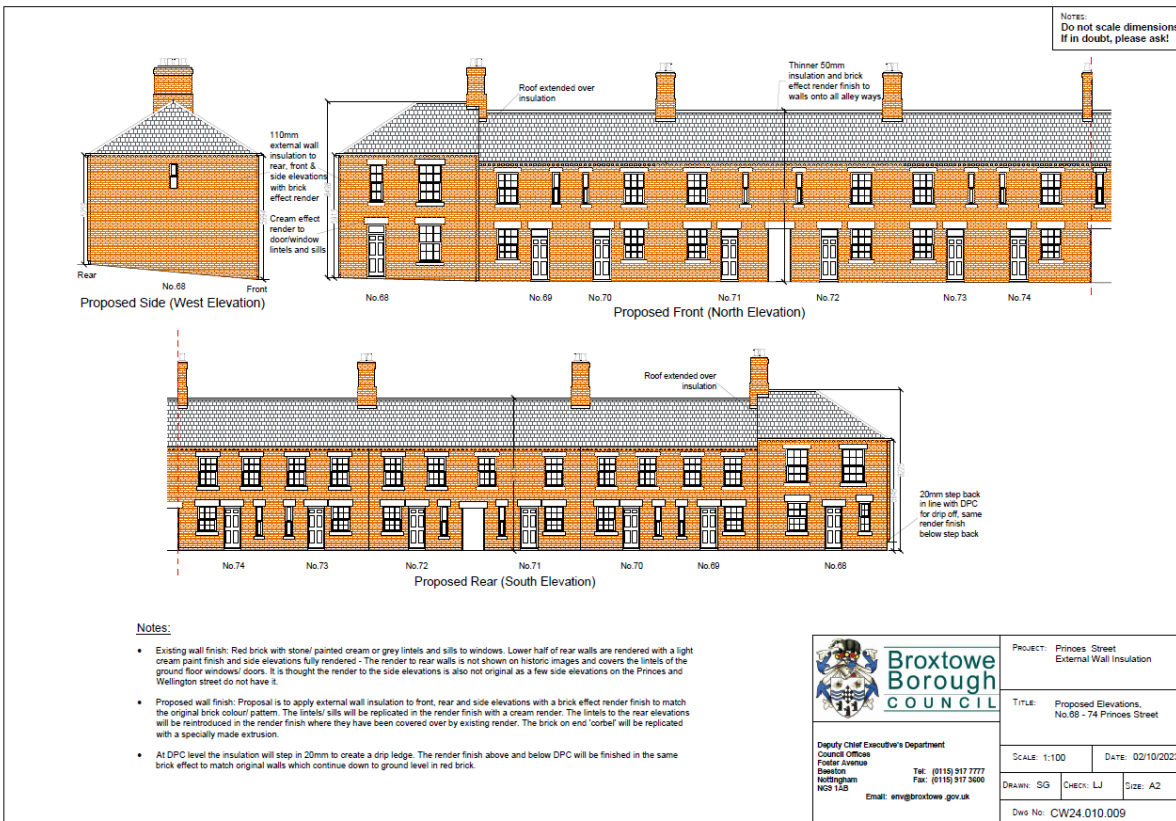
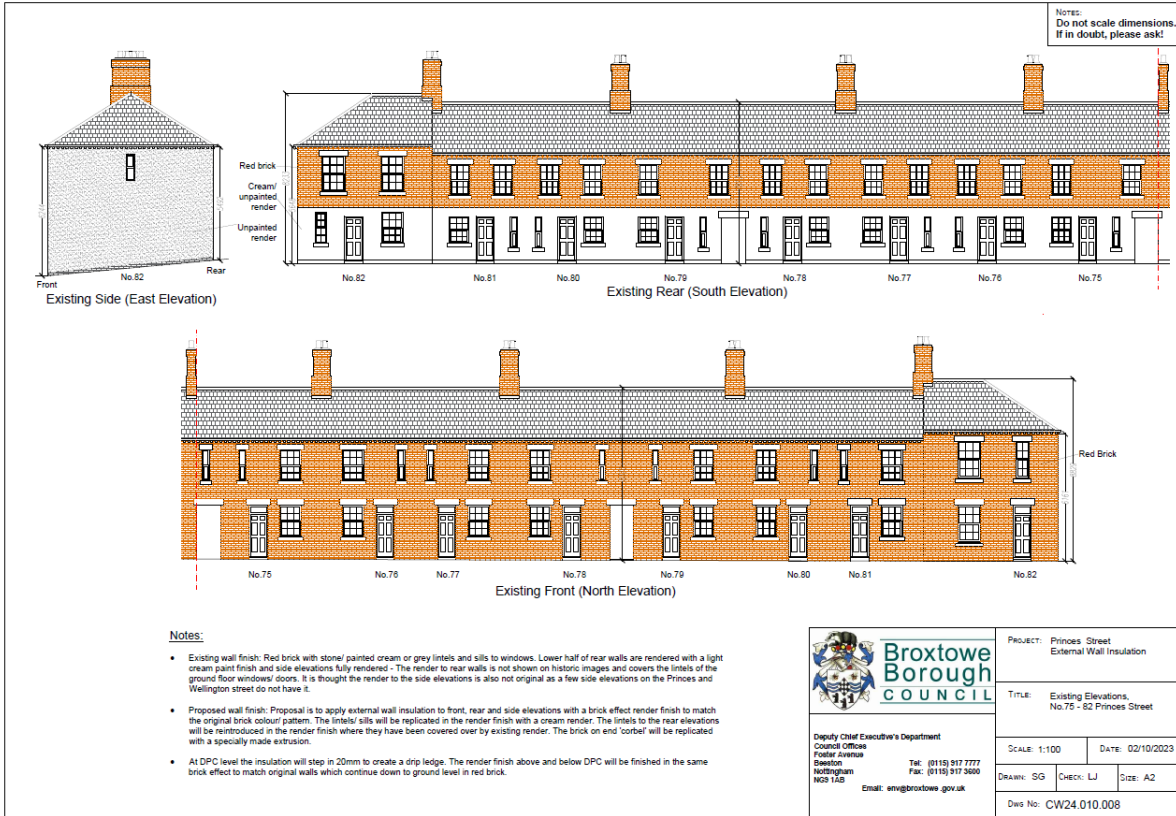


**Photo of a site with the proposed works already carried out, which demonstrates increased depth of reveals.**



Plans





Notes:  
Do not scale dimensions.  
If in doubt, please ask!

110mm external wall insulation to rear, front & side elevations with brick effect render  
Cream effect render to door/window lintels and sills

Roof extended over insulation

Thinner 50mm insulation and brick effect render finish to walls onto all alley ways

Proposed Side (East Elevation) No.82

Proposed Rear (South Elevation) No.82 No.81 No.80 No.79 No.78 No.77 No.76 No.75

Roof extended over insulation

20mm step back in line with DPC for drip off, same render finish below step back

Proposed Front (North Elevation) No.75 No.76 No.77 No.78 No.79 No.80 No.81 No.82

Notes:

- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Lower half of rear walls are rendered with a light cream paint finish and side elevations fully rendered. The render to rear walls is not shown on historic images and covers the lintels of the ground floor windows/ doors. It is thought the render to the side elevations is also not original as a few side elevations on the Princes and Wellington street do not have it.
- Proposed wall finish: Proposal is to apply external wall insulation to front, rear and side elevations with a brick effect render finish to match the original brick colour/ pattern. The lintels/ sills will be replicated in the render finish with a cream render. The lintels to the rear elevations will be reintroduced in the render finish where they have been covered over by existing render. The brick on end 'corbel' will be replicated with a specially made extrusion.
- At DPC level the insulation will step in 20mm to create a drip ledge. The render finish above and below DPC will be finished in the same brick effect to match original walls which continue down to ground level in red brick.

<p><b>Broxtowe Borough COUNCIL</b></p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beecham Nottingham NG9 1AS Email: <a href="mailto:env@broxtowe.gov.uk">env@broxtowe.gov.uk</a></p>	PROJECT: Princes Street External Wall Insulation	
	TITLE: Proposed Elevations, No.75 - 82 Princes Street	
	SCALE: 1:100	DATE: 02/10/2023
	DRAWN: SG	CHECK: LJ
DWG No: CW24.010.010		



**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>23/00689/FUL</b>
<b>LOCATION:</b>	<b>74 Moorgreen, Newthorpe, Nottinghamshire, NG16 2FB</b>
<b>PROPOSAL:</b>	<b>Construct two storey side and rear extensions</b>

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

1. Purpose of the Report

1.1 The application seeks planning permission for the erection of a two storey side and rear extension.

2. Recommendation

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

3. Executive Summary

3.1 The application seeks full planning permission for the erection of a two storey side and rear extension on to the existing property.

3.2 The application site consists of a two storeys detached brick built property located on a central plot of the Moorgreen. There is a small drive to the north of the property and garden area to the front (west) of the property with a large area of garden to the rear (east) of the property. The site is located within the Greenbelt.

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 full planning permission for a two storey side and rear extension to the existing property.

2. Site and surroundings

2.1 The application site consists of a two storeys detached brick built property located on a central plot of Moorgreen. There is a small drive to the north of the property and garden area to the front (west) of the property with a large area of garden to the rear (east) of the property. The site is located within the Greenbelt.

2.2 In regards to neighbouring properties the site is located in a semi-rural area of Newthorpe with an adjacent neighbour to the north (80 Moorgreen) and also an immediate neighbour to the south (76 Moorgreen). 47 Moorgreen is located to the west on the opposite side of the public road and with 82 Moorgreen located to the east of the site linked by the rear gardens.

3. Relevant Planning History

3.1

23/00216/FUL	Construct two storey side and rear extensions	REFUSED
23/00426/FUL	Construct two storey side & rear extensions (re submission)	REFUSED

3.2 Two previous permissions for extensions to the property have previously been submitted and both were refused under delegated powers.

23/00216/FUL was proposing two storey side and rear extensions that extended the property by 82% where the maximum permitted extension for a property within the Greenbelt is 30% under Policy 8 of the Part two Local Plan.



23/00426/FUL was proposing two storey side and rear extensions that extended the property by 64.3%.



4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

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

**Part 2 Local Plan 2019**

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

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

**National Planning Policy Framework (NPPF) 2023**

- Section 2: Achieving sustainable development
- Section 4: Decision-making.
- Section 12: Achieving well-designed places
- Section 13: Protecting Greenbelt Land

5. Consultations

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

- Councillor H L Crosby – No Comments Received
- Councillor M Brown - No Comments Received
- Councillor A W G A Stockwell - No Comments Received
- Councillor Bagshaw – Requested Call in to Committee
- Greasley Parish Council - No Comments Received

5.2 **Consultees:**

- None

5.3 **Neighbours:**

- Four neighbours were consulted on the application with no comments being received from any neighbours or third parties.

6. Assessment

6.1 **Principle**

The principle of a two storey rear and side extension an existing dwelling within a residential area in this location, is deemed acceptable subject to any assessment of the design and appearance and its impact on neighbouring amenity.

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.

The surrounding development is made up of a mixture of single storey bungalows and large previously extended two storey properties. The site in question is the last of the two storey properties before the single storey dwellings start and so the increase of the building will be visually more distinctive. However, the neighbouring property to the south is large in terms of its scale and massing which will assist in assimilating this extended property into the street scene.

The rear extension has a triple peaked roof design which assists in breaking up the mass of the roof. With the side extension raising just below that of the existing roof, the proposal will create a long ridge line which would normally be considered to be unacceptable. However, in this case the ridge is visually broken by the two chimneys and the front projection which makes the proposal acceptable in this instance.

Information submitted on the application form indicates that the finish materials of the proposed extension will match that of the existing house with facing bricks and partial render used in the construction of the walls and concrete tiles to be used on the roof. The windows and doors will be constructed of Upvc double glazed casement style in a similar appearance and design to those existing. Therefore, it is considered that the proposed finish materials to be used in the development are considered acceptable in respect to their appearance within the local streetscape.

It is considered that the proposed extension will make a large visual impact on the street scene given the overall increase in the scale and massing of the existing house and its location immediately adjacent to the public road. However, given the location of the proposed extension to the rear of the existing house and the lower ridge height, the extension will read as a subsidiary addition to the property and acceptable in terms of its impact on the street scene and compatible with the local vernacular.

### 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.

The proposed extensions are large in scale and massing and will reduce the separation distances between the property and the neighbour to the south. Even with the reduced distance of just over 2.2m it is considered that there will be no reduced impact on the amenity of the property and with the extension not protruding past the rear elevation of the neighbour there will be no additional impact on the amenity of this space.

The property to the north is a single storey bungalow with an existing separation distance of around 7m. The proposed extension will not reduce this separation distance but with the increase in the overall scale and massing of

the property increasing to such a scale there is the potential to have an unacceptable overbearing impact on the property.

The proposed extension has a single upper floor window on the southern elevation which serves a bathroom and also a window that will serve a walk in wardrobe. As these windows will serve a bathroom and wardrobe it is considered that the window would need to be glazed with frosted glazing preventing any views out of or into the room.

Given the proposed extensions location on the existing property and its relationship with the neighbouring houses it is considered that there will be no additional loss of sunlight/daylight to the surrounding neighbouring amenity spaces.

#### 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.

There are no proposed changes to the existing access and parking arrangements on the site. The proposed extension will create an additional bedroom within the property and potentially create a need for additional parking requirements on the site. There is onsite parking on the driveway to the north of the site. Given the available on site parking and garage it is considered that there is adequate parking availability to accommodate the increased parking needs of the property.

#### 6.5 Greenbelt

Policy 8 of the Part 2 Local Plan 2019 states that applications for development in the Green Belt will be determined in accordance with the NPPF, as supplemented by the following Broxtowe-specific points. 2. 'Disproportionate additions' to a building will be treated as those that, taken cumulatively, exceed 30% of the volume of the original building.

Paragraph 147 of the NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF (2023) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposed is large in comparison to the existing house with the parent property having an overall volume of 468.6m<sup>3</sup> and the proposed extended property having an overall volume of 769.94m<sup>3</sup>. Policy stipulates that extensions within the Greenbelt cannot exceed 30% of the existing building which in this case would equate to an increase of 140.6m<sup>3</sup>. The current

proposal is to increase the property by a further 286.55m<sup>3</sup> which is an 74% increase and is therefore considered unacceptable and contrary to Policy 8 of the Part 2 Local Plan 2019.

7. Conclusion

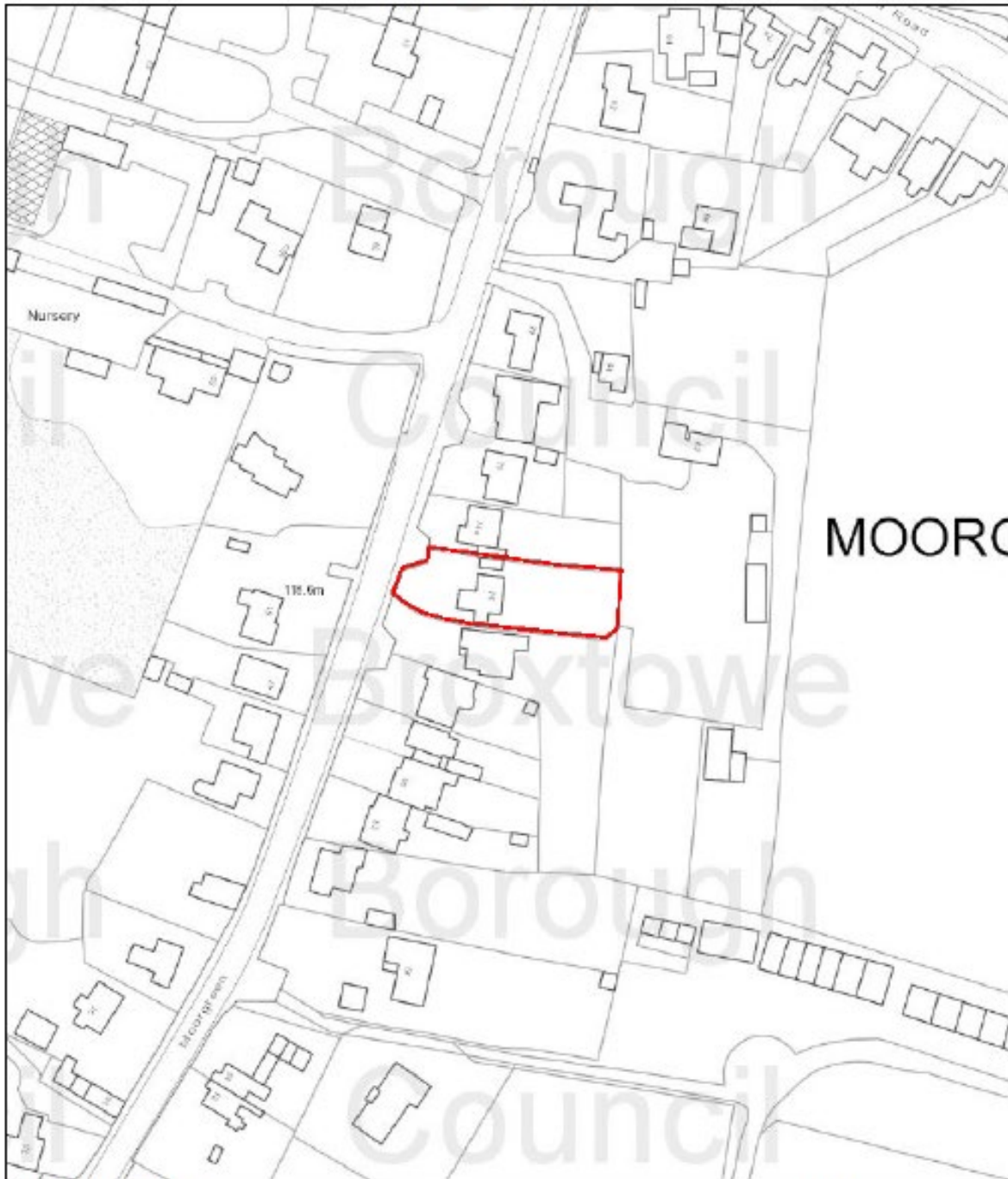
7.1 It is recommended that planning permission be refused.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be refused for the following reasons.</b>	
<b>1.</b>	<b>The extension is to a house within the greenbelt and has a proposed increase in volume of over twice that permitted by policy. Therefore, the proposed development would be contrary to the aims of Policy 8 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.</b>
	<b>NOTES TO THE APPLICANT</b>
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>

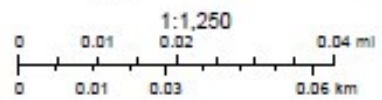


Location Plan

23/00689/FUL



10/12/2023, 1:52:33 PM



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AC0000020670

Plans



**PAUL GAUGHAN**  
BUILDING CONSULTANTS  
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Stanton by Dale, Ilkeston DE7 4RJ  
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E-MAIL: INFO@PAUL-GAUGHAN.CO.UK  
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**SITE LOCATION PLAN**  
SCALE 1:1250

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OBTAINED FROM WWW.CENTREMAPSLIVE.COM

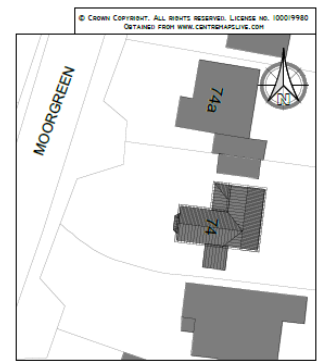
**EXISTING LAYOUTS**  
SCALE 1:50



**GROUND FLOOR**



**FIRST FLOOR**



**EXISTING SITE BLOCK PLAN**  
SCALE 1:200

**EXISTING ELEVATIONS**  
SCALE 1:100



**FRONT**

**SIDE**

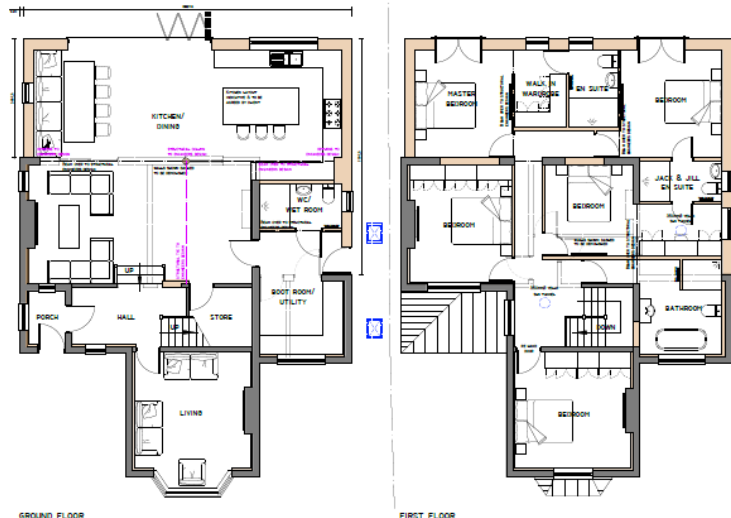
**REAR**

**SIDE**



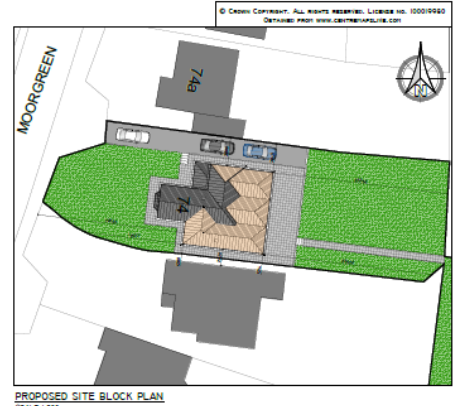
REVISIONS			
<b>PAUL GAUGHAN</b> BUILDING CONSULTANTS			
CLIENT: 15, Moorgreen, Exton, Nottingham, NG4 5DZ			
PROJECT: EXISTING FLOOR PLANS, ELEVATIONS & SITE BLOCK PLAN			
DATE: 2023-09-20	SCALE: 1:100	DATE: 2023-09-20	SCALE: 1:100
DRAWING NUMBER: PG/TN/2023/006/01			

PROPOSED LAYOUTS  
SCALE 1:50



GROUND FLOOR

FIRST FLOOR



PROPOSED SITE BLOCK PLAN  
SCALE 1:200

PROPOSED ELEVATIONS  
SCALE 1:50



FRONT

SIDE

REAR

SIDE

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Details from www OrdnanceSurvey.com

REVISIONS			
Name: Paul Gaughan Registration No: 100019920 Address: 100019920 City: London Country: United Kingdom Email: paul.gaughan@gaughan.co.uk Phone: 020 7123 4567			
Project: 100019920 Date: 10/12/2023 Scale: 1:50			
Drawing No: PG/TN/2023/006/02 Sheet: 1 of 1			

Photographs



## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>23/00681/FUL</b>
<b>LOCATION:</b>	<b>70 Beeston Fields Drive, Bramcote, Nottinghamshire, NG9 3TD</b>
<b>PROPOSAL:</b>	<b>Construct Juliet balcony to rear and insertion of roof lights and wall and gates to front</b>

The application is brought to the Committee at request of the Head of Planning and Economic Development.

### 1.1 Purpose of Report

This application seeks to gain planning permission to construct a Juliet balcony to the rear elevation at first floor level and the insertion of roof lights and a wall and gates to the front boundary.

### 1.2 Recommendation

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

### 1.3 Detail

1.3.1 The principle of development has been considered acceptable through the granting of planning permission under reference number 21/00843/FUL for the demolition of the existing dwelling and construction of a two storey dwelling with detached garage. The former dwelling has now been demolished and construction works for the replacement dwelling have now been completed and the dwelling occupied.

1.3.2 The main alterations to the previously approved dwelling granted planning permission under reference number 21/00843/FUL involve the provision of a Juliet balcony to the rear first floor elevation, alterations to the previously approved velux roof lights and a wall and gates to the front boundary.

1.3.3 The main issues relate to whether the principle of residential development is acceptable; whether the design of the development is acceptable and whether there will be any impacts upon residential amenity.

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

### 1.4 Financial Implications

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.

1.5 Legal Implications

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

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

1.6 Data Protection Compliance Implications

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

1.7 Background Papers

None.

## APPENDIX

1 Details of the Application

This application seeks to gain planning permission to construct a Juliet balcony to the rear elevation at first floor level and the insertion of roof lights and a wall and gates to the front boundary.

2 Site and surroundings

2.1 The application site is located within a residential area with detached dwellings of varying house styles. The site is surrounded by hedgerows and a variety of mature trees.

3 Relevant Planning History

3.1 Planning permission was granted under reference number 95/00517/FUL for the replacement of a flat roofed single storey sun lounge with a pitched roof extension.

3.2 Planning permission was granted under reference number 21/00843/FUL to demolish an existing 2 storey detached dwelling and associated outbuildings and the construction of a replacement detached two storey dwelling with a detached double garage and associated works.

3.3 Planning permission was refused under reference number 23/00110/FUL to demolish an existing dwelling and construct a two storey dwelling and detached garage with a balcony to the rear.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 17: Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2023:**

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

## 5 Consultations

- 5.1 No relevant consultee responses received.
- 5.2 Six properties either adjoining or opposite the site were consulted, with 2 letters having been received objecting on the grounds of loss of privacy.

## 6 Assessment

- 6.1 The main issues relate to whether the principle of the alterations are acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity and whether there would be any detrimental impact on highway safety. These will be discussed as follows:

### 6.2 **Principle**

- 6.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 6.2.2 The previous house on the site has now been demolished and a replacement new dwelling and detached garage are now occupied. The proposal is for alterations to an existing dwelling within a residential area, and as such, it is considered acceptable in principle.
- 6.2.3 To conclude, the main alterations that form part of this application involve the provision of a Juliet balcony to the rear first floor elevation and alterations to the previously approved velux roof lights under reference number 21/00843/FUL and the provision of a wall and gate to the front boundary.

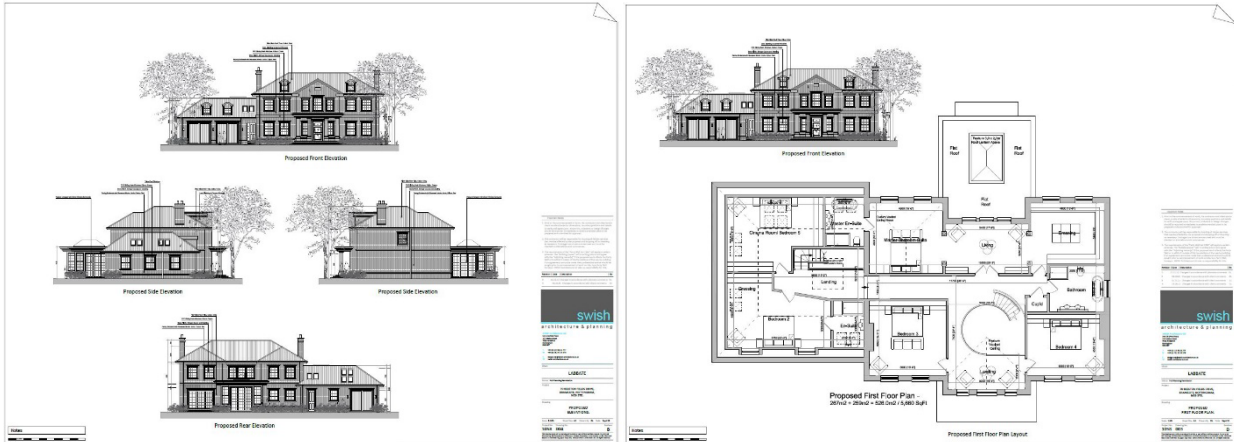
### 6.3 **Design**

- 6.3.1 The previous approved plans granted under reference number 21/00843/FUL included the provision of six velux rooflights on the rear elevation serving a bedroom. During the building of the replacement dwelling the velux rooflights were inserted in a row of four. This part of the application regularises the insertion of the velux rooflights.
- 6.3.2 In respect of the provision of the Juliet balcony, a row of three windows was granted planning permission. The applicant now proposes the provision of two larger windows to the side of a Juliet balcony.
- 6.3.3 The front boundary wall consists of a low level wall with brick piers at total height of 2m with railings between the brick piers. There is also a wooden gate located to the main entrance. The design of the wall is considered to be in keeping with

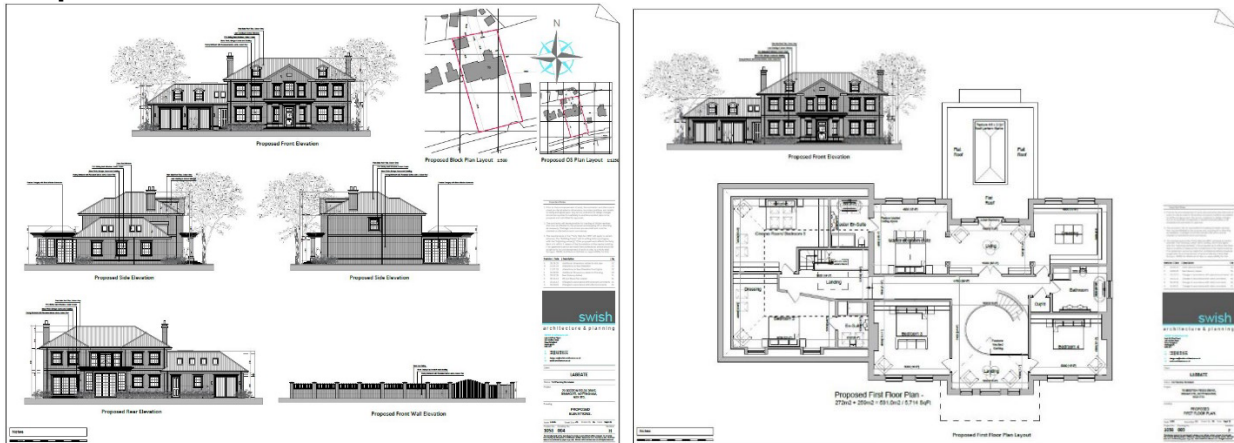


the front boundary treatments of surrounding properties located on Beeston Fields Drive.

**Previous approved elevations and floor plans (21/00843/FUL)**



**Proposed Elevations**



6.3.2 Given the design and siting of the Juliet balcony and velux windows to the rear elevation and design of the front boundary wall and gate, it is not considered the proposal will give rise to any significant detrimental impact upon the character of the street scene or visual amenity of the area.

**6.4 Amenity**

6.4.1 Concerns have been raised by local residents in respect of overlooking from the rear facing Juliet balcony.

6.4.2 In respect of overlooking from the first floor Juliet balcony which would be serving a living area leading to a bedroom and dressing area to the rear, the first floor windows will be approximately 18m from the rear boundary, a distance of 5m further into the site from the rear boundary of the previous dwelling. Whilst a balcony is also proposed, this area would be small in nature and would not protrude out from the rear of the existing dwelling. The provision of the Juliet balcony would provide natural light and ventilation into the living area and would not allow occupiers of the property to walk onto a traditional balcony area. In addition, there is a 2m high close boarded timber fence along the rear boundary.

Number 48 Troutbeck Crescent is located directly to the rear and set approximately 3m lower than the application site. In addition, there is a garden area serving this property of approximately 10m. To mitigate against any potential overlooking issues, a revised site layout plan has been submitted indicating the provision of a 2m high close boarded timber fence and the planting of trees within the application site along the rear boundary. Given the separation distance and existing boundary treatments, it is not considered there will be any significant detrimental impacts upon the residential amenity of number 48 Troutbeck Crescent.

6.4.3 Due to the separation distance, it is considered the proposed replacement dwelling will not have any significant detrimental impact upon the amenity of any other neighbours.

## 6.5 Access

6.5.1 The existing vehicle access into the site and driveway will remain along with a new circular driveway being created. Within the site there is significant space for multiple cars and a new double garage will be constructed for two cars to the rear. In addition, a new 2m high brick wall and access gate have also been constructed. There are no highway safety issues.

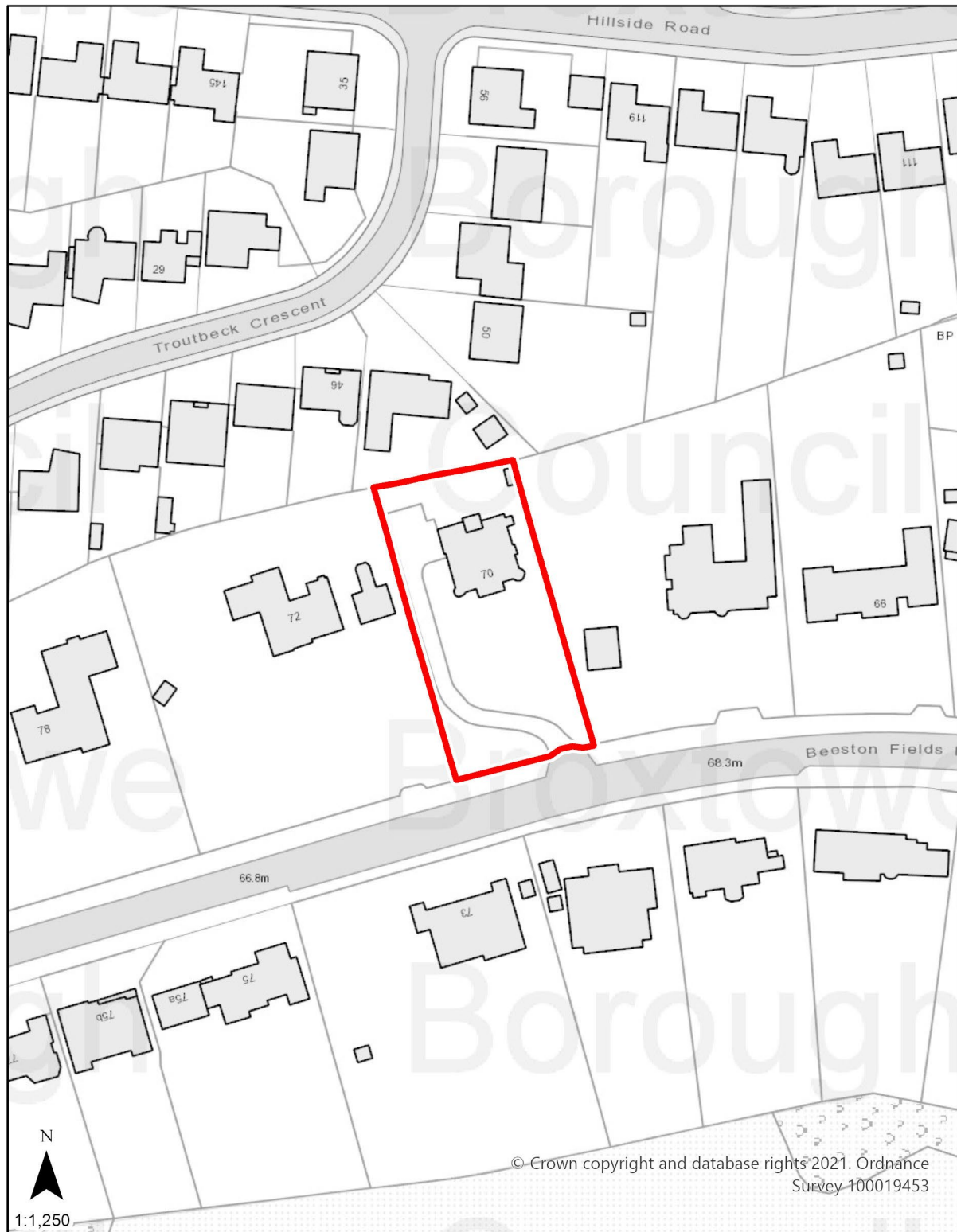
## 7 Planning Balance

7.1 The proposal reflects an acceptable level of design, would not appear out of character with the surrounding area and would not lead to a significant impact upon the residential amenity of the immediate neighbouring properties. 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.

<b><u>Recommendation</u></b>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be carried out in accordance with Site Location Plan and Proposed Site Plan, 1058 001G received by the Local Planning Authority on 20 November 2023, Proposed First Floor Plan, 1058 003F, Proposed Garage Elevations and Roof Plan, 1058 005D received by the Local Planning Authority on 18 September 2023, Proposed Ground Floor Plan, 1058 002D received by the Local Planning Authority on 27 September 2023 and Proposed Elevations, 1058 004H received by the Local Planning Authority on 29 September 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.



Legend

 Site Outline

**Photographs**

**Front Elevation**



**Location of Balcony**



**View from Balcony**



**Rear Boundary**



**View from Number 48 Troutbeck Crescent**





Plans (not to scale)

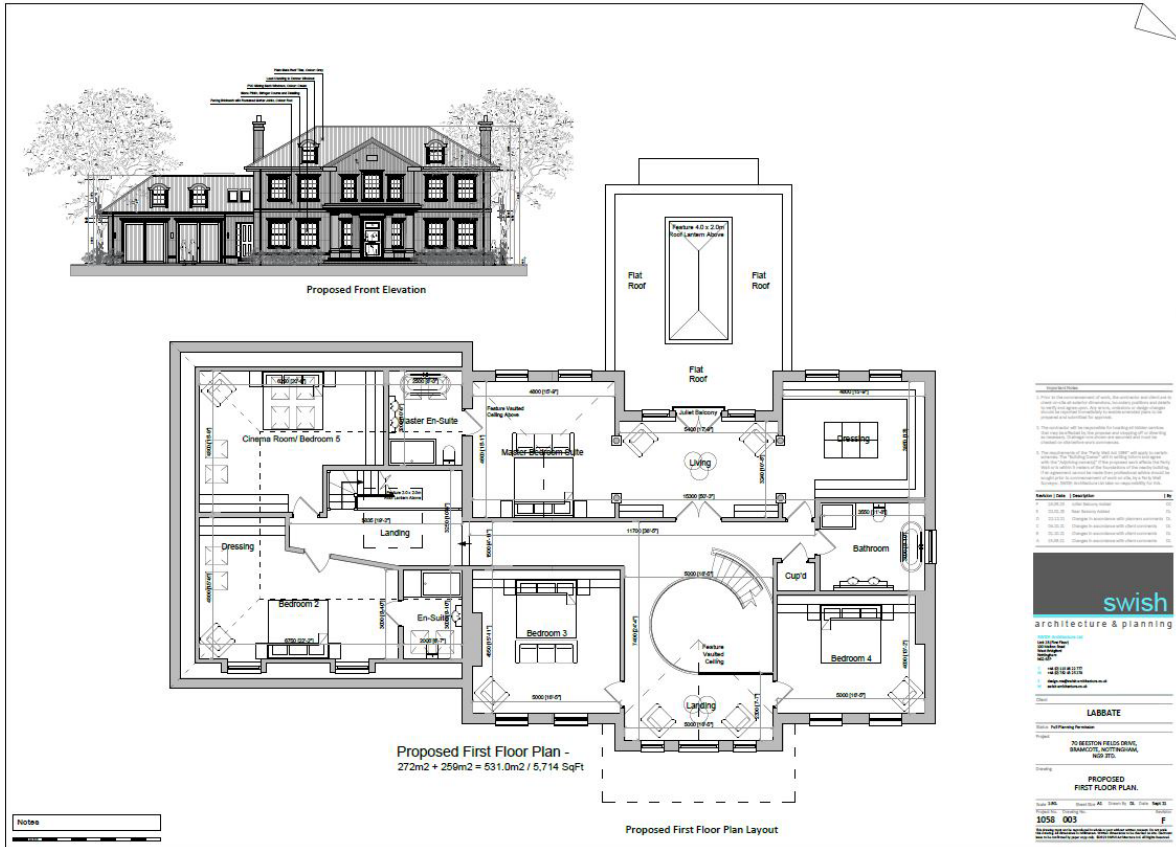
Proposed Block Plan



Proposed Elevations



Proposed First Floor Plan





**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>23/00750/FUL</b>
<b>LOCATION:</b>	<b>5 Audon Avenue, Chilwell</b>
<b>PROPOSAL:</b>	<b>Construct two storey side extension, two storey front extension including canopy over, additions to roof including half hipped roofs to facilitate increase in height of overall building, single storey rear extension, rear dormer, installation of external wall insulation, installation of PV panels to the resulting roof front and rear, changes to glazed openings and external finishes, new front boundary wall and driveway. (Revised scheme)</b>

The application is brought to the Committee at request of Councillor H Faccio.

**1. Purpose of the Report**

- 1.1 The application seeks planning permission for two storey and single storey extensions and additions to the roof including a dormer, and installation of external wall insulation, PV panels and alterations to glazed openings. Construct new boundary wall and driveway.

**2. Recommendation**

**The Committee is asked to resolve that planning permission should be refused for the reason outlined in the appendix.**

**3. Executive Summary**

- 3.1 The application is a revised scheme that seeks planning permission to construct a two storey side extension, a two storey front extension including a canopy over, additions to the roof including a half hipped roof to facilitate the increase in height of the overall building, to construct a single storey rear extension, a flat roofed rear dormer, installation of external insulation, installation of PV panels to the resulting roof to the front and rear, changes to glazed openings and external finishes and construct a new front boundary wall and driveway. This is a revised planning application as planning permission under reference 23/00043/FUL was refused on 31 May 2023.
- 3.2 The application site consists of a two storey detached dwelling with a single storey flat roofed extension a drive way and garden area to the front and a garden to the rear. The dwelling is located in a residential area with mainly two storey hipped roof properties.
- 3.3 The main issues relate to whether the principle of the proposed extensions is acceptable in terms of size and scale, the impact upon neighbour amenity and the character and appearance of the street scene.

3.4 The benefits of the proposed work are that it would extend an existing residential dwelling, would improve the property to the benefit of the occupants and would result in a house to be to the standard of PassivHaus. The negatives of the proposal are the design and scale of the proposed extensions.

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. Background Papers:

None.

## APPENDIX

1. Details of the application

- 1.1 This application seeks planning permission to construct a two storey side extension, a two storey front extension including a canopy over, additions to the roof including a half hipped roof to facilitate the increase in height of the overall building, to construct a single storey rear extension, a flat roofed rear dormer, installation of external insulation, installation of PV panels to the resulting roof to the front and rear, changes to glazed openings and external finishes and construct a new front boundary wall and driveway.
- 1.2 The two storey side extension would extend 4.6m beyond the north west elevation and would have a length of 8.6m. It would have a hip roof, with an eaves height of 5.7 to the rear and 4.9m to the front and a ridge height of 8.3m. The side extension would have a window on the front elevation, a first floor window on the rear elevation, a first floor window and a door on the side (north west) elevation.
- 1.3 The two storey front extension would project 1.1m beyond the front elevation and would have a width of 7.9m. The extension would have a front facing gable roof with a flat roofed section. The roof would have an eaves height of 5.3m and a ridge height of 8.7m. There would be a front canopy projecting 0.9m beyond the new front wall. The front element would have three windows at first floor level, two doors and two windows at ground floor level.
- 1.4 The rear dormer would extend from the flat roofed section, matching the ridge height and would drop down up to the eaves. It would extend out by 3.7m and would be 7.8m wide. The dormer would be 3m high with a flat roof. It would have two windows on the rear elevation. The side elevations would be blank.
- 1.5 The single storey rear extension would be built across the width of the side extension and across the width of the existing rear elevation. It would have a width of 11.7m and a depth of 2.3m, the extension would have a flat roof with a parapet wall with a maximum height of 3.7m. The rear elevation would have sliding doors and two windows.
- 1.6 A boundary wall is proposed to the front of the site. The wall will be 1.2m in height with 1.4m high piers.
- 1.7 The proposed materials are charred/dark stained vertical timber boarding, brick slips, render and artificial slates.

2. Site and surroundings

- 2.1 The application site is located within a predominantly residential area and consists of a two storey detached house with a hip roof and double height bay windows. The property has a single storey side extension and garage with flat roof beside the boundary with no.3 Audon Avenue. The site is mainly flat. At

the front there is a paved driveway partially open to Audon Avenue with parking space for two vehicles.

- 2.2 No.3 Audon Avenue is a detached two storey dwelling situated to the north west of the application site. This property has a two storey side extension, a single storey side and rear extension and a rear conservatory. This property has no windows in the facing elevation. No.7 Audon Avenue is a detached two storey dwelling situated to the south east of the application site. This property has a garage beside the common boundary.
- 2.3 To the north east (rear) are located nos.25 and 27 Audon Avenue, semi-detached two storey dwellings, and to the south west, opposite the site, are nos. 4 and 6 Audon Avenue.

3. Relevant Planning History

- 3.1 Planning permission was refused under reference 23/00043/FUL to construct a three storey side extension, a single storey rear extension, a two storey front extension including canopy over, a rear dormer, installation of external wall insulation, changes to glazed openings and external finishes, and a new front boundary wall and driveway.

4. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 17: Place-making, Design and Amenity

4.3 **National Planning Policy Framework (NPPF) 2023:**

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

5. Consultations

- 5.1 Environmental Health – No objections. As the proposed development is close to existing residential properties which might be adversely impacted by excessive construction noise, recommended the following conditions:

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

Reason: To protect nearby occupants from excessive construction noise and vibration.

- No materials produced as a result of the sites operational activities, development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions whilst the activities are in operation.

Reason: To protect nearby residents from excessive air pollution

- No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:
  - a) The means of access for construction traffic;
  - b) parking provision for site operatives and visitors;
  - c) the loading and unloading of plant and materials;
  - d) the storage of plant and materials used in construction/demolition of the development;
  - e) a scheme for the recycling/disposal of waste resulting from construction / demolition works / site clearance; and
  - f) details of dust and noise suppression to be used during the construction phase

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

Reason: To protect the amenity of neighbouring residents.

- 5.2 Seven neighbours were consulted on the application, with three responses received raising no objection and in support of the development as it will create an environmentally friendly /sustainable home.

## 6. Assessment

- 6.1 The main issues relate to whether the design and scale of the development would be acceptable, and whether there would be an unacceptable impact on neighbour amenity.

## 6.2 **Design**

- 6.2.1 In terms of mass and scale, the extensions are a significant addition to the dwelling and are considered to be disproportionate and are not subservient to the main dwelling. The proposed extensions would dominate the existing building and appear over-prominent from the street scene due to the size and

scale of the roof extension in conjunction with the two storey side extension and rear dormer.

6.2.2 The dashed line on the front elevation below shows the existing dwelling compared to the proposed extensions. The dashed lines demonstrate the excessive size, massing, scale and bulk of the proposed development when compared to the existing dwelling and is therefore considered to be out of keeping with the surroundings dwellings. Whilst there are some properties along Audon Avenue that have a width similar to the proposed extension, the extensions are legible as additions and considered not to dominate the original dwelling.



6.2.3 Most of the Audon Avenue dwellings are semi-detached and of a similar inter-war design with hipped roofs and front gables with bay windows, and where nearby properties which have extensions, these have been designed to ensure the extensions are legible as additions to the main dwelling and are subservient in nature, and the proposed development would not respect this, which is contrary to Local Plan policy.

6.2.4 In regards to the rear dormer, it is considered to be large and bulky and creates a top-heavy addition to the dwelling and is considered to further exacerbate the disproportionate size, massing and scale of the roof extension. The dormer extends from the flat top section of the proposed new roof and is not set back from the eaves. The dormer is considered to dominate the rear roof slope reflecting unacceptable, poor design. The massing of the dormer also contributes to the overall bulky and domineering appearance of the proposed extensions.

6.2.5 It is considered the two storey side extension, rear dormer and new roof would be overly prominent. It is also considered that the roof design would result in a top heavy roof arrangement and that the cumulative impact of the increase in massing and scale would result in a dwelling that would fail to integrate with its surroundings and the street scene. It is therefore considered the proposed development fails to make a positive contribution to the character and appearance of the area and would have a significant negative impact on the street scene of Audon Avenue due to their scale and proportion to the detriment of the visual amenity of the area.

6.2.5 Whilst the Planning Department acknowledges the principle of designing a house to be to the standard of PassivHaus and supports this kind of development, in terms of design, the proposed extension would result in the dwelling becoming significantly bigger, the scale and massing of the new roof are considered to be cumbersome and heavy, and the two storey extension does not appear as subservient to the main dwelling.

### 6.3 **Amenity**

6.3.1 The two storey side extension and the projection of the roof extension would be built adjacent to the north west boundary. No.3's south east elevation forms part of the common boundary and has no windows in the facing elevation. Furthermore, a distance of 1.6m minimum to the common boundary would be maintained and the proposed side extension will be almost in line with no.3's rear elevation. As such it is considered that neither element of the development would have a significant impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.

6.3.2 Regarding the rear dormer, whilst it is acknowledged there will be some level of overlooking to adjacent neighbours, it is considered this relationship is not uncommon with roof extensions such as this. It is considered the dormer will not have a detrimental impact on the amenity of neighbouring dwellings through of loss of light or privacy.

6.3.3 No. 7, to the south east of the site, is separated from the site by a garage and as such it is considered that the development would not have a detrimental impact in terms of neighbour amenity on this property.

6.3.4 Overall it is considered that the proposed development will not result in an unacceptable loss of amenity for the residents of any neighbouring property.

### 7. Planning Balance

7.1 Whilst the benefits of the proposal are that it would be an extension to an existing residential dwelling creating additional living accommodation and would achieve the PassivHaus energy standard, this does not outweigh the significant concerns raised in relation to the cumulative impact of the excessive massing, scale and design of the development. Given the significant scale of the proposed extensions including the rear dormer, the proposed roof exacerbates the harmful impact on the appearance of the street

scene. The proposed extensions would dominate the existing building and appear over-prominent from the street scene due to the excessive massing and scale of the two storey side extension in conjunction with the roof extension. It is therefore considered the proposed extensions would have a significant negative impact and would be highly visible within the street scene of Audon Avenue due to their scale and proportion and would be out of character of the street scene to the detriment of the visual amenity of the area.

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 Duty, the development is unacceptable and that there are no circumstances which otherwise would justify the granting of planning permission.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be refused for the following reason:</b>	
<b>1.</b>	<b>The proposed development, by virtue of its design, scale and massing, including the top-heavy roof extension, is disproportionate and would unduly dominate the host dwelling due to its size, would be visually dominant within the street scene and as a result be detrimental to the character and appearance of the dwelling and the surrounding area. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</b>
	<b>NOTES TO APPLICANT</b>
<b>1.</b>	<b>Whilst it has not been possible to achieve a positive outcome, due to the fundamental concern regarding the size, scale and impact on the street scene, the Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>



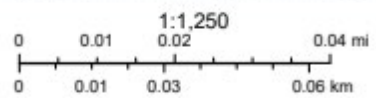
**Map**

**23/00750/FUL - 5 Audon Avenue, Chilwell NG9 4AW**



11/16/2023, 11:56:54 AM

-  Flood Zone 2
-  Flood Zone 3
-  Site



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Photos



Front elevation



Rear elevation



North east (side) elevation



North west (side) elevation



Relationship with no.3 Audon Avenue





Relationship with no.7 Audon Avenue

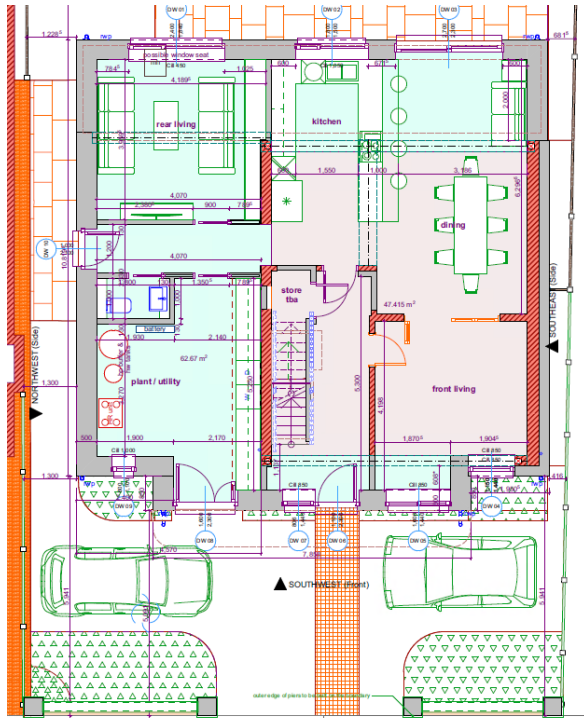


View of properties to rear of site

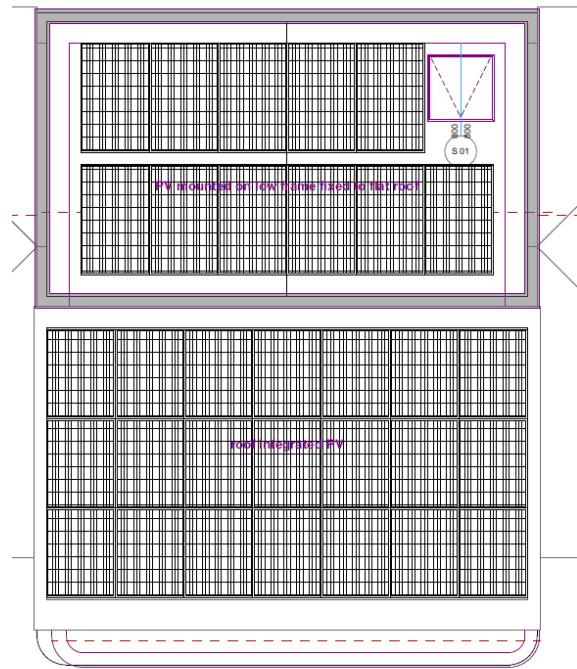
3D View Images



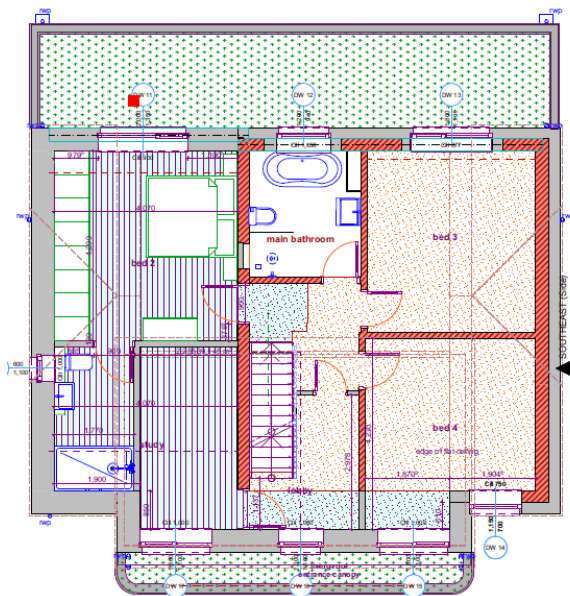




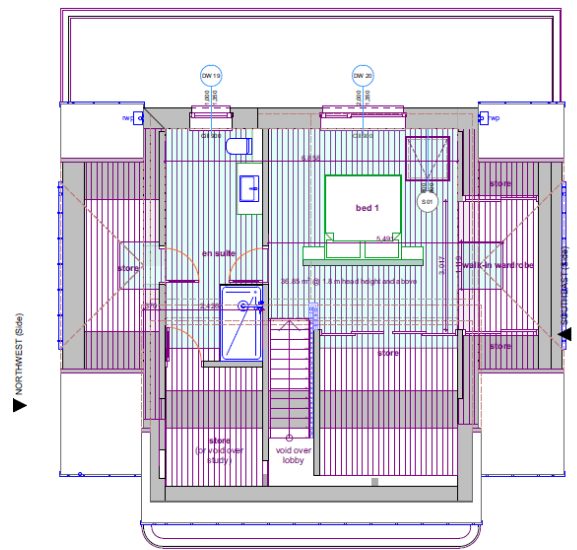
Proposed Ground Floor Plan



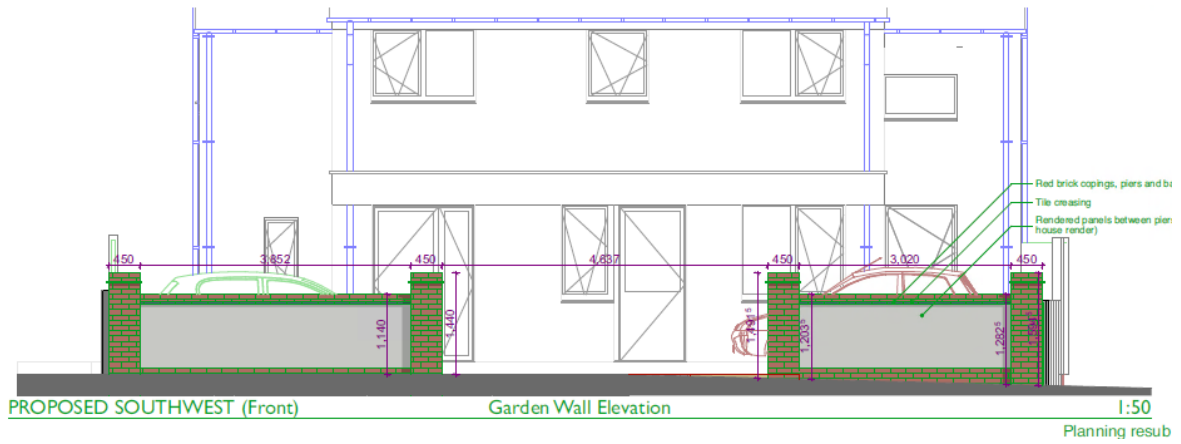
Proposed Roof Plan



Proposed first floor plan



Proposed second floor plan



Proposed boundary wall

## **BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT**

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**PLANNING APPLICATIONS DEALT WITH FROM  
9 OCTOBER 2023 TO 10 NOVEMBER 2023**

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### **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**

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

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**ATTENBOROUGH & CHILWELL EAST WARD**

Applicant : . McDonald's Restaurants Limited 23/00603/FUL  
Site Address : McDonald's Unit 8 Chilwell Retail Park Barton Lane Attenborough Nottinghamshire  
Proposal : **Alterations to elevations consisting replacement shopfront with new entrance, access door, high level window, glazing and drive through booths. Reconfiguration of external areas including replacement fence panels to match existing. Replacement patio furniture and fencing. Construct extension to north east elevation**  
Decision : **Conditional Permission**

---

Applicant : MR BARNARD 23/00611/FUL  
Site Address : 52 Mottram Road Chilwell Nottinghamshire NG9 4FW  
Proposal : **Construct conservatory to rear**  
Decision : **Conditional Permission**

---

Applicant : Mr D Coupe Poplar Tree Services Ltd 23/00641/CAT  
Site Address : Poseidon House Church Lane Attenborough Nottinghamshire NG9 6AS  
Proposal : **Pollard 2x Poplars down to 5m**  
Decision : **No Objection**

---

Applicant : Ms Catherine Clarke 23/00670/FUL  
Site Address : 81 Attenborough Lane Chilwell Nottinghamshire NG9 5JP  
Proposal : **Construct single storey side extension and extend dropped kerb**  
Decision : **Conditional Permission**

---

Applicant : Pinnock 23/00682/CAT  
Site Address : 8 Barratt Lane Attenborough Nottinghamshire NG9 6AF  
Proposal : **Box Elder - Fell to ground level.  
Shrubs on rear and left hand border - Reduce height to approx 8ft, measured from rear neighbours fence line.  
Orange Blossom - Fell to ground level.  
2-3 small Lawsons - Fell to ground level**  
Decision : **No Objection**

---

Applicant : Mr Martin Firbank 23/00683/FUL  
Site Address : Pavilion Attenborough Cricket Club The Strand Attenborough Nottinghamshire  
Proposal : **Conversion of an open external store and extend to provide an additional changing room and a secure external store with minor internal alterations**  
Decision : **Conditional Permission**

---

Applicant : Mrs Fiona Walter 23/00716/CAT  
Site Address : 2 Hallams Lane Chilwell Nottinghamshire NG9 5FH  
Proposal : **Apple Tree (T1) and Cherry Tree (T2)- Fell, Cherry Tree (T3)- Fell and replace**  
Decision : **No Objection**

---

Applicant : Mrs Susan Randall 23/00722/CAT  
Site Address : Field House Shady Lane Attenborough Nottinghamshire NG9 6AW  
Proposal : **T1 - 1x Maple - fell**  
Decision : **No Objection**

---



## AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr Gurjit Mahal Taylor Reed Homes Ltd 23/00510/FUL  
Site Address : Willoughby Almshouses Church Lane Cossall Nottinghamshire  
Proposal : **Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr John Scruton Friends of Bennerley Viaduct 23/00527/FUL  
Site Address : Bennerley Viaduct Newtons Lane Cossall Nottinghamshire  
Proposal : **Construction of a cycle and pedestrian embankment to the Bennerley Viaduct, Visitor Centre, Car Park, Access and associated infrastructure**  
Decision : **Conditional Permission**

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Applicant : Mr John Scruton Friends of Bennerley Viaduct 23/00528/LBC  
Site Address : Bennerley Viaduct Newtons Lane Cossall Nottinghamshire  
Proposal : **Construction of a cycle and pedestrian embankment to the Bennerley Viaduct, Visitor Centre, Car Park, Access and associated infrastructure**  
Decision : **Permitted Development**

---

Applicant : Miss Aleysha Stead Avant Homes Central 23/00648/NMA  
Site Address : Field At Grid Reference 447695 343963 Park Hill Awsworth Nottinghamshire  
Proposal : **Non material amendment to 22/00346/REM including  
1. Updated accommodation schedule, 2. Removal of pump station, 3. Drainage Easements updated, 4. Plot 83 parking amended, 5. Plot 73 parking added, 6. Visitor parking changed for plot 145, 7. Indication of trees/vegetation for removal/retention, 8. Boundary fence added to rear of plots 157-160, 9. Updated materials layout.**  
Decision : **Unconditional Permission**

---

Applicant : Parker 23/00654/CAT  
Site Address : The Coppice Robinettes Lane Cossall Nottinghamshire NG16 2RX  
Proposal : **T1 - Sycamore - Removal, the tree is dead**  
Decision : **No Objection**

---

## BEESTON CENTRAL WARD

Applicant : Mr Paul Glover Signs Express 23/00477/ADV  
Site Address : 114 Queens Road East Beeston Nottinghamshire NG9 2FD  
Proposal : **Display totem sign**  
Decision : **Conditional Permission**

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Applicant : Mr Mohammed Younis 23/00503/FUL  
Site Address : 22 Lower Road Beeston Nottinghamshire NG9 2GL  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Ms Elizabeth Dodds 23/00623/FUL  
Site Address : 58 Mona Street Beeston Nottinghamshire NG9 2BY  
Proposal : **Construct two-storey side/rear and single-storey rear extensions**  
Decision : **Conditional Permission**

---

## BEESTON NORTH WARD

Applicant : Ms Grazina Zlibiniene 23/00629/CLUP  
Site Address : 51 Anderson Crescent Beeston Nottinghamshire NG9 2PS  
Proposal : **Certificate of Lawfulness for proposed loft conversion**  
Decision : **Approval - CLU**

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Applicant : Mr David Tanner Bridge Park Properties Ltd, c/o Tanners 23/00656/FUL  
Site Address : Poodletrim 101B High Road Beeston Nottinghamshire NG9 2LH  
Proposal : **Change of Use from A1 Shop to Dwelling C3 and single storey front extension**  
Decision : **Withdrawn**

---

Applicant : Mr Chris Burton 23/00676/VOC  
Site Address : 76 Abbey Road Beeston Nottinghamshire NG9 2QH  
Proposal : **Variation of condition 2 of application 21/00376/FUL**  
Decision : **Conditional Permission**

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Applicant : Mr Chris Burton 23/00677/VOC  
Site Address : 74 Abbey Road Beeston Nottinghamshire NG9 2QH  
Proposal : **Variation of condition 2 of application 20/00147/FUL**  
Decision : **Conditional Permission**

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## BEESTON RYLANDS WARD

Applicant : Dr J Heptinstall 23/00362/FUL  
Site Address : 83 Dovecote Lane Beeston Nottinghamshire  
Proposal : **Construct single storey rear extension and make alterations to convert the property from 6 apartments to 4 apartments, including demolition of garage**  
Decision : **Conditional Permission**

---

Applicant : Mr Rob McIntosh Network Rail (Infrastructure) Ltd 23/00615/LBC  
Site Address : Beeston Railway Station Station Road Beeston Nottinghamshire NG9 2AB  
Proposal : **Replacement of existing glazing in canopy to platform 1; replacement of softwood timber waiting shelters; replacement of existing felt roof; replacement of upvc rainwater goods; re-painting of shelters and benches**  
Decision : **Conditional Permission**

---

Applicant : Mr James Goodchild 23/00635/FUL  
Site Address : 2 Clayton Court Queens Road Beeston Nottinghamshire NG9 1JZ  
Proposal : **Change of use of three bedroomed apartment (no.2) in C3 use to three bedroomed apartment in C4 use**  
Decision : **Conditional Permission**

---

Applicant : Mr James Goodchild 23/00688/FUL  
Site Address : 4 Clayton Court Queens Road Beeston Nottinghamshire NG9 1JZ  
Proposal : **Change of use of three bedroomed apartment (no.4) in C3 use to three bedroomed apartment in C4 use**  
Decision : **Conditional Permission**

---

Applicant : Mr James Goodchild 23/00692/FUL  
Site Address : 6 Clayton Court Queens Road Beeston Nottinghamshire NG9 1JZ  
Proposal : **Change of use of three bedroomed apartment (no.6) in C3 use to three bedroomed apartment in C4 use**  
Decision : **Conditional Permission**

---

## BEESTON WEST WARD

Applicant : Mark Wakeling & Claire Tweed 23/00538/FUL  
Site Address : 58 Park Road Chilwell Nottinghamshire NG9 4DD  
Proposal : **Construct 2 storey side & single storey front extension**  
Decision : **Conditional Permission**

---

Applicant : Mr Mathew Hilton 23/00595/FUL  
Site Address : 8 Elm Avenue Beeston Nottinghamshire NG9 1BU  
Proposal : **Construct single storey rear extension and first floor extension to form two storey dwelling**  
Decision : **Conditional Permission**

---

Applicant : Valeria & David Ciarnelli & Scurr 23/00597/CLUP  
Site Address : 65 Denison Street Beeston Nottinghamshire NG9 1AX  
Proposal : **Certificate of Lawfulness for proposed dormer extensions to roof**  
Decision : **Approval - CLU**

---

Applicant : Mr MATTHEW RILEY acorn tree services (NOTTINGHAM) LTD 23/00632/TPOW  
Site Address : Challenge House 1 Devonshire Avenue Beeston Nottinghamshire NG9 1BS  
Proposal : **T1 to T4 - Limes - prune by 2.5m from height and 1m from lateral growth  
T5 - Lime - prune by 4m from height and lateral growth by 1m**  
Decision : **Conditional Permission**

---

Applicant : Mr Christopher Atkinson 23/00644/FUL  
Site Address : 32 Montague Street Beeston Nottinghamshire NG9 1BA  
Proposal : **Construct single storey rear and side extension and loft conversion**  
Decision : **Conditional Permission**

---

Applicant : Dr & Dr Helen & Inge Buckler & Alferink 23/00662/FUL  
Site Address : 39 Imperial Road Beeston Nottinghamshire NG9 1FN  
Proposal : **Construct single storey side / rear extension. Insertion of roof lights to facilitate loft conversion (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr Matthew Adams Urban Tree Care Ltd 23/00685/TPOW  
Site Address : 21 Bramcote Road Beeston Nottinghamshire NG9 1AG  
Proposal : **Beech - Crown lift by up to 5m in height and crown reduce by up to 2m in length to a balanced shape.**  
Decision : **Conditional Permission**

---

Applicant : Mrs Deanne Hewson 23/00686/CAT  
Site Address : 78 Park Road Chilwell Nottinghamshire NG9 4DE  
Proposal : **T1 Apple Tree reduce by 1-2m and thin by 15% clear broken limb and tidy tear.  
T2 Apple Tree , fell to ground level due to being in heavy decline.  
T3 Oak Tree , Lift to 4m making sure to leave any main stems, crown clean and dead wood.  
T4 Magnolia reduce by 1-2m and lift to 2.5m making sure to bring lateral branches away from Park Road.**  
Decision : **No Objection**

---

Applicant : Mrs Philippa Burchell 23/00717/NMA  
Site Address : 89 Bramcote Drive West Beeston Nottinghamshire NG9 1DU  
Proposal : **Non material amendment to planning reference 20/00539/FUL - addition of window to west elevation**  
Decision : **Unconditional Permission**

---

Applicant : Mr R Payne 23/00727/CAT  
Site Address : 39 Hall Croft Beeston Nottinghamshire NG9 1EL  
Proposal : **Removal of dangerous branch over hanging West End Road**  
Decision : **No Objection**

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## BRAMCOTE WARD

Applicant : Mr Tom Richards Tom Richards Tree Services 18/00671/CAT  
Site Address : 5 Court Yard Bramcote NG9 3DL  
Proposal : **T 1 - Beech - Crown reduce the Beech tree at 5 Court Yard by 3 meters in height and width - in order to take stress of the main unions and allow more light into the surrounding property's.**  
Decision : **Conditional Permission**

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Applicant	:	Mr William Fardoe	23/00344/FUL
Site Address	:	32 Town Street Bramcote Nottinghamshire NG9 3HA	
Proposal	:	<b>Dormer window to bedroom 3 on first floor rear elevation and removal of window from third bedroom on gable wall</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mrs Ruth Farnsworth	23/00577/OUT
Site Address	:	48 Rivergreen Crescent Bramcote Nottinghamshire NG9 3ET	
Proposal	:	<b>Outline permission with some matters reserved for detached bungalow</b>	
Decision	:	<b>Refusal</b>	
Applicant	:	Mr T Hackett	23/00619/FUL
Site Address	:	10 Ullswater Crescent Bramcote Nottinghamshire NG9 3BE	
Proposal	:	<b>Remove garage door and insert window to create habitable room. Partial external cladding and render to front of property. Construct patio steps with railings and construct retaining walls.</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr K Krishanand DSK Nottingham Ltd	23/00690/FUL
Site Address	:	19 Claremont Avenue Bramcote Nottinghamshire NG9 3DG	
Proposal	:	<b>Construct boundary wall and railings to frontage</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Andy Cooling	23/00733/CAT
Site Address	:	45 Cow Lane Bramcote Nottinghamshire NG9 3DJ	
Proposal	:	<b>Oak Tree - Crown thin of 10% to remove dead branches and crown reduction of 30%</b>	
Decision	:	<b>No Objection</b>	
<b>CHILWELL WEST WARD</b>			
Applicant	:	Ms Sarah Rigby	23/00594/FUL
Site Address	:	17 Eskdale Drive Chilwell Nottinghamshire NG9 5FL	
Proposal	:	<b>Construct two storey side extension with front and rear dormers and single storey extensions to the side and north east elevations.</b>	
Decision	:	<b>Refusal</b>	
<b>EASTWOOD HALL WARD</b>			
Applicant	:	Mrs Lynsay Canalella	23/00568/FUL
Site Address	:	10 Meadow Close Eastwood Nottinghamshire NG16 3DQ	
Proposal	:	<b>Construct rear dormer window, and single storey side/rear extension following demolition of existing garage</b>	
Decision	:	<b>Conditional Permission</b>	
<b>EASTWOOD HILLTOP WARD</b>			
Applicant	:	Mr Nabeel Ahmed SAXONIA CAPITAL LIMITED	23/00512/FUL
Site Address	:	97 Lynncroft Eastwood Nottinghamshire NG16 3ER	
Proposal	:	<b>Construct ground floor side / rear extension</b>	
Decision	:	<b>Refusal</b>	
Applicant	:	Mr Dan Bright	23/00554/FUL
Site Address	:	Land Behind 79 Chewton Street Eastwood Nottinghamshire NG16 3JQ	
Proposal	:	<b>Construct detached bungalow to rear garden, with access from Old Kiln Lane</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Chris Wood	23/00571/FUL
Site Address	:	15 Whitby Road Newthorpe Nottinghamshire NG16 3QB	
Proposal	:	<b>Construct outbuilding</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant : Mr Frank Johnston 23/00630/FUL  
Site Address : 12 Kirby Road Eastwood Nottinghamshire NG16 3PZ  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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#### **EASTWOOD ST MARY'S WARD**

Applicant : Anchalee Stark Beeton Broxtowe Borough Council 23/00666/REG3  
Site Address : Scalby Close (3-12 And 14-41) Eastwood Nottinghamshire  
Proposal : **Replacement roofs to 38 properties (3-12 and 14-41 Scalby Close) with insulation, increase in roof height and replacement cladding to some properties**  
Decision : **Conditional Permission**

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#### **GREASLEY WARD**

Applicant : Mr Neil Caress 23/00660/FUL  
Site Address : 4 Briar Road Newthorpe Nottinghamshire NG16 2BN  
Proposal : **Construct single storey side /front extension**  
Decision : **Conditional Permission**

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Applicant : Mr Peter Cliff 23/00694/FUL  
Site Address : 9 Daisy Farm Road Newthorpe Nottinghamshire NG16 2AY  
Proposal : **Construct two dormers to front roof slope and pitched roof to garage**  
Decision : **Conditional Permission**

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Applicant : Mr Alex Abbott Decathlon UK Ltd 23/00761/NMA  
Site Address : Decathlon 3 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP  
Proposal : **Non material amendment to 23/00324/FUL to relocate the external plant located on the delivery bay roof, the bulk of which will be housed internally with 5 no. external condensers located on the rear/south elevation of the delivery bay. To reduce the number of windows on the west elevation from 7 no. windows to 1 no. windows. To remove the proposed composite wood cladding from the central section of the front elevation and have the whole frontage with matching cladding as approved previously**  
Decision : **Unconditional Permission**

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#### **KIMBERLEY WARD**

Applicant : Mr Callum Northridge Springfield Property Services Ltd 23/00476/FUL  
Site Address : 26 Main Street Kimberley Nottinghamshire NG16 2LL  
Proposal : **Change of use from Class E to mixed use comprising of a Retail unit (E) & 6 bed, 8 Occupancy HMO (Sui Generis)**  
Decision : **Conditional Permission**

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Applicant : Mr Zahir Malik 23/00622/VOC  
Site Address : 39A Main Street Kimberley Nottinghamshire NG16 2NG  
Proposal : **Variation of Condition 2 (approved drawings) of planning ref 22/00549/FUL**  
Decision : **Conditional Permission**

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Applicant : Mr Simon Unwin 23/00776/NMA  
Site Address : Site Of Former Stables And Land North West Of 22 Westby Lane Babbington Village Nottingham Nottinghamshire  
Proposal : **Non material amendment to 23/00118/FUL for minor alterations to external materials and internal layout**  
Decision : **Unconditional Permission**

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#### **NUTHALL EAST & STRELLEY WARD**

Applicant : Boden Associates David Boden Boden Associates 23/00549/LBC  
Site Address : Strelley Lodge Main Street Strelley Nottinghamshire NG8 6PE  
Proposal : **Construct first floor bedroom extension to lodge, convert first floor of outbuilding, new dormer window and rooflights.**  
Decision : **Withdrawn**

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Applicant : Mr and Ms Adam and Filipa Billinger and Nogueira 23/00612/FUL  
Site Address : 6 Highfield Road Nuthall Nottinghamshire NG16 1BS  
Proposal : **Construct single storey side and rear extensions including garage conversion.  
Garage eaves to be raised**  
Decision : **Conditional Permission**

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Applicant : Mr Steve Meikle 23/00637/CAT  
Site Address : 1 Broad Oak Cottages Main Street Strelley Nottinghamshire NG8 6PD  
Proposal : **Crown thin and works to Walnut tree to prevent overhanging**  
Decision : **No Objection**

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Applicant : Mr James Duffy 23/00640/FUL  
Site Address : 14 Harcourt Crescent Nuthall Nottinghamshire NG16 1AT  
Proposal : **Construct side extension and fence**  
Decision : **Conditional Permission**

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Applicant : C/o Agent Motor Fuel Group 23/00675/FUL  
Site Address : Woodhouse Service Station Woodhouse Way Nuthall Nottinghamshire NG16 1RQ  
Proposal : **Demolition of hand car wash cabin to facilitate the creation of charging zone  
comprising EV chargers, canopy, sub-station enclosure, LV panel, meter cabinet  
and associated forecourt works. Construction of retaining wall**  
Decision : **Conditional Permission**

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#### STAPLEFORD NORTH WARD

Applicant : Mr Ian Shakespeare Aston Properties (UK) Limited 23/00396/FUL  
Site Address : Land To The West Of 63 Mill Road Stapleford Nottinghamshire NG9 8GD  
Proposal : **Construct detached dwelling (revised scheme)**  
Decision : **Conditional Permission**

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#### STAPLEFORD SOUTH WEST WARD

Applicant : Mrs Phillippa Taylor 23/00658/PNH  
Site Address : 38 Birley Street Stapleford Nottinghamshire NG9 7GE  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the  
existing extension by 3.00 metres and from the rear wall of the original dwelling by  
no more than 6.00 metres overall, with a maximum height of 3.8 metres, and an  
eaves height of 2.9 metres**  
Decision : **Prior Approval Not Required**

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Applicant : Manager 23/00700/TPOW  
Site Address : The Admiral Sir John Borlase Warren 97 Derby Road Stapleford Nottinghamshire NG9  
7AR  
Proposal : **G1 x8 Lime trees to remove epicormic from stems and crown lift to 5.2m height.**  
Decision : **Conditional Permission**

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Applicant : Justin Ingrey 23/00728/PNH  
Site Address : 3 Lower Park Street Stapleford Nottinghamshire NG9 8EW  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the  
original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves  
height of 3 metres.**  
Decision : **Prior Approval Granted**

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Applicant : Justin Ingrey 23/00731/PNH  
Site Address : 14 Brookhill Street Stapleford Nottinghamshire NG9 7BS  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the  
original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves  
height of 3 metres**  
Decision : **Prior Approval Not Required**

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## TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Jamie Cole 23/00464/FUL  
Site Address : 4 Minton Close Chilwell Nottinghamshire NG9 6PZ  
Proposal : **Convert integrated garage to a habitable room**  
Decision : **Conditional Permission**

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Applicant : Mr Wing Hang Cheung Drafternoon Planning Ltd. 23/00601/FUL  
Site Address : 26 Banks Road Toton Nottinghamshire NG9 6HD  
Proposal : **Construct single storey front and rear extensions and two storey side extension**  
Decision : **Conditional Permission**

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Applicant : Tesco Stores Ltd 23/00602/FUL  
Site Address : Petrol Filling Station Tesco Swiney Way Toton Nottinghamshire NG9 6QX  
Proposal : **Retain footpath connecting public highway to store including LED floodlighting and pedestrian guardrail**  
Decision : **Conditional Permission**

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Applicant : Mr Roy Davies 23/00617/FUL  
Site Address : 33 Seaburn Road Toton Nottinghamshire NG9 6HT  
Proposal : **Retain single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr T Higgins 23/00651/TPOW  
Site Address : 70 High Road Toton Nottinghamshire NG9 6EH  
Proposal : **T6 Lime - Pruning of branches away from overhead telephone cables and overhanging of main road (High Road)**  
Decision : **Conditional Permission**

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Applicant : Ms Elise Sanders 23/00696/TPOW  
Site Address : 48 High Road Toton Nottinghamshire NG9 6EH  
Proposal : **T1 Lime Tree. Pollard to where the two codominant stems break off in the crown roughly at the 5m mark.**  
Decision : **Conditional Permission**

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## WATNALL & NUTHALL WEST WARD

Applicant : Mr John Tunstall 23/00542/FUL  
Site Address : Side Of Eel Hole Farm Long Lane Watnall Nottinghamshire NG16 1HY  
Proposal : **Conversion and change of use of commercial bus depot to dwelling**  
Decision : **Conditional Permission**

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Applicant : Ms Caroline Taylor 23/00721/CAT  
Site Address : 66 Maple Drive Nuthall Nottinghamshire NG16 1EJ  
Proposal : **Remove Ash tree (leaving 2ft stump)**  
Decision : **No Objection**

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