



Tuesday, 30 January 2024

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 7 February 2024 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

(Pages 5 - 12)

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 13 - 22)

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

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 23/00627/FUL (Pages 23 - 48)

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

5.2 23/00787/REM (Pages 49 - 70)

Construct 29 dwellings Phase 1 – Reserved Matters relating
to reference 20/00844/OUT
Former site of Lynncroft Primary School, Lynncroft,
Eastwood, Nottinghamshire

5.3 23/00792/FUL (Pages 71 - 84)

Construct single storey equestrian storage building with
roller shutter access
Land north of Home Farm Cottage and Park View Cottage,
Main Street, Strelley, Nottinghamshire

5.4 23/00783/FUL (Pages 85 - 98)

Partial demolition and construct single storey extension to
rear to extend retail space. Extension within roof void to
create new dwelling; alterations and external works.
101 - 103 Central Avenue, Beeston, Nottinghamshire, NG9
2QS

5.5 23/00814/REG3 (Pages 99 - 118)

Install external wall insulation to front, rear and side
elevations of properties, including enabling and facilitating
works. Numbers 1-27, 29-30, 32-52, 83A, 83-92 Princes
Street and 1-22 Wellington Street
1-27, 29-30, 32-52, 83A, 83-92 Princes Street and 1-22
Wellington Street, Eastwood, Nottinghamshire

6. INFORMATION ITEMS

6.1 Appeal Decisions (Pages 119 - 134)

6.2 Delegated Decisions (Pages 135 - 150)

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Report of the Monitoring Officer

DECLARATIONS OF INTEREST

1. Purpose of Report

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda. The following information is extracted from the Code of Conduct, in addition to advice from the Monitoring Officer which will assist Members to consider any declarations of interest.

Part 2 – Member Code of Conduct

General Obligations:

10. Interest

10.1 You will register and disclose your interests in accordance with the provisions set out in Appendix A.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as defined in Appendix A of the Code of Conduct, is a criminal offence under the Localism Act 2011.

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

1. Consider whether you have any form of interest to declare as set out in the Code of Conduct.
2. Consider whether you have a declaration of any bias or predetermination to make as set out at the end of this document
3. Update Democratic Services and the Monitoring Officer and or Deputy Monitoring Officers of any declarations you have to make ahead of the meeting and take advice as required.
4. Use the Member Interest flowchart to consider whether you have an interest to declare and what action to take.
5. Update the Chair at the meeting of any interest declarations as follows:

‘I have an interest in Item xx of the agenda’

'The nature of my interest is therefore the type of interest is
DPI/OR/NRI/BIAS/PREDETERMINATION
'The action I will take is...'

This will help Officer record a more accurate record of the interest being declared and the actions taken. You will also be able to consider whether it is necessary to send a substitute Members in your place and to provide Democratic Services with notice of your substitute Members name.

Note: If at the meeting you recognise one of the speakers and only then become aware of an interest you should declare your interest and take any necessary action

6. Update your Member Interest Register of any registerable interests within 28days of becoming aware of the Interest.

Ask yourself do you have any of the following interest to declare?

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A "Disclosable Pecuniary Interest" is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land, Licences, Tenancies and Securities.

2. OTHER REGISTERABLE INTERESTS (ORIs)

An "Other Registerable Interest" is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) anybody directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of general control or management.

3. NON-REGISTRABLE INTERESTS (NRIs)

"Non-Registrable Interests" are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

A matter "directly relates" to one of your interests where the matter is directly about that interest. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you has a financial interest.

A matter “affects” your interest where the matter is not directly about that interest but would still have clear implications for the interest. For example, the matter concerns a neighbouring property.

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2. OTHER REGISTERABLE INTERESTS (ORIs)

2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:

- **you must disclose** the interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote** on the matter, but may speak on the matter only if members of the public are also allowed to speak at the meeting
- **you must withdraw from the room** unless you have been granted a Dispensation.

3. NON-REGISTRABLE INTERESTS (NRIs)

3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:

- **you must** disclose the interest; if it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
 - **you must not take part in any discussion or vote**, but may speak on the matter only if members of the public are also allowed to speak at the meeting; and
 - **you must withdraw** from the room unless you have been granted a Dispensation.
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Dispensation and Sensitive Interests

A “Dispensation” is agreement that you may continue to participate in the decision-making process notwithstanding your interest as detailed at section 12 of the Code of the Conduct and the Appendix.

A “Sensitive Interest” is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation. In any case where this Code of Conduct requires to you to disclose an interest (subject to the agreement of the Monitoring Officer in accordance with paragraph 2.4 of this Appendix regarding registration of interests), you do not have to disclose the nature of the interest, if it is a Sensitive Interest in such circumstances you just have to disclose that you have a Sensitive Interest under S32(2) of the Localism Act 2011. You must update the Monitoring Officer when the interest is no longer sensitive, so that the interest can be recorded, made available for inspection and published.

BIAS and PREDETERMINATION

The following are not explicitly covered in the code of conduct but are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests.

The risk in both cases is that the decision maker does not approach the decision with an objective, open mind.

This makes the local authority’s decision challengeable (and may also be a breach of the Code of Conduct by the Councillor).

Please seek advice from the Monitoring Officer or Deputy Monitoring Officers, if you need assistance ahead of the meeting.

BIAS

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

PREDETERMINATION

Where a decision maker has completely made up his/her mind before the decision is taken or that the public are likely to perceive you to be predetermined due to comments or statements you have made:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

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Registerable Interests

These are interests that you are required to register in accordance with the Code of Conduct. They are interests that you would know about in advance of an item coming up (e.g. land you own) and you should have included them when filling in your register of interests.

What type of Registerable Interest do you have in this matter?

Disclosable Pecuniary Interests

These are any interests that are described as DPIs under the Code of Conduct and include both the interests of yourself and of your partner.

Other Registerable Interests

These are personal interests that relate to certain types of bodies that you may be involved in as set out in the Code of Conduct.

Does the matter directly relate to one of your Disclosable Pecuniary Interests?

No

Does the matter directly relate to the financial interest or wellbeing of one of your Other Registerable Interests?

No

Does the matter affect a financial interest or the wellbeing of yourself or of a friend, relative or close associate?

No

Is the financial interest or wellbeing affected to a greater extent than the financial interests or wellbeing of the majority of inhabitants?

No

Would a reasonable member of the public knowing all the facts believe that it would affect your view of the wider public interest?

No

You must:

- Disclose the interest;
- Not speak on the matter;
- Not participate in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

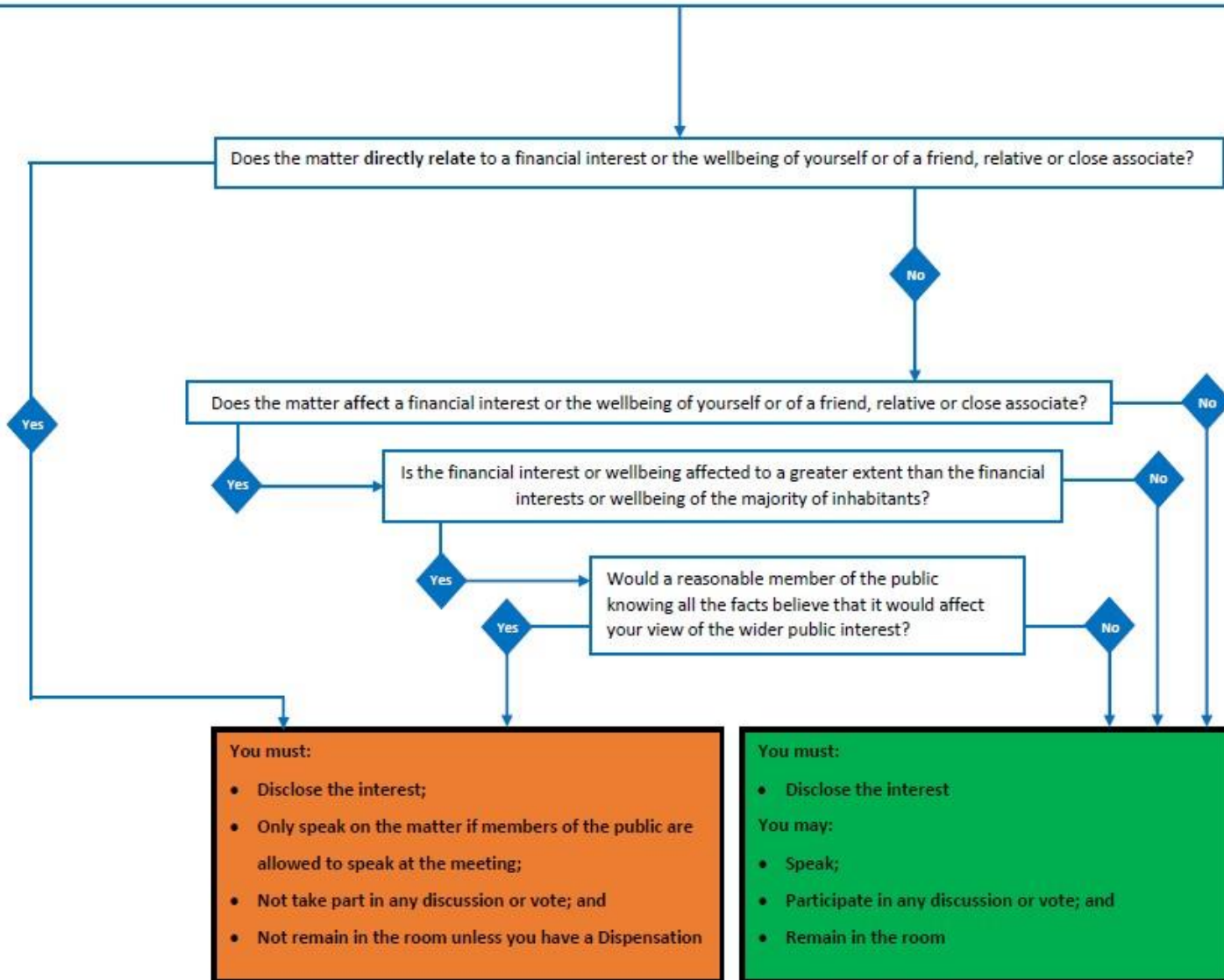
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

- Disclose the interest
- You may:
- Speak;
 - Participate in any discussion or vote; and
 - Remain in the room

Non-Registerable Interests

These are interests that you are not required to register but may become relevant when a particular item arises. These are usually interests that relate to other people you are connected with (e.g. friends, relatives or close associates) but can include your own interests where you would not have been expected to register them.



PLANNING COMMITTEE

WEDNESDAY, 6 DECEMBER 2023

Present: Councillor D Bagshaw, Chair

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

An apology for absence was received from Councillor L A Ball BEM.

Also present was Councillor P J Owen as ex officio, Councillor Andy Cooper, Ward Member and Councillor H Faccio, Ward Member.

The officers present were R Dawson, R Ayoub, S Heron, C Hallas, M Keay and K Newton.

36 DECLARATIONS OF INTEREST

There were no declarations of interest.

37 MINUTES

The minutes of the meeting on 8 November 2023 were confirmed and signed as a correct record.

38 NOTIFICATION OF LOBBYING

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

39 DEVELOPMENT CONTROL

39.1 23/00606/REG3

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

The application was brought to the Committee because it was application submitted by the Council.

There were no late items.

Stephen Grimes, on behalf of the applicant, made representation to the Committee prior to the general debate.

The Committee considered the application with reference to all of the representations before it. The debate centred on the tension between preserving the street scene and historic look of the area and the amenity of residents. There was concern regarding reports of severe damp and mould in some of the houses and the general disrepair of the brickwork was noted. Although there was concern about the impact the cladding would have on an historic asset, it was further noted that the cladding that has been chosen was a good match for the brickwork and preserving the detailing around the windows provided a compromise which would preserve some of the Victorian look of the houses.

RESOLVED that planning permission be granted.

RESOLVED that the precise wording of the approval and conditions, including specifics on time, plans and materials be delegated to the Chair of 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 the Site Location Plan (Drawing Number: CW24.0.10.01), Proposed Elevation Plan 75-82 (Drawing Number CW24.010.010), Proposed Elevation Plan 68-74 (Drawing Number: CW24.010.009) received by the Local Planning Authority on 02 October 2023 and the Proposed Finish Details received by the Local Planning Authority on 11 October 2023**
- 3. For the avoidance of doubt the external render shall be applied using materials coloured to match the existing brickwork, a shallow mortar recess and with all finishing details such as cills, lintels and dog tooth detailing completed as specified in the finished detailing drawings received by the Local Planning Authority on 11 October 2023, unless otherwise agreed in writing by the Local Planning Authority.**
- 4. Prior to commencement of development hereby approved a further inspection of properties 70, 72, 77, 78, 79 and 80 Princes Street shall be**

carried out by a licensed ecologist from scaffolding to check for the presence of roosting bats. The results of which must be submitted in writing to the Planning Authority. Should evidence of bats be recorded during the pre-works inspection, works will need to be delayed on that property until further surveys have been carried out and recommendations made.

5. Should statutorily protected species be found within the application site at any time during the construction stage, then all work shall cease immediately and written notification shall be sent by the developer to the Planning Authority. Development shall only recommence once written approval for recommencement has been issued in writing by the Planning Authority.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 11 of the Broxtowe Part 2 Local Plan (2019) and Policy 23 of the Aligned Core Strategy (2014).
4. In the interests of protected species and in accordance with the aims of Policy 17 of the Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019)
5. In the interests of protected species and in accordance with the aims of Policy 17 of the Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019)

Note to Applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

39.2 23/00689/FUL

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

Councillor D Bagshaw requested that this proposal come before Committee.

There were no late items.

Tim Niblett, the applicant, made representation to the Committee prior to the general debate.

Having had due regard for all the representations before it, the Committee debated the item, noting that there were no amenity issues and that this was a case of an old house being upgraded to contemporary standards.

RESOLVED that planning permission be granted.

RESOLVED that the precise wording of the approval and conditions, to include specifics on time, plans and materials, be delegated to the Chair of the Planning Committee and the Head of Planning and Economic Development.

Conditions

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 19 September 2023 and the Proposed Elevation Plan 75-82 (Drawing Number PG/TN/2023/006/02 received by the Local Planning Authority on 02 October 2023**
- 3. The two storey side and rear extensions shall be finished in brick and render to match the existing house and as specified in the application form received by the Local Planning Authority on 19 September 2023, unless otherwise agreed in writing by the Local Planning Authority.**

Reasons

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

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. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other**

machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

39.3 23/00681/FUL

Construct Juliet balcony to rear and insertion of roof lights and wall and gates to front 70 Beeston Fields Drive, Bramcote, Nottinghamshire, NG9 3TD

This application was brought to Committee at the request of the Head of Planning and Economic Development.

There were no late items.

Aimee Labbate, on behalf of the applicant and Susan Price, objecting, made representation to the Committee prior to the general debate.

Having given due regard to the representations before it, the Committee considered the application. It was noted that permission had been granted for a window in the position that the Juliet balcony was proposed. It was noted that the Juliet balcony would overlook neighbouring properties and, that although these properties were some distance away, the size of the house meant that the proposed balcony would have more impact on amenity. There was a discussion regarding the removal of hedges and their replacement with new planting.

RESOLVED that planning permission be refused.

RESOLVED that the precise wording of the refusal, including references to overbearing impact, overlooking from windows, the size of the property and impact on neighbour amenity at the rear, be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reason

The juliet balcony and associated large windows, by virtue of the overlooking issues created, would cause a detrimental impact on the amenity of the properties on Troutbeck Crescent. The development is therefore contrary to policies 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

39.4 23/00750FUL

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

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

The Committee noted the late item, in which the applicant asked that the Committee note the proposed roof plan.

Eldar Naghiyev, the applicant and Councillor H Faccio, Ward Member, made representation to the Committee prior to the general debate.

The Committee, having noted all the evidence before it, began the debate with particular reference to the design of the house, it's commendable energy efficiency and support from neighbours. It was noted that the house could become an example of good design and contribute to achieving carbon net zero. There was some concern about the appearance of the proposed development. It was argued that concerns about the appearance of the property was subservient to the environmental impact of the development.

RESOLVED that planning permission be granted.

RESOLVED that with the precise wording of the approval and conditions, including specifics on time, materials and plans, be delegated to the Chair of 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 the Existing and Proposed Plan (drawing no. 2103/201), Proposed Site Plan (drawing no. 2103/200), Existing and Proposed Front Wall, Proposed Elevations (drawings nos. 2103/205, 2103/206, 2103/208, 2103/207), Proposed Roof Plan and Proposed Floor Plans received by the Local Planning Authority on 17 October 2023.**
3. **No building operations above ground level shall be carried out until full details of the colour, type and texture of external facing materials (including the front boundary wall) 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 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.

5. 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.

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. Insufficient details were included with the application and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
4. To protect nearby residents from excessive disturbance and loss of amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
5. To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 17 and 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Note to Applicant

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

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

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

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

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

3. **Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.**

40 INFORMATION ITEMS

40.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

41 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following 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.

42 KIMBERLEY BREWERY SITE UPDATE

RESOLVED that the Committee is supportive of the Planning Department in their approach.

43 23/00035/ENF

RESOLVED that enforcement action be taken.

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Report of the Chief Executive

APPLICATION NUMBER:	23/00627/FUL
LOCATION:	181 Nottingham Road, Nuthall
PROPOSAL:	Construct a single storey side/rear extension

A decision on this application was deferred by Committee on 8 November 2023.

1. Purpose of the Report

1.1 The application seeks planning permission for the construction of a single storey side / rear extension. This application was first brought before Planning Committee on 8 November 2023 with a recommendation to grant conditional planning permission. Members deferred making a decision on the application to allow for consideration reduce the impact on neighbours at the eastern boundary. The original report is included at **APPENDIX 2**.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in appendix 1.

3. Detail

3.1 The application seeks full planning consent to construct a single storey side and rear extension to create an open plan lounge/kitchen and downstairs shower room. There is currently a rear conservatory with hipped roof and a detached garage to the rear of the site, both will be removed as part of the proposal.

3.2 The application site consists of a two storey semi-detached dwelling with a drive way and garden area to the front and a garden to the rear. The dwelling is located in a residential area with a mix of two storey and single storey properties.

3.3 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, the extension would have an acceptable design, would have an acceptable scale, would not have a significant negative impact on neighbour amenity, and would be in accordance with the policies contained within the development plan. There are considered to be no negative impacts.

4. Financial Implications

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

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

5. Legal Implications

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

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

6. Data Protection Compliance Implications

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

7. Climate Change Implications

Any Climate Change Implications are contained within the report.

8. Background Papers

None.

APPENDIX 1**1. Details of the application**

- 1.1 This application seeks consent to construct a single storey side and rear extension following the demolition of the existing conservatory and rear garage. The extension, as amended, will have a depth between 5.5m and 7.1m with a total width of 7.6m. The extension would have a flat roof with a maximum height of 3m and would have a pyramidal roof lantern (bringing the total height to 3.4m). The rear elevation would have a window and bi-folding doors, the west (side) elevation would have a window and the east (side) and front elevations would be blank. The extension was reduced by 0.5m.

2. Site and surroundings

- 2.1 The application site is located within a predominantly residential area and consists of a two storey semi-detached house with a hip roof. The materials are red bricks, white render and dark roof tiles. The property has a single storey rear extension with lean-to roof, a rear conservatory and a detached garage to the rear beside the boundary with no.179 Nottingham Road. The rear garden is relatively generous with a length of 22m and is bound to the north by the A610.
- 2.2 To the front, the site slopes up from south to north. There is a drop in level at the rear of 0.4m (stepped down, rather than sloped from south to north, and then slopes down towards the rear boundary with the A610. At the front there is a paved driveway partially open to Nottingham Road with parking space for three vehicles.
- 2.3 No.179 Nottingham Road is a detached bungalow situated to the west of the application site. This property is at higher level than no.181 by approximately 0.8m, and has two windows on the side elevation facing the application site. The common side boundary is formed by a 0.8m high block wall with a 1.4m high fence above. The common rear boundary is a 1.6m high fence.
- 2.4 No.183 Nottingham Road is the adjoining two storey dwelling situated to the east of the application site. This property has a single storey rear extension and a rear conservatory. There is an outbuilding in the rear garden along the boundary with no.185 which has a length of approximately 5.7m. The common rear boundary is a 1.8m high fence which decreases to 1.5m high towards the rear.

3. Re-Consultations

- 3.1 As the plans were amended the neighbours were given a period of 14 days to comment on the amended plans. One response was received raising no objection to the proposed development.

4. Assessment

- 4.1 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.
- 4.2 In terms of mass and scale, it is considered that the development as amended (reduced in length by 0.5m and roof lantern moved away from the eastern boundary), does not represent a disproportionate addition and will appear subservient to the main dwelling as the single storey rear extension would be situated in a similar position to the existing rear conservatory and would occupy part of the space of the existing garage. It is considered that because the extension is single storey, has a flat roof and would not significantly reduce the size of the application property's rear garden, the scale is acceptable.
- 4.3 In terms of design, the proposed extension is considered acceptable for a contemporary single storey side/rear extension not readily visible from the street. The development has been designed to provide an enhanced kitchen space for the occupiers. The design is considered acceptable and would not result in harm to the street scene, given its position to the rear, the set back and the existing boundary treatment.
- 4.4 It remains the consideration that the proposed rear and side extension is not considered to result in an unacceptable loss of amenity for neighbouring residents. The extension has been reduced in length and the roof lantern has been relocated further away from the eastern boundary to avoid shadowing and reduce any overbearing and light pollution impact on neighbours. The amended plan has reduced the projection of the rear extension by 0.5m to reduce the potential loss of natural light and visual impact of this extension on neighbour amenity. There will be no impact on privacy as the impact of the new window and bi-folding door would be unlikely different to the existing situation.
- 4.5 Overall it is considered that the proposed single storey rear and side extension will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

5. Conclusion

- 5.1 It is considered that, having regard to the relevant policies of the Development Plan, Nuthall Neighbourhood Plan, National Planning Guidance and to all other material considerations, the development is acceptable and there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 12 September 2023, Proposed Block Plan Revision A and Proposed Floor Plans and Elevations Revision A received by the Local Planning Authority on 20 November 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extension shall be faced using off-white render finish, in accordance with the approved plans.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of Broxtowe Aligned Core Strategy (2014) and Policy 17 of Part 2 Local Plan (2019).</i></p>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be</p>

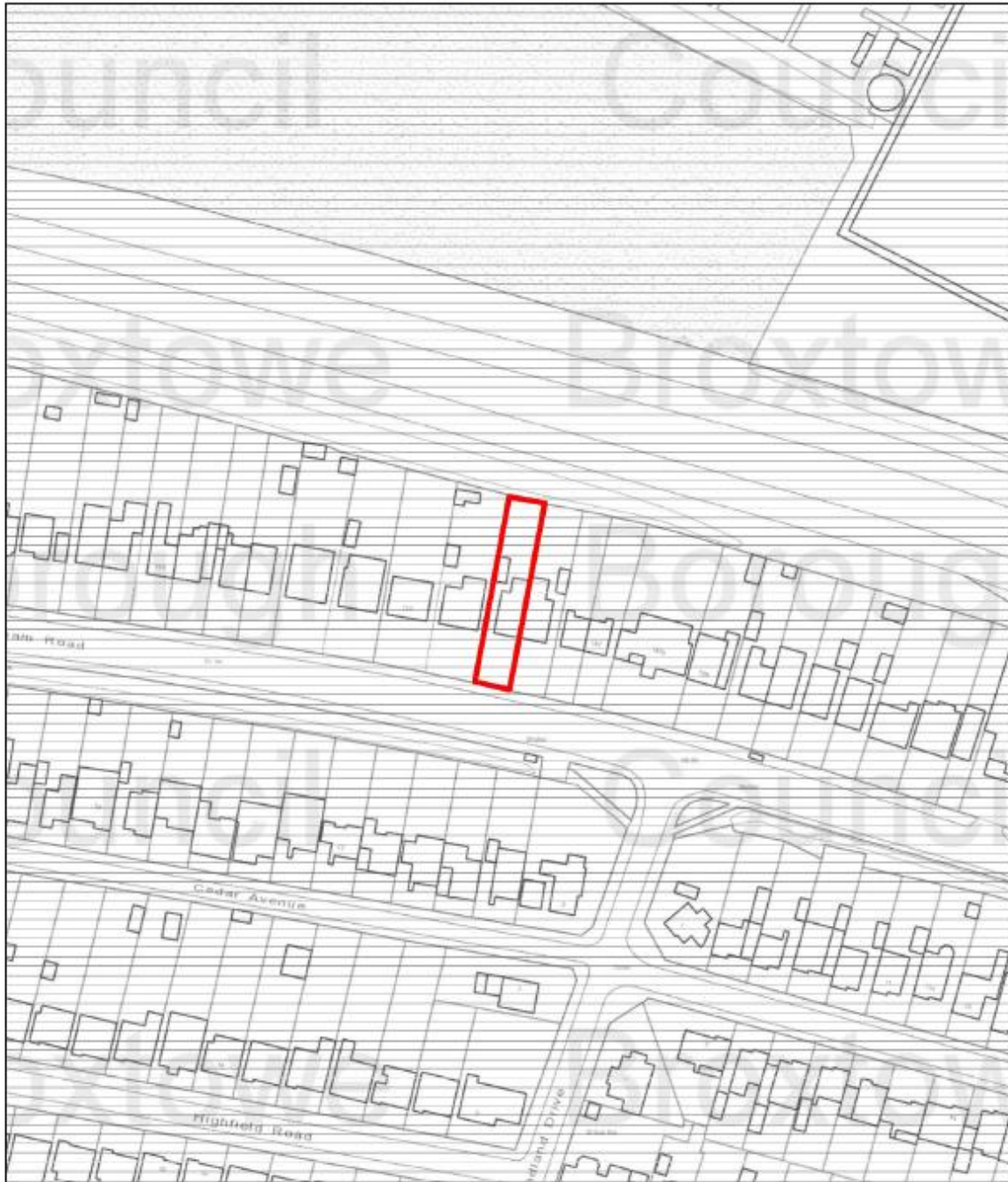
avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy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

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



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

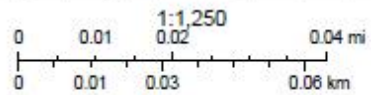
www.gov.uk/government/organisations/the-coal-authority

23/00627/FUL -181 Nottingham Road, Nuthall NG16 1AE



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-  Coal Standing Advice
-  Site



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Site Location Plan

Photos



Front elevation



Rear elevation



Rear relationship with 179 Nottingham Road



Front relationship with 179 Nottingham Road

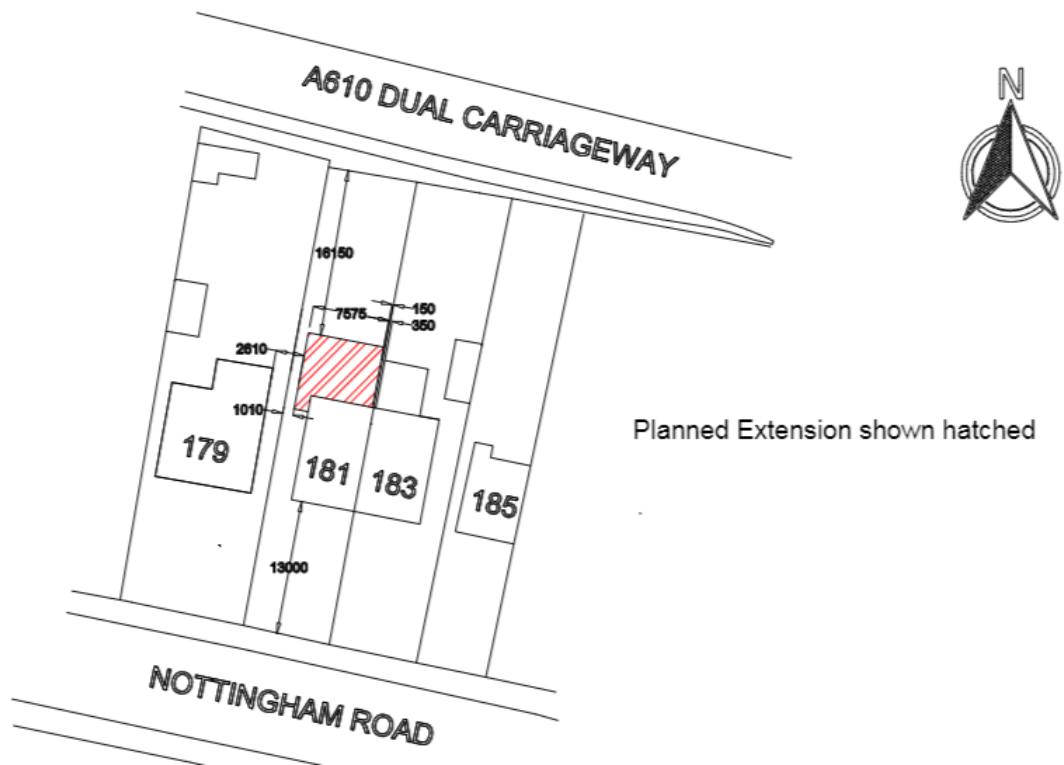


Relationship with 183 Nottingham Road



Rear boundary treatment with no.183

Proposed Block Plan



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Report of the Chief Executive

APPLICATION NUMBER:	23/00627/FUL
LOCATION:	181 Nottingham Road, Nuthall
PROPOSAL:	Construct a single storey side/rear extension

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

1. Purpose of the Report

1.1 The application seeks planning permission to construct a single storey side / rear extension.

2. Recommendation

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

3. Detail

3.1 The application seeks full planning consent to construct a single storey side and rear extension to create an open plan lounge/kitchen and downstairs shower room. There is currently a rear conservatory with hipped roof and a detached garage to the rear of the site, both will be removed as part of the proposal.

3.2 The application site consists of a two storey semi-detached dwelling with a drive way and garden area to the front and a garden to the rear. The dwelling is located in a residential area with a mix of two storey and single storey properties.

3.3 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, be of an acceptable design, be of an acceptable scale, would not have a significant negative impact on neighbour amenity, and would be in accordance with the policies contained within the development plan. There are considered to be no negative impacts.

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.

REFERENCE

APPENDIX

1. Details of the application

- 1.1 This application seeks consent to construct a single storey side and rear extension following the demolition of the existing conservatory and rear garage. The extension will have a depth between 6m and 7.6m with a total width of 7.6m. The extension would have a flat roof with a maximum height of 3m and would have a pyramidal roof lantern (bringing the total height to 3.4m). Two rooflights would be inserted in the existing roof above the utility / dining area. The rear elevation would have a window and bi-folding doors, the west (side) elevation would have a window and the east (side) and front elevations would be blank.

2. Site and surroundings

- 2.1 The application site is located within a predominantly residential area and consists of a two storey semi-detached house with a hip roof. The materials are red bricks, white render and dark roof tiles. The property has a single storey rear extension with lean-to roof, a rear conservatory and a detached garage to the rear beside the boundary with no.179 Nottingham Road.
- 2.2 To the front, the site slopes up from south to north. There is a drop in level at the rear of 0.4m (stepped down, rather than sloped from south to north), and then slopes down towards the rear boundary with the A610.
- 2.3 At the front there is a paved driveway partially open to Nottingham Road with parking space for three vehicles.
- 2.4 No.179 Nottingham Road is a detached bungalow situated to the west of the application site. This property is at higher level than no.181 by approximately 0.8m, and has two windows on the side elevation facing the application site. The common side boundary is formed by a 0.8m high block wall with a 1.4m high fence above. The common rear boundary is a 1.6m high fence.
- 2.5 No.183 Nottingham Road is the adjoining two storey dwelling situated to the east of the application site. This property has a single storey rear extension and a rear conservatory extending outwards from this. There is an outbuilding in the rear garden along the boundary with no.185 which has a length of approximately 5.7m. The common rear boundary is a 1.8m high fence which decreases to 1.5m high towards the rear.
- 2.6 The rear garden is relatively generous with a length of 22m and is bound to the north by the A610.

3. Relevant Planning History

- 3.1 Planning permission was granted under reference 10/00122/FUL to construct a rear conservatory.

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 **Nuthall Neighbourhood Plan**

4.3.1 The Nuthall Neighbourhood Plans was approved on 13 December 2018

- Policy 5: Design and the Historic Environment

4.4 **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 Two neighbours were consulted on the application, with two responses received. One raising no objection and one objecting for the following reasons:

- Design
- Size of the extension
- Light pollution
- Sense of enclosure/ tunnel effect
- Loss of light and over-shadowing
- Loss of privacy/overlooking
- Noise and smell
- Loss of view

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, it is considered that the development does not represent a disproportionate addition and will appear subservient to the main dwelling as the single storey rear extension would be situated in a similar position to the existing rear conservatory and would occupy part of the space of the existing garage. It is considered that because the extension is single storey, has a flat roof and would not significantly reduce the size of the application property's rear garden, the scale is acceptable.
- 6.2.2 In terms of design, the proposed extension is considered acceptable for a contemporary single storey side/rear extension not readily visible from the street. The development has been designed to provide an enhanced kitchen space for the occupiers. The design is considered acceptable and would not result in harm to the street scene, given its position to the rear, the set back and the existing boundary treatment.
- 6.2.3 The proposed materials are off white render and glass fibre with grey finish. The materials are considered to be acceptable.

6.3 Amenity

- 6.3.1 Whilst the proposal would extend beyond the west (side) elevation and would have a window in the side elevation, it will only project 1.4m towards no.179 Nottingham Road and the window will be obscurely glazed. Furthermore, there is currently a degree of mutual overlooking between the application site and no.179 due to the existing side windows (on both properties) facing each other. Therefore, it is considered that this would not impact upon the current situation and the extension would have no significant impact on the amenities of the occupiers of this property in terms of outlook, loss of light or privacy.
- 6.3.2 The extension is beside the boundary with no.183. Whilst the building is adjoining the common boundary and projects 2.1m beyond no.183's rear conservatory, it has a flat roof with a limited height of 3m and will not extend for the full length of no.183's rear outbuilding. No.183 has a long garden (approx. 17.4m) so this will help maintain openness. It is therefore considered that the development does not result in an unacceptable sense of enclosure for the residents of the neighbouring property.
- 6.3.3 Whilst the extension may result in some limited loss of light for the adjoining property, no.183 has a rear conservatory with glazed elevations and the properties have north east facing rear gardens, therefore the proposal does not have a significant impact on afternoon sunlight for the residents of no.183.
- 6.3.4 In regards to noise from the use of the extension, it is not considered that this would be excessive, the extension is for domestic purposes and the property

already has outside amenity space with a raised patio immediately outside the existing conservatory. Furthermore, the properties are bound by the A610, a heavily trafficked dual carriageway.

- 6.3.5 In regards to light pollution, although the single storey rear extension would be built beside the boundary with no.183, it is considered that the impact of the roof lantern and rooflights would be unlikely different to the impact caused by the existing glazed roofed conservatory. The proposed rooflights will only protrude a maximum of 0.4m above the roof and would be 3.3m away from no.183's rear elevation, therefore, it is considered unreasonable to condition them to be obscurely glazed given that direct views into the neighbouring property would be significantly limited due to the angle of view.
- 6.3.6 With regard to impact on loss of privacy, the extension will have a blank east elevation, therefore it is considered that the impact of the bi-folding door and rear window, would be unlikely different to the impact caused by the existing conservatory and first floor windows.
- 6.3.7 Overall it is considered that the proposed single storey rear and side extension will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

7. Planning Balance

- 7.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would be of an acceptable scale and design, would not have a significant impact on neighbour amenity and would be in accordance with the policies contained within the development plan.

8. Conclusion

- 8.1 It is considered that, having regard to the relevant policies of the Development Plan, Nuthall Neighbourhood Plan, the NPPF and to all other material considerations, the development is acceptable and there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan, Proposed Block Plan and Proposed Floor Plans and Elevations received by the Local Planning Authority on 12 September 2023.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extension shall be faced using off-white render finish, in accordance with the approved plans.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of Broxtowe Aligned Core Strategy (2014) and Policy 17 of Part 2 Local Plan (2019).</i></p>
4.	<p>The en-suite bathroom window on the side (west) elevation of the extension hereby permitted shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority). This window shall be retained as such for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface

mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

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

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

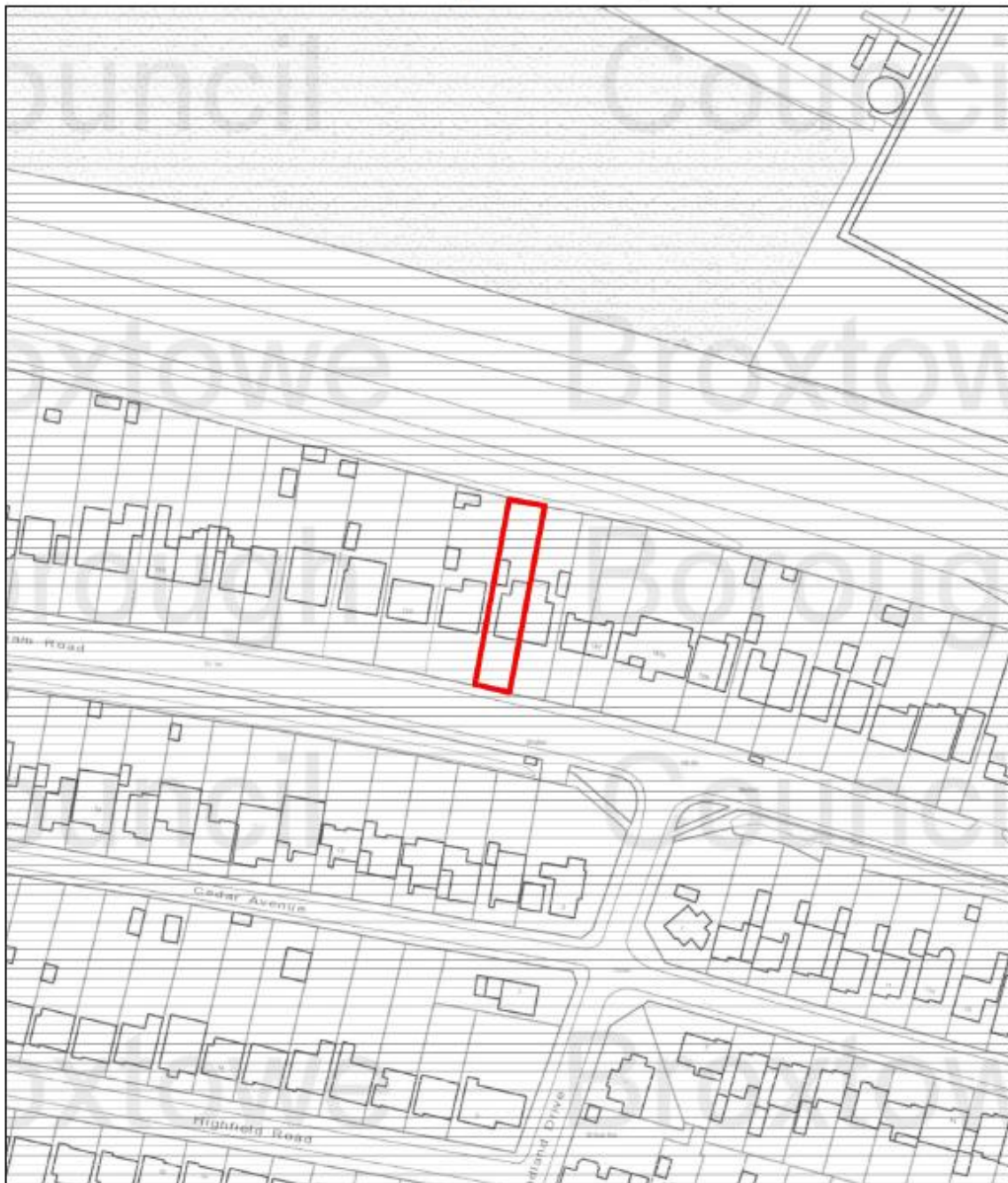
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent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

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

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

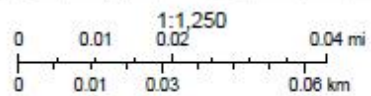
Map

23/00627/FUL -181 Nottingham Road, Nuthall NG16 1AE



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-  Coal Standing Advice
-  Site



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Photos



Front elevation



Rear elevation



Rear relationship with 179 Nottingham Road



Front relationship with 179 Nottingham Road



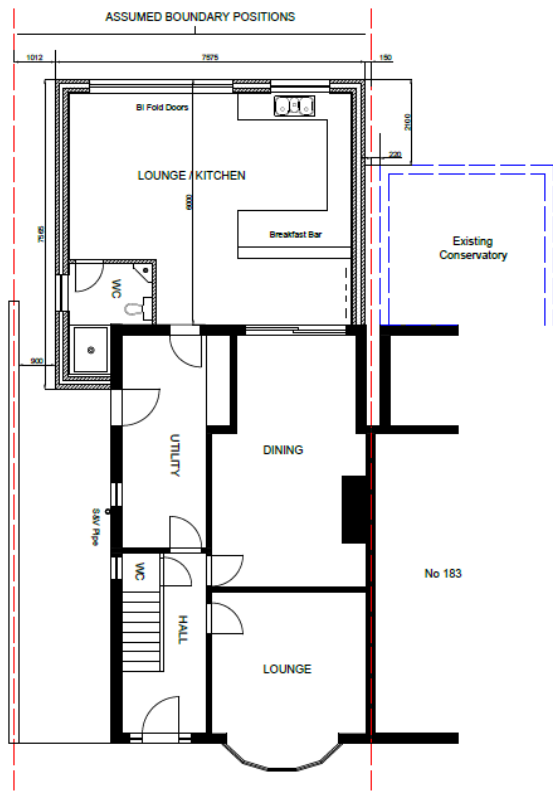
Relationship with 183 Nottingham Road



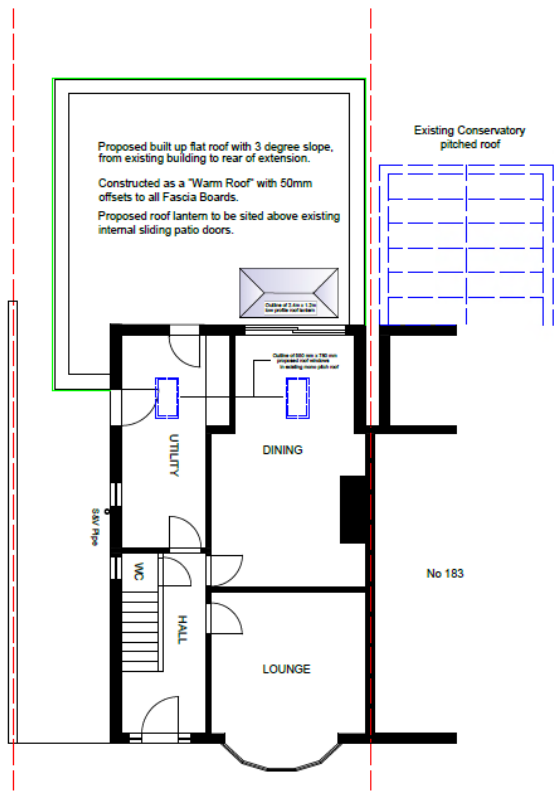
Rear boundary treatment with no.183

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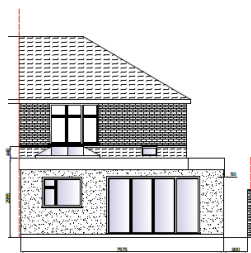
Plans



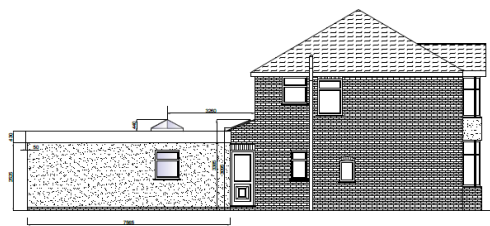
GROUND FLOOR PLAN



GROUND FLOOR ROOF PLAN



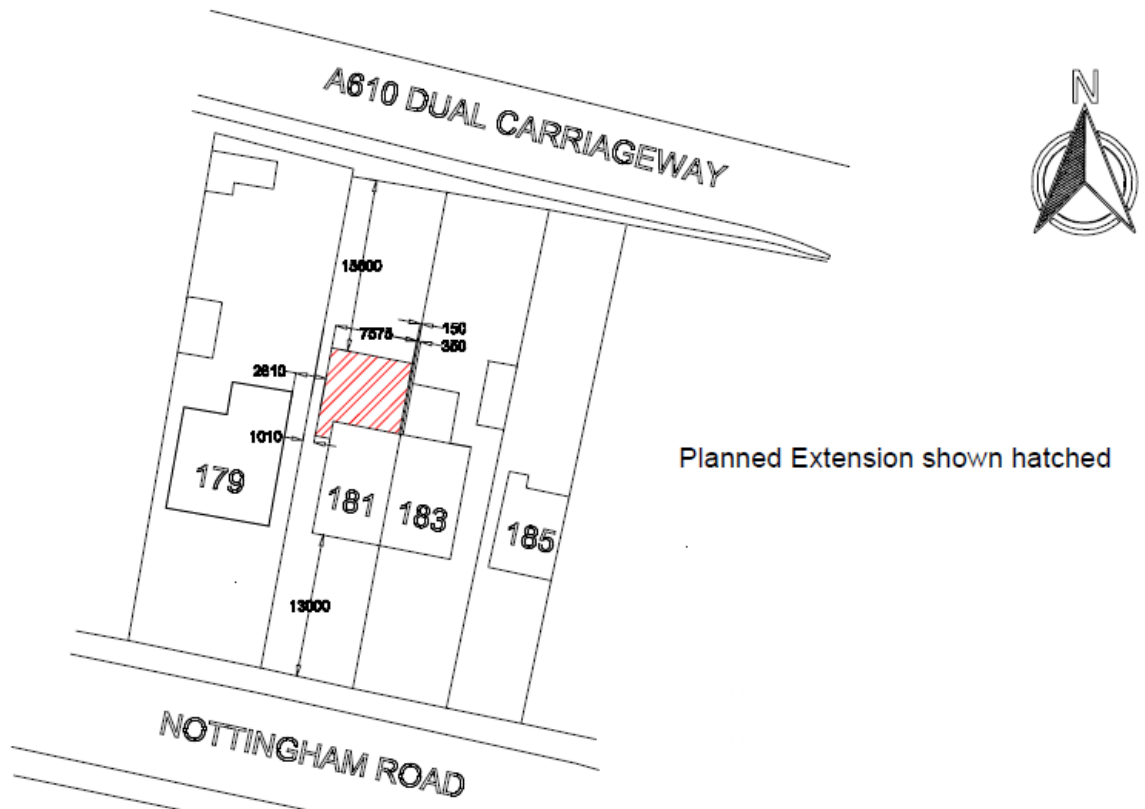
REAR ELEVATION



SIDE ELEVATION TO 179



FRONT ELEVATION



REFERRAL

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Report of the Chief Executive

APPLICATION NUMBER:	23/00787/REM
LOCATION:	Former site of Lynncroft Primary School, Lynncroft, Eastwood, Nottinghamshire
PROPOSAL:	Construct 29 dwellings Phase 1 – Reserved Matters relating to reference 20/00844/OUT

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

1.1 Purpose of Report

The application seeks to gain permission for the matters reserved as part of outline planning permission reference 20/00844/OUT, with the reserved matters being access, appearance, landscaping, layout and scale for the construction of 29 dwellings on Phase 1 of the site.

1.2 Recommendation

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

1.3 Detail

1.3.1 The principle of the development has been considered to be acceptable through the allocation of the site within the Local Plan Part 2 2019 for residential development of up to 200 dwellings and also the granting of Outline Planning Permission under reference number 20/00844/OUT.

1.3.2 Planning permission was refused under reference number 22/00894/REM to construct 104 dwellings (reserved matters access, appearance, landscaping, layout and scale - Planning reference 20/00844/OUT) on the grounds of the proposal leading to overbearing, overshadowing and overlooking issues upon the immediate neighbouring properties. This application is currently subject to an appeal awaiting a start date.

1.3.3 There is currently an outline planning application pending (20/00845/OUT) which was presented to Planning Committee and approved subject to completion of a s.106 Agreement in June 2022. The application was for outline planning permission with all matters reserved for 60 assisted living apartments with access from Walker Street. The application is pending awaiting the signing of a Section 106 Agreement.

1.3.3 The site was formerly occupied by a primary school which included playing fields to the west of the main school buildings, which have since been demolished. Pedestrian and vehicular access to the school was situated off Lynncroft.

1.3.4 The main issues relate to whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity, whether there would

be any detrimental impact on highway safety, contamination of the land, flood risk and the impact on local wildlife/biodiversity.

1.3.5 The benefits of the scheme are that the proposal would provide a wide range of size and type of accommodation which would contribute to the delivery of housing stock within the Borough, would provide affordable housing of an amount that would accord with Local Plan policy, it would be set within a layout which encourages sustainable modes of transport with connections to both the built up area of Eastwood and beyond and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

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

1.4 Financial Implications

The comments from the Head of Finance were as follows:

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

1.5 Legal Implications

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

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

1.6 Data Protection Compliance Implications

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

1.7 Climate Change Implications

Any Climate Change Implications are contained within the report.

1.8 Background Papers

Nil.

APPENDIX

1. Details of the Application

1.1 The application seeks approval of reserved matters for the construction of 29 dwellings on phase 1 of the site following the granting of outline planning permission under reference 20/00844/OUT. The design of the dwellings consists of two storey dwellings in a mix of detached, semi-detached and terraced properties. The reserved matters are Access, Appearance, Landscaping, Layout and Scale. An overall total of 10 Affordable Houses are proposed on the entire site granted outline planning permission, with 3 x 2 bed affordable dwellings proposed within phase 1.

1.2 The breakdown of remaining 26 residential units is as follows:

- 4 x 2 Bed Dwellings;
- 15 x 3 Bed Dwellings;
- 5 x 4 Bed Dwellings;
- 2 x 5 Bed Dwellings.

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

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



It was considered that the indicative layout made good use of the available developable land whilst providing pedestrian links through to the existing Public Rights of Way including creation of new pedestrian links, and indicative areas for the provision of SuDS as required by the Key Development Requirements (KDR) of Policy 6.1. It was considered that the indicative layout demonstrated that adequate provision for off street parking, bin storage and private external amenity space was achievable. It was also considered that increasing the amount of dwellings on the site may have been over-intensive as it would have the potential to impact on the provision of parking, lead to smaller dwellings and gardens, and

have greater impact on neighbour amenity for both existing and future residents. An area was also set aside as a public open space (to the south west of the site).

- 1.5 The submitted planning layout plan for consideration as part of this reserved matters application is considered to have followed the principles of the indicative layout plan, with a central access spine road running through the site, with access via Lynncroft and drainage/public open space to the north of the site. Phase 2 is located further along to the west.

2. Site and Surroundings

- 2.1 The school buildings, which were located to the east of the site and accessed off Lynncroft, have been demolished. The school had two large areas used as playing fields / sports pitches. The northern area is within the application site and is at a lower ground level than the southern school field, which is outside of the application site boundary. There is approximately a 10m level change over the allocated site as a whole.
- 2.2 There is a footpath that links Garden Road to Atherfield Gardens, which is to the west of the site which is within the blue line. The site shares a common boundary with number 173 Lynncroft, which is a detached bungalow. To the rear of the bungalow and south of the former school building's location, there is an area of mature trees known as the Canyons. These are outside of the application site.
- 2.3 To the north of the site, but not directly adjacent, is 28 Garden Road, on the opposite side of the road. This property is a Grade II listed building, being a two storey end of terrace dwelling at the corner of Beardsall Road. The property is listed for its associate significance, having been lived in by D H Lawrence and is part of the DH Lawrence trail.

3. Relevant Planning History

- 3.1 There have been two planning notifications made by the County Council as Education Authority relating to the use of the site as a school and grounds, which were both for security fencing, in 2002 and 2006.
- 3.2 20/00845/OUT - This application was for outline planning permission with all matters reserved for 60 assisted living apartments with access from Walker Street. The application is pending awaiting the signing of a Section 106 Agreement.
- 3.3 20/00844/OUT – This application was for outline planning permission for the construction of up to 110 dwellings with all matters reserved.
- 3.4 Planning permission was refused under reference number 22/00894/REM to construct 104 dwellings (reserved matters access, appearance, landscaping, layout and scale - Planning reference 20/00844/OUT) on the grounds of the proposal leading to overbearing, overshadowing and overlooking issues upon the immediate neighbouring properties. This application is currently subject to an appeal awaiting a start date.

4. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces
- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan 2019

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

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

4.3 National Planning Policy Framework (NPPF) 2023:

4.3.1 The National Planning Policy Framework (NPPF) 2023, outlines a presumption in favour of sustainable development, that planning should be plan-led, decisions should be approached in a positive and creative way and high quality design should be sought.

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes

- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

5. Consultations

- 5.1 **Nottinghamshire County Council Highways** – No objections subject to conditions outlined in the **appendix**.
- 5.2 **Nottinghamshire County Council Rights of Way** – No objections.
- 5.3 **Nottinghamshire Wildlife Trust** – Provide general advice regarding ecology on the site.
- 5.4 **Council’s Waste Collection** – Provide general advice regarding bin storage requirements.
- 5.5 **Environmental Health** – No objections.
- 5.6 **Nottinghamshire County Council Local Lead Flood Risk Authority** – Raise no objections.
- 5.7 **The Councils Tree Officer** - No objections to the proposal
- 5.8 **Eastwood Town Council** – Raise objections on the grounds of recent flooding events, a planning application should be made for the entire site and not partial and flood risk and site drainage for the site requiring full consideration
- 5.9 **Written representations** – Site notices were originally posted, a press notice published and neighbouring properties notified. 33 responses were received. The responses can be summarised as follows:
- Flood risk;
 - No mention of provision to deal with un-regulated surface water run-off;
 - Single access into the site is inadequate as Lynncroft is a narrow road, an additional access onto other roads is needed;
 - The layout should ensure that all units have adequate parking so as to avoid on-street parking and overflow onto nearby roads;
 - Loss of valued greenfield site and playing fields, which is currently available for use by the public;
 - Neighbour amenity, particularly overlooking and loss of privacy due to the raised level of the site, and noise and disturbance;
 - Impact on character and appearance of the area, which is currently open and green;
 - Concerns in respect of construction traffic including deliveries of materials and impact on adjacent streets, which is not suitable for HGV’s, and in respect of construction traffic parking on nearby roads;

- Noise and disturbance during construction works;
- Consideration of landscaping to provide buffer between the development and existing houses;
- Loss of wildlife;
- Doctors and schools will be overrun.

6. **Assessment**

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

7. **Principle**

- 7.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.
- 7.2. The development of the site for residential purposes has been established through the allocation of the site within the Part 2 Local Plan 2019 for up to 200 dwellings. Outline Planning Permission has also been granted under reference number 20/00844/OUT with all matters reserved for up to 110 dwellings. The principle of development of the site for residential purposes is considered acceptable, subject to the consideration of other material planning considerations.
- 7.3. For clarity this scheme is for the development of phase 1 of the site for 29 dwellings. Careful consideration will be given for the total amount of remaining dwellings to be developed in accordance with the the outline planning permission 20/00844/OUT, which was for up to a total of 110 dwellings. Additionally, the 60 assisted living apartments currently pending consideration subject to the signing of a S106 Agreement accessed off Walker Street under reference number 20/00845/OUT will bring the total number of dwellings allocated for the development of the site in under the site allocation within the adopted Part 2 Local Plan 2019, which was for up to 200 dwellings.

8. **Design and Visual Amenity**

- 8.1 Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy states design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced. Policy 17 of the Part 2 Local Plan states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and

- does not dominate the existing building or appear over-prominent in the street scene.
- 8.2 The layout plan submitted with the application shows a central road through the site with access taken from Lynncroft. Smaller secondary roads and private drives lead to dwellings off this primary route. All dwellings will be sited to front the existing street scene of Lynncroft and the central road through the site, with the exception of those located on private driveways. The proposed dwellings comprise a mix of two storey buildings varying from two to five bedrooms, with various plots benefitting from either integral, attached or detached garages. The development will include a variety of different house types of individual design which will add to the individual appearance of the internal layout of the development. Private driveways serving the dwellings are proposed to the side, front and rear of the dwellings.
- 8.3 In terms of existing hedgerows and trees within the site and along the boundaries these are to be retained. To complement the existing hedgerows and trees, additional planting and public open space areas are proposed. The proposed public open space within the site will be managed by the developers and this will be secured through a maintenance company via the S106 Agreement associated with the outline planning permission 20/00844/OUT. The existing public right of way running through the site from Walker Street to Garden Road will remain.
- 8.4 To conclude, the variety in appearance of the house types throughout the development along with the open spaces and proposed landscaping will create an interesting and pleasant environment. Whilst it is acknowledged that the character of the site will change from that of a field to one of built development, this will not be at odds with the residential character of the area. The proposal is not considered to have any significant detrimental impact upon the visual amenity of the area and is in accordance with policy 10 of the Aligned Core Strategy and policy 17 of the Part 2 Local Plan.
9. **Residential Amenity**
- 9.1 Objections have been received from neighbouring properties in respect of loss of views, loss of privacy, overlooking, loss of daylight/sunlight, sense of enclosure and noise/dust during the construction period.
- 9.2 The proposed layout indicates the provision of six detached two storey dwellings fronting onto Lynncroft. Whilst there are existing dwellings located opposite, there is an open highway between these proposed and a separation distance of in excess of 13m. This relationship is not at odds with the relationship of the existing dwellings where facing each other located on Lynncroft. Directly to the side of Plot 1 fronting onto Lynncroft there is an existing single storey dwelling. This plot is set away from the boundary with a private driveway to the side and there are no side facing habitable windows on the adjacent property.
- 9.3 In terms of the future occupiers, the layout provides for each property to have access to private outdoor amenity space and storage for bins. The layout allows for adequate spacing between each property. Internally, the design and layout allows for satisfactory access to natural light and to an outlook, and the dwellings

conform to the DCLG's Technical Housing Standards in terms of internal floor space.

- 9.4 Whilst the character of the site will change from that of an open field to one of built development, this will not be at odds with the residential character of the area. In view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.

10. **Highway Safety**

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

11. **Land Contamination**

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

12. Flood Risk

- 12.1 Although the site is not in Flood Zones 2 or 3, given the topography of the site, the development would need to ensure that it does not result in an increased risk of flooding to the houses that are at a lower ground level than the site. SuDS features are shown on the layout in line with KDR of Policy 6.1. A Flood Risk Assessment and Drainage Strategy (FRA) was submitted as part of the outline planning application which identified and assessed the risks from all forms of flooding to and from the development and demonstrated how these flood risks will be managed.
- 12.2 A condition was attached to the outline planning permission for the submission of a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment and Drainage Strategy. The submitted details include the provision of an attenuation tank to the north west of the site to control surface water flows from within the site into the existing sewer in Lynncroft via a new manhole. Foul sewage will also be discharged into the existing sewer in Lynncroft via a new manhole. These details have been considered acceptable by Nottinghamshire County Council as the Lead Flood Authority as part of the formal discharge of the relevant condition attached to the outline planning permission 20/00844/OUT.

13. Biodiversity

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

14. Developer Contributions

- 14.1 Developer contributions have been secured by way of a Section 106 Agreement under outline planning permission reference 20/00844/OUT, including 10% affordable housing provision. This application (Phase 1 of the development) will provide a total of 3 affordable dwellings with the remaining 7 to come forward in phase 2. No further contributions or obligations are sought.

15 Conclusion

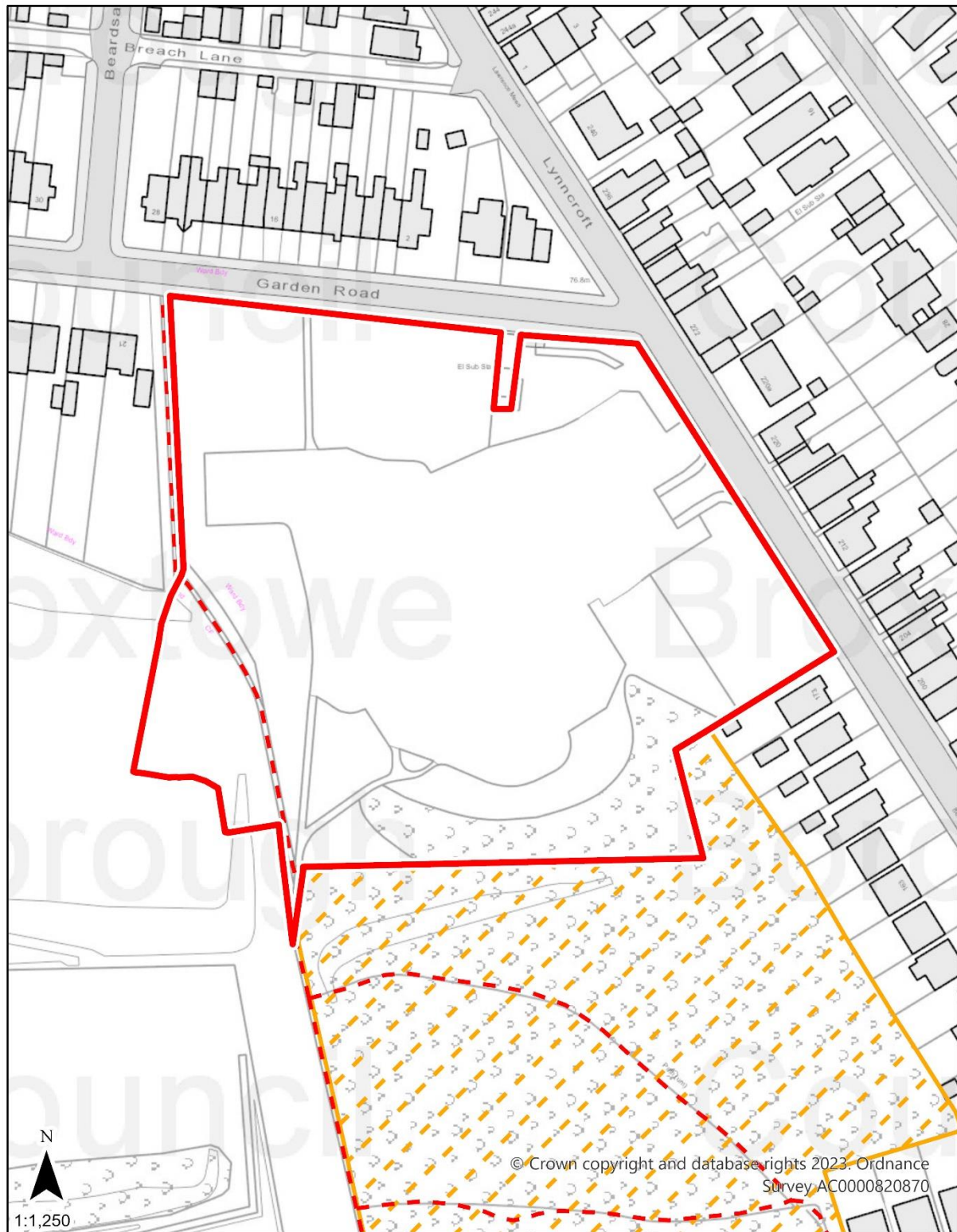
- 15.1 The benefits of the proposal are that the development would provide additional affordable housing, in a sustainable location, and which could contribute to the housing targets for the Borough and provide a wide range of size of housing to meet the needs of the community. The design and layout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

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development to which this approval relates shall be begun no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p><i>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing(s) numbered:</p> <p>A2 End – Planning sheet Floor Plans (dwg no. A2/END/0-001 Rev A) A2 End – Planning Sheet – elevations (dwg no. A2/END/0-002 Rev A) Askern End – Planning Sheet – Floor Plans (dwg no. AV22/ASK/0-001 Rev B)</p> <p>Askern End – Planning Sheet – Elevations (dwg no. AV22/ASK/0-002 Rev B) Cadeby Det – Planning Sheet – Floor Plans (dwg no. AV22/CAD/0-001 Rev B) Cadeby End – Planning Sheet – Elevations (dwg no. AV22/CAD/0-002 Rev B) Cookridge End – Planning Sheet – Floor Plans (dwg no. AV22/COO/0-001 Rev C) Cookridge – Planning Sheet – Elevations (dwg no. AV22/COO/0-002 Rev B) Denby End – Planning Sheet – Floor Plans (dwg no. AV22/DEN/0-001 Rev B) Denby End – Planning Sheet – Elevations (dwg no. AV22/DEN/0-002 Rev B) Horbury Det – Planning Sheet – Floor Plans (dwg no. AV22/HOR/0-001 Rev C) Horbury End – Planning Sheet – Elevations (dwg no. AV22/HOR/0-002 Rev B) Leyburn Det – Planning Sheet – Floor Plans (dwg no. AV22/LEY/0-001 Rev B) Leyburn – Planning Sheet – Elevations (dwg no. AV22/LEY/0-002 Rev C) Oakwood Semi – Planning Sheet – Floor Plans (dwg no. AV22/OAK/0-001 Rev B) Oakwood – Planning Sheet – Elevations (dwg no. AV22/OAK/0-002 Rev B) Ripon End – Planning Sheet – Floor Plans (dwg no. AV22/RIP/0-001 Rev B) Ripon – Planning Sheet – Elevations (dwg no. AV22/RIP/0-002 Rev B) Thornton Det – Planning Sheet – Floor Plans (dwg no. AV22/THO/0-001 Rev C)</p>

	<p>Thornton – Planning Sheet – Elevations (dwg no. AV22/THO/0-002 Rev C) Wentbridge Det – Planning Sheet – Floor Plans (dwg no. AV22/WEN/0-001 Rev B) Wentbridge – Planning Sheet – Elevations (dwg no. AV22/WEN/0-002 Rev B) Single Garage Floor Plan & Elevations (dwg no. 500/001 Rev A)</p> <p>Received by the Local Planning Authority 13 November 2023.</p> <p>Site Location Plan – 6200-100A Planning Layout – 6200-200B</p> <p>Received by the Local Planning Authority 19 January 2024.</p> <p>Materials Plan – 6200-201A Planning Layout Coloured – 6200-200B Managed Areas Plan – 6200-310A Landscape Masterplan – R-2658-1H</p> <p>Received by the Local Planning Authority 17 January 2024</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>No part of the development hereby permitted shall commence until details of the proposed arrangements and plan for future management and maintenance of the shared private drive including associated drainage have been submitted to and approved in writing by the Local Planning Authority. The shared private drive and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time that a private Management and Maintenance Company has been established.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
<p>4.</p>	<p>Occupation of the proposed dwellings shall not take place until the turning head as shown on drawing 6200-200 Revision B has been provided.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
<p>5.</p>	<p>Occupation of the proposed dwellings shall not take place until their respective driveways / shared driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveways to the public highway. The bound material and the provision to prevent the discharge of</p>

	<p>surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety and in accordance with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Part 2 Local Plan 2019.</i></p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:www.gov.uk/government/organisations/the-coal-authority</p>
<p>3.</p>	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>
<p>4.</p>	<p>The associated S106 Agreement and all relevant conditions on the outline permission (20/00844/OUT) must be complied with.</p>
<p>5.</p>	<p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.</p> <p>a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.</p> <p>b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is <u>essential</u> that design calculations and detailed</p>

	<p>construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.</p> <p>Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk</p> <p>Please note, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the HA until technical approval of the Section 278-38 Agreement is issued.</p>
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Legend

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

Photographs

Access point from Lynncroft



Neighbouring property on Lynncroft



Footpath access point from Walker Street and Garden Road



Photos from within the site

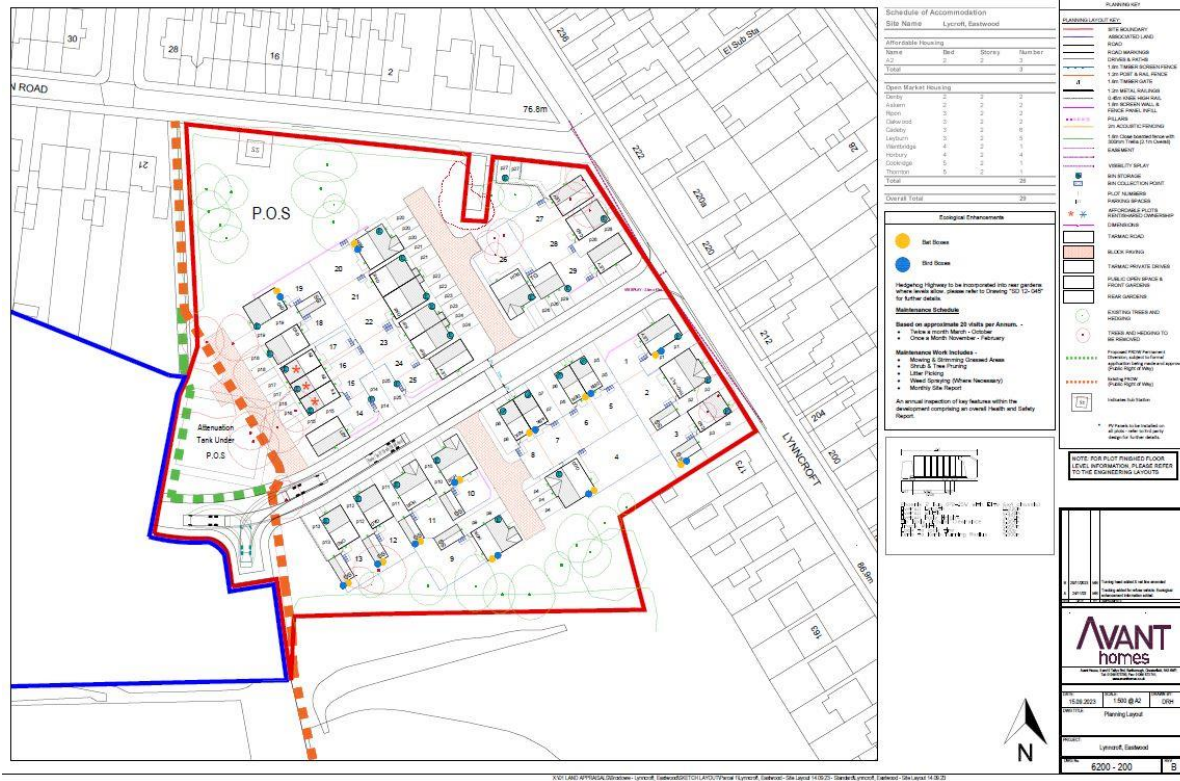


Phase 2



Plans (not to scale)

Proposed Site Plan



Typical House Types





T:\01 LAND APPRAISAL\S\lynorod, Eastwood\TECHNICAL\House Types\Planning Elev with Dims



T:\01 LAND APPRAISAL\S\lynorod, Eastwood\TECHNICAL\House Types\Planning Elev with Dims



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Report of the Chief Executive

APPLICATION NUMBER:	23/00792/FUL
LOCATION:	Land north of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire
PROPOSAL:	Construct single storey equestrian storage building with roller shutter access

The application is brought to the Committee at the request of the Head of Service.

1. Purpose of the Report

1.1 The application seeks full planning permission for the erection of a storage building to be used for the storage of equestrian equipment. The building will measure 11m by 13m with a ridge height of 5.5m. The building will be finished in a mixed pallet of materials of timber cladding, stone and zinc.

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 an enclosed area of open land consisting of a ménage and an open area of land used for external storage and storage within open sided curtain trailers. The site is accessed via an opening in the hedged boundary treatment to the east of the site leading onto a dirt track.

3.2 The site is also 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

Any climate change implications are contained within the report.

8. Background Papers

None.

APPENDIX

1. Details of the application

1.1 The application seeks full planning permission for the erection of a storage building to be used for the storage of equestrian equipment. The building will measure 11m by 13m with a ridge height of 5.5m. The building will be finished in a mixed pallet of materials of timber cladding, stone and zinc.

2. Site and surroundings

2.1 The application site consists of an enclosed area of open land consisting of a ménage and an open area of land used for external storage and storage within open sided curtain trailers. The site is accessed via an opening in the hedged boundary treatment to the east of the site leading onto a dirt track.

2.2 The site is also located within the Greenbelt.

2.3 In regards to neighbouring properties the site is located within open countryside with residential properties located immediately to the south of the site. Home Farm Cottage and Park View Cottage are located to the south of the site. The M1 bounds the site on the eastern boundary with open fields located to the west with the intervening dirt track.

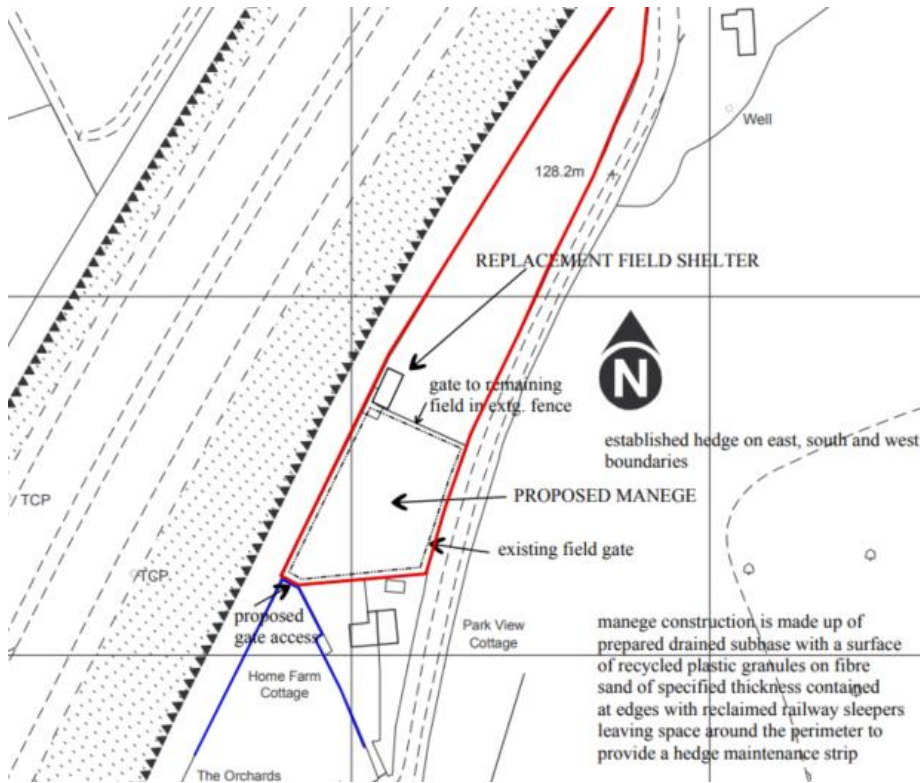
3. Relevant Planning History

3.1

Planning		
11/00200/FUL	Change of use of agricultural land to land used for the exercise of horses (construction of a ménage) and erection of replacement field shelter	Permitted
12/00509/FUL	Retain earth bunds and change of use of land west of Strelley Hall and north of Old Rectory Farm for equestrian activities	Permitted
12/00646/FUL	Construct stables and erect gates	Permitted
13/00476/FUL	Retain two poles to erect CCTV cameras	Permitted
15/00378/FUL	Erect Barn with internal stables, feed store and new secure field gates to existing gateway	Closed
16/00165/FUL	Construct barn and feed store	Refused
17/00232/FUL	Construct extension to stable block	Permitted
17/00565/FUL	Construct extension to approved existing stable block	Permitted
18/00123/FUL	Erect gates to two accesses	Refused
19/00243/FUL	Change of use from equestrian to mixed use equestrian and the keeping of fully licenced rescue wild cats and retain the	Permitted

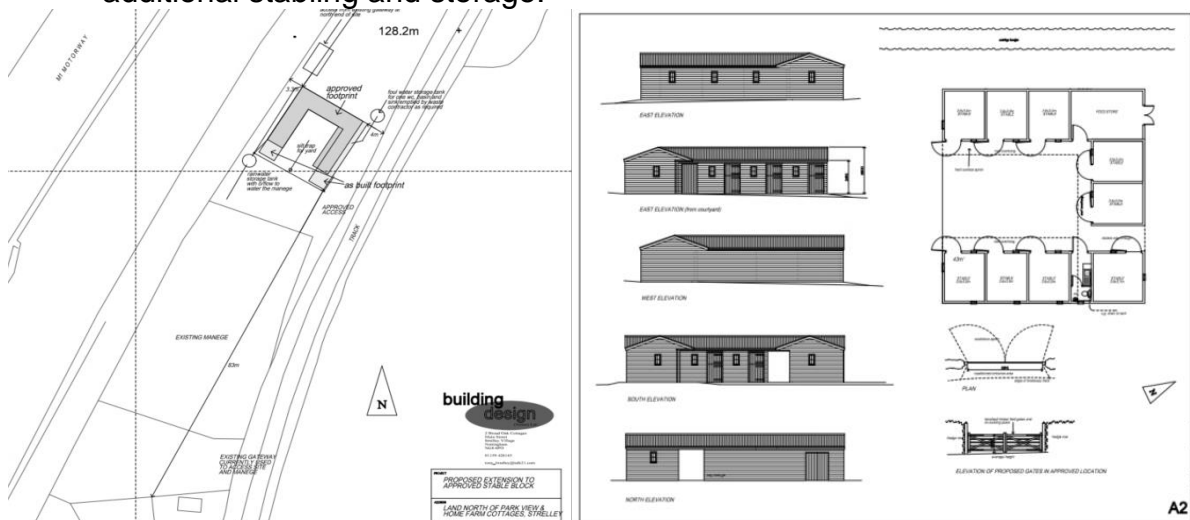
	secure enclosure required for their safe keeping	
19/00255/FUL	Revised alterations to stables from those previously approved (17/00565/FUL)	Permitted
20/00422/FUL	Erect 1.6m high field gates	Permitted
20/00388/FUL	Retain additional internal fencing, security doors and animal access	Permitted
21/00023/FUL	Construct stable extension, lions den and erect 3m high internal fencing to extend wildcat enclosure	Permitted
22/00330/VOC	Variation of conditions 1(The development hereby permitted shall be carried out in accordance with the approved plans...) and 2 (There shall be no general exhibition or viewing of the animals) of planning Reference Number: 21/00023/FUL	Returned
22/00696/VOC	Variation of condition 1 (The development hereby permitted shall be carried out in accordance with the approved plans...) of planning permission reference 21/00023/FUL to regularise the construction of a viewing platform within the lion enclosure and balcony to the north west side of the stable building	Refused
Appeals		
16/00015/APLWR	Construct barn and feed store	Dismissed

- 3.2 Application 11/00200/FUL granted permission for the change of use of the land in question from agricultural land to land for equestrian use and for the erection of a field shelter. The ménage has been created but not in the location as shown on the approved plan below. However due to the passage of time, the constructed ménage is now lawful as set out in paragraph 171b of Town and Country Planning Act 1990.



Plan showing approved ménage

3.3 An application for the erection of a stable block (12/00646/FUL) followed from an enforcement case for the erection of a stable block and subsequently a further application was submitted to extend the stable block to provide additional stabling and storage.



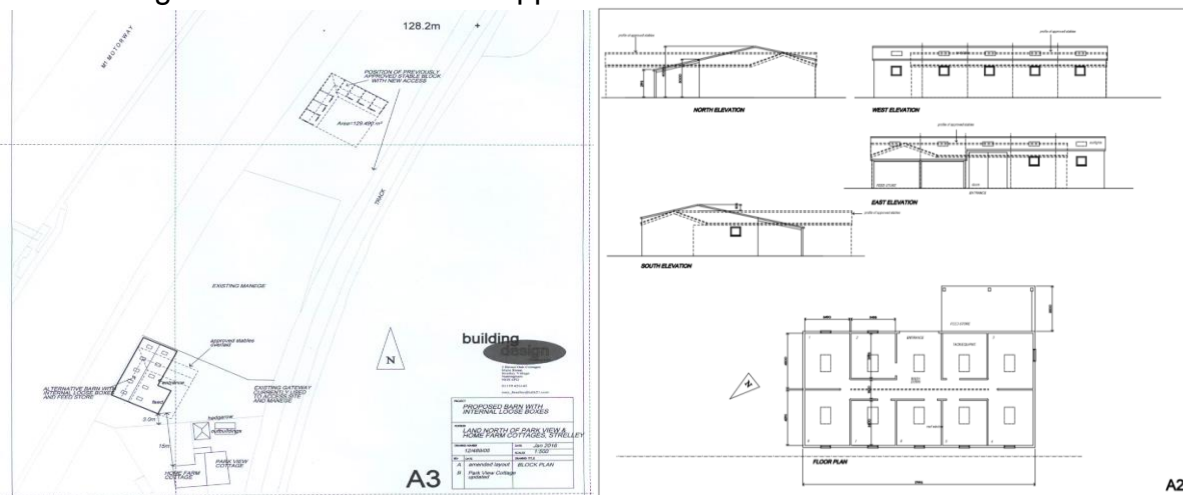
Plans of existing stable block granted under 12/00646/FUL

3.4 Following on from this a further application 19/00243/FUL was submitted for the change of use of the land to a mixed use of equestrian and the keeping of wild cats. This reduced the available space within the stable block for the provision of equestrian use by half.



Plan of the floor plan showing the reduced equestrian use

3.5 An application for the erection of a barn and feed store in the same location as the proposal, was refused under 16/00165/FUL and later refused at appeal. The building had a similar size of footprint and a smaller height to the one being determined under this application.



Plans of the previously refused barn and feed store.

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.
- Policy 11: The Historic Environment

4.2 **Part 2 Local Plan 2019**

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

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

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

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making.
- Section 12 - Achieving well-designed places
- Section 13 - Protecting Greenbelt Land
- Section 16 - Conserving and enhancing the Historic Environment

5. Consultations

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

- Councillor P J Owen – Requested the application be heard at Committee if a recommendation for approval was forthcoming.
- Councillor G S Hills – No Response received.
- Councillor D Watts – Requested the application be heard at Committee if a recommendation for refusal was forthcoming.

5.2 **Neighbours**

- Seven neighbours were consulted on the application with one objection comment being received from a neighboring property and no third party comments received. The comments received are summarised as:
 - Incorrect address on the application form,
 - Proposal is not in compliance with local or national planning policies,
 - Design and appearance not in keeping with local environment,
 - Close proximity to the neighbouring boundary,
 - Loss of privacy, loss of daylight/sunlight,
 - Sense of enclosure,
 - Increase in noise and disturbance from construction traffic,
 - Historical precedent due to planning history,
 - Inappropriate proposal within the Greenbelt.

6. Assessment

6.1 **Principle**

The principle of an equestrian storage building to replace the current external storage within a site for equestrian use, is deemed acceptable in regard to the existing character of the surrounding area subject to compliance the local and national policies.

6.2 Design and Greenbelt

6.2.1 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. 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. 1. Proposals for diversification of the rural economy will be supported provided that they comply with the relevant paragraphs of the NPPF.

6.2.2 Paragraph 152 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 153 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.

Paragraph 154 of the NPPF (2023) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: a) buildings for agriculture and forestry; b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.2.3 The site is located wholly within the Greenbelt and the NPPF states that the provision of appropriate facilities for outdoor recreation is appropriate development provided that it preserves the openness of the Greenbelt and does not conflict with the purpose of the land within it. The planning inspector

for the previous application (16/00015/APLWR) stated 'There is no definition of what constitutes 'appropriate facilities' within the Framework. However, it is reasonable to consider that to be 'appropriate facilities' any buildings must be commensurate in size to the reasonable requirements of the use to which they are to be put, looked at objectively.' This proposed building has a footprint similar in size to the previously refused building but with an increased height. Given the building is proposed to be used for the storage of equestrian equipment it is considered that there is no requirement for a building of this scale given the existing equestrian building within close proximity to the site.

- 6.2.4 The building is proposed to be located on an area of current open land currently used for the external storage of equestrian activities and the storage of waste produced by the horses. There is currently no development within this area of land and so the erection of a built structure within it would result in the loss of openness. The site is surrounded on all sides by tall boundary treatments apart from the wide access point onto the dirt track which provide public views across the whole of the site. The loss of openness would be clearly visible from the track.
- 6.2.5 The proposed building is of standard design and construction for an agricultural building but with a more sympathetic appearance due to the natural palette of materials. Given the condition of the land in its current form being used for external storage within multiple curtain trailer units, the consolidation of all the equipment into a singular building and the removal of the trailers would be considered to be an improvement on the overall appearance of the land in the context of the wider countryside.
- 6.2.6 In conclusion it is considered that the proposal would not be appropriate development within the Greenbelt and there are no very special circumstances that exist to warrant the approval of the building.

6.3 Amenity

- 6.3.1 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.
- 6.3.2 The proposed building is located in close proximity to the neighbouring boundary with a separation distance of just 1m with the ridge running parallel to the boundary. Comments have been received from the neighbouring property with regards to the close proximity to the site, noise, loss of light and sense of enclosure.
- 6.3.3 Given the mature boundary treatments separating the neighbouring properties from the site and also the newly built building within the grounds of the neighbouring property to the south on this boundary along with the orientation of the building with the eaves running closest to the boundary, it is considered that there will be no sense of enclosure or feeling of overbearing from the proposal.

- 6.3.4 Concerns have also been raised with regards to the negative impact from the construction works being carried out to erect the building. These works are considered to be acceptable due to their short term nature. An informative could be added to any recommendation for approval reminding the applicants of the standard working hours for construction.
- 6.3.5 The current area of the site is used for external storage and the proposed building is to allow all this and other equestrian equipment from around the applicant's land holding to be regularised internally in one space. There is the potential for an intensified use of this area of land with the relocation of additional equestrian equipment from other locations within the applicants' ownership being brought into this area. This concentration of activity in such close proximity to the boundaries of the neighbouring properties is considered unacceptable due to the increased comings and goings within the site and an increase in the associated noise levels and disturbance associated with these activities.
- 6.3.6 In conclusion it is considered that the proposed building will have a negative impact on the amenity of the neighbouring property and is therefore unacceptable.

6.4 **Historic Environment**

- 6.4.1 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.
- 6.4.2 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.
- 6.4.3 The site is located outside the Strelley Conservation Area, but the site borders the Conservation Area to the South. As such, the building is considered to still have an impact on the setting of the Conservation Area and this must be taken into consideration. This Conservation Area is made up of buildings of a historic appearance and design as well as buildings of an agricultural nature. The proposed building will be of an agricultural design with a natural choice for the finish pallet of materials. Its location close to the site boundary provides a relationship with the neighbouring buildings and given this location along with the high boundary treatments views of the building from within the Conservation Area will be limited.
- 6.4.4 Given the points above it is considered that the proposed building will have no negative impact on the character or appearance of the Conservation Area.

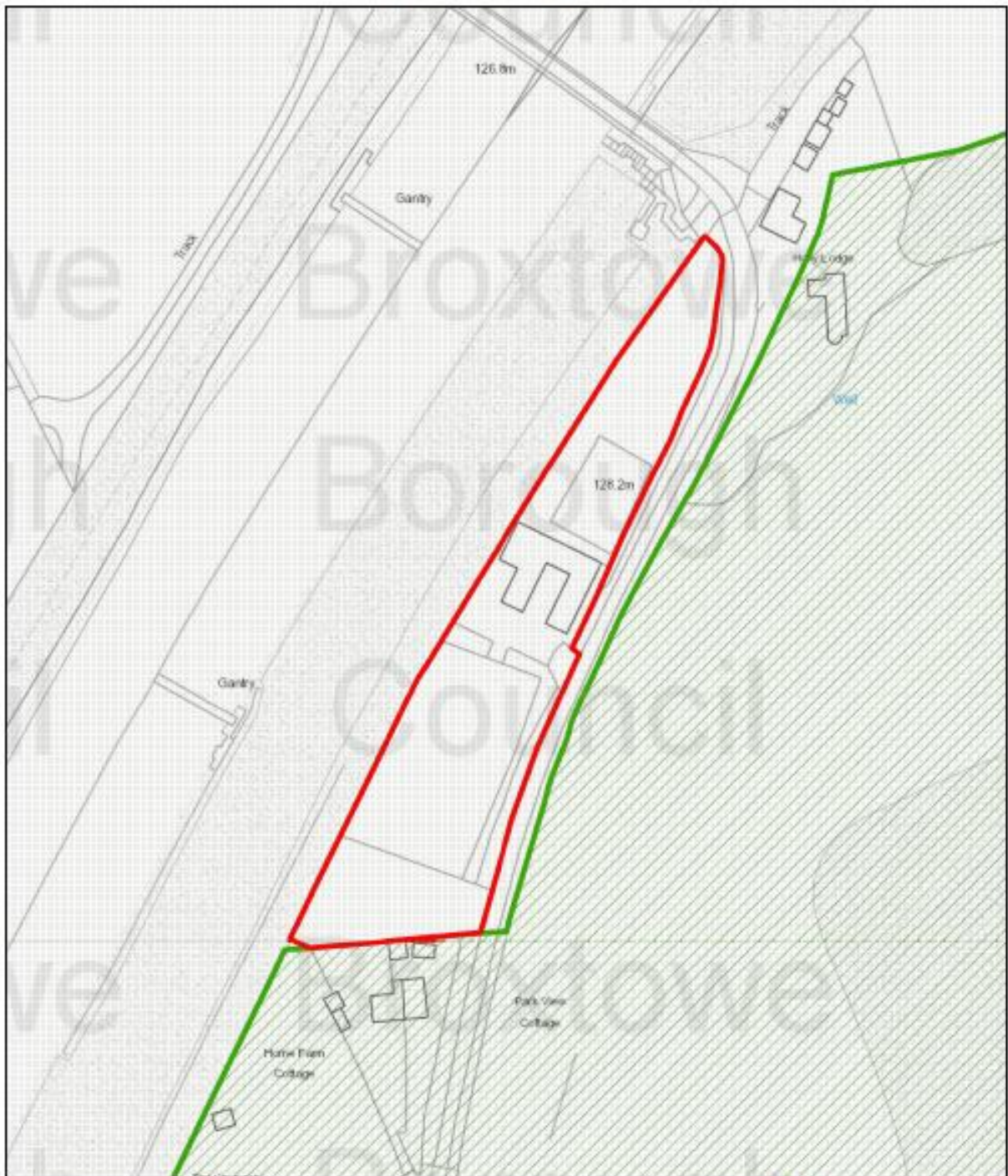
7. Conclusion

7.1 In conclusion, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including comments raised in the representations received, the development is considered unacceptable and that there are no circumstances which otherwise would justify the granting of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.	
1.	Reason: The proposal by virtue of its location within the Green Belt, within which there is a strong presumption against inappropriate development except in very special circumstances, none of which, on the basis of the information provided, apply here, would represent inappropriate development in the Green Belt due to the size of the building and would harm the openness of the Green Belt. Accordingly, the proposal is contrary to the aims of the National Planning Policy Framework (2023), Policy 3 of the Broxtowe Aligned Core Strategy (2014) and Policy 8 of the Part 2 Local Plan (2019) and there are no material considerations of compelling weight that would justify treating the proposal as an exception to these policies.
2.	Reason: The proposal by virtue of its close proximity to the neighbouring properties is considered to have an unacceptable negative impact on neighbour amenity in terms of noise and the intensified use of the area of land. As such the proposal is contrary to the aims of the National Planning Policy Framework (2023), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019) and there are no material considerations of compelling weight that would justify treating the proposal as an exception to these policies.
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, however there were no changes considered available to the scheme to make the proposal acceptable.

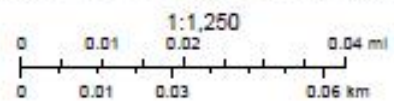
Map

23/00792/FUL



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-  Site
-  Green Belt
-  Conservation Area



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Photos



Photograph of the proposed location of the building



Photograph of the proposed location of the building looking towards the neighbouring properties



Photograph looking from the proposed site across the remainder of the site



Photograph of the site notice

Report of the Chief Executive

APPLICATION NUMBER:	23/00783/FUL
LOCATION:	101 - 103 Central Avenue, Beeston, Nottinghamshire, NG9 2QS
PROPOSAL:	Partial demolition and construct single storey extension to rear to extend retail space. Extension within roof void to create new dwelling; alterations and external works

The application is brought to the Committee at request of Councillor S J Carr.

1. Purpose of the Report

- 1.1 The application seeks planning permission for the erection of a rear single storey extension onto the existing ground floor retail unit and also the conversion of the loft space into an additional self-contained residential unit. Also included is the application is the installation of an external staircase.

2. Recommendation

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

3. Detail

The application site consists of two storeys end terrace brick built property located on a central location of Central Avenue. The property has a retail unit on the ground floor with two residential units on the first floor. The majority of the properties within this stretch of road are made up of retail units to the ground floor and residential properties on the upper floors. To the front of the properties is a widened area of paving with parking between it and the public road.

4. Financial Implications

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

5. Legal Implications

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

6. Data Protection Compliance Implications

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

7. Climate Change Implications

Any climate change implications are contained within the report.

8. Background Papers

None.

APPENDIX

1. Details of the application

1.1 The application seeks planning permission for the construction of a rear single storey extension onto the existing ground floor retail unit and also the conversion of the loft space into an additional self-contained residential unit. Also included as part of the application is the installation of an external staircase.

2. Site and surroundings

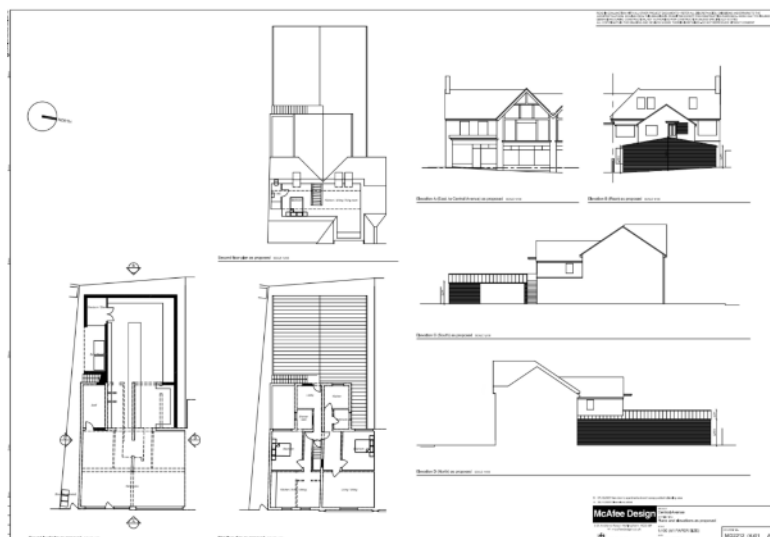
2.1 The application site consists of two storeys end terrace brick built property located on a central location of Central Avenue. The property has a retail unit on the ground floor with two residential units on the first floor. The majority of the properties within this stretch of road is made up of retail units to the ground floor and residential properties on the upper floors. To the front of the properties is a widened area of paving with parking between it and the public road.

3. Relevant Planning History

3.1

83/00582/FUL	Change use of premises to hot food shop	Permitted
83/00672/FUL	Change use from laundrette to retail chemist shop	Permitted
87/00277/FUL	Construct extension to shop	Permitted
22/ 00898/FUL	Construct single storey extension to rear to extend retail space; creation of self-contained apartment within roof level including insertion of rooflights to rear roof slope, insertion of door at first floor level rear elevation and construction of external stair to serve all upper floor accommodation	Permitted

3.2 This application is an amendment to a previously approved scheme 22/00898/FUL. The changes between the two applications are the removal of the approved upper floor rear extension and the relocation of the external staircase.



Previously approved plan for 22/00898/FUL

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

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

4.2 **Part 2 Local Plan 2019:**

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

- Policy 13 – Proposals for Main Town Centre Uses in Edge-of-Centre and Out-of-Centre Locations
- Policy 15 - Housing Size, Mix and Choice
- 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 5: Delivering a sufficient Supply of Homes
- Section 6: Building a strong, competitive economy
- Section 7: Ensuring the Vitality of town centres
- Section 12: Achieving well-designed places

5. Consultations

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

- Councillor S. J. Carr – Requested the application be heard at planning committee.
- Councillor B C Carr - No Comments Received

Consultees:

- Environmental Health – No objection subject to a condition regarding opening hours of the shop and also an informative be added regarding construction hours and noise and the burning of commercial waste. A further pre commencement condition was requested requiring the submission of a construction method statement. The Construction/demolition statement has since been submitted and agreed with environmental health

Neighbours

- Eleven neighbours were consulted on the application with one objection being received from neighbouring properties and no comments from third parties. The objection raises the following points.
 - Existing work being carried out at the property approved under the previous application,
 - Existing parking issues from the site.

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

6.2.1 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 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 9 states that permissions will be granted for the expansion, conversion or redevelopment of land and premises for employment purposes on allocated and protected employment sites. Policy 15 of the Part 2 Local Plan 2019 states that developments of market and affordable housing should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the Borough and all age groups are met. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

6.2.2 There are no proposed physical changes to the principle elevation of the property The proposed changes to the external of the property are all located to the rear of the site and given the surrounding infrastructure the only visible changes which will be seen from the public road will be the proposed external staircase.

6.2.3 The rear extension will be the only part of the proposal to create a visual impact on the building. The rear extension will be large in size measuring 14.3m in length and 10m in width with a ridge height of 3.5m and utilise the majority of the rear garden area. The extension will provide an additional 65.1m² of public floor space for the retail unit. The majority of the properties within this area have been extended out into the rear gardens already and so will assist in assimilating a rear extension into this location. The brick and profiled metal sheeting finish to the extension will provide a commercial feel to the extension, which given the limited views of the proposal is considered acceptable. This ground floor extension has been previously approved under 22/00898/FUL and could be implemented without the approval of this application.

6.2.4 The application includes the insertion of a new door at first floor level and an external staircase to access this. This door is a substitution for an existing window and given its location to the rear of the property and its relationship with the proposed extension, the door will only be partially visible. Given this fact the door is considered to have no additional negative impact on the property. The external staircase will have a parapet design on top of the ground floor extension will protrude 0.7m above the ridge line of the extension. Given its matching materials to the existing and proposed buildings along with its small scale and massing and limited public views, it is considered that the external staircase will have no negative impact on the overall visual impact of the building on the surrounding streetscape.

6.3 Amenity

6.3.1 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.

6.3.2 The proposed rear extension is a single storey extension and given its low height and use as a commercial extension along with its design with no side windows it is considered to have no negative impact on neighbour amenity. Given the proposed extensions design and 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.

6.3.3 The proposed external staircase runs adjacent to the existing buildings rear wall. Once constructed this would face directly onto the neighbouring property to the south. However, given its location on the building and its relationship facing directly onto a rear flat roofed extension it is considered to not create any overlooking issues or have any negative impact on neighbour amenity. A new access door is to be added at first floor level in place of an existing window. Given a window already exists in this location there will be no additional overlooking or negative impact on neighbour amenity created.

6.3.4 The addition of the residential units within the upper floors of the existing building has been approved previously under 22/00898/FUL and could be implemented without the approval of this application.

6.4 Access

6.4.1 The proposal will create an additional 105m² of useable retail space and also a residential unit. This creates the potential for additional pedestrian and vehicle movements to and from the site. There is no onsite parking within the site but there is road side parking available. Concerns have been raised with regards to the impact on road safety given the additional vehicles that will be associated with the proposed flats and the retail extension. The residential flat may add extra vehicles to the parking requirements and the extension to the retail space may also attract additional vehicle movements although it could be argued that the additional retail space would not attract any additional customers to the premises.

6.4.2 Given these facts and the available parking outside the property and on the neighbouring street there are no traffic regulations in place which would impact parking for users of the property it is considered that there is no requirement for additional parking to be created and there will be no additional negative impact on road safety.

7. Conclusion

7.1 It is recommended that conditional planning permission be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with the following plans received by the Local Planning Authority on 30 October 2023: <ul style="list-style-type: none"> • Site Location Plan (Drawing Number: MD 2212 (EX)00 A), and the following plans received by the Local Planning Authority on 28 November 2023: • Proposed Site Plan (Drawing Number: MD 2212 (EX)02 A), • Proposed Elevation and Floor Plans (Drawing Reference MD 2212 (EX)01 A), <i>Reason: For the avoidance of doubt.</i>

<p>3.</p>	<p>The proposed extension and external stairs shall be constructed using bricks on the walls to match the existing property and profiled metal sheeting to the roof as specified in the application form received by the Local Planning Authority on 14 June 2023, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>The retail premises shall not be used except between 07.00- 23.00 hours Monday to Saturday and 08.00-22.00 hours on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>NOTES TO APPLICANT</p>	
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).</p>
<p>3.</p>	<p>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.</p>

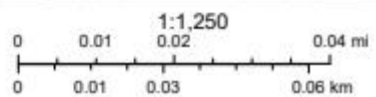
Map

23/00783/FUL



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 Site

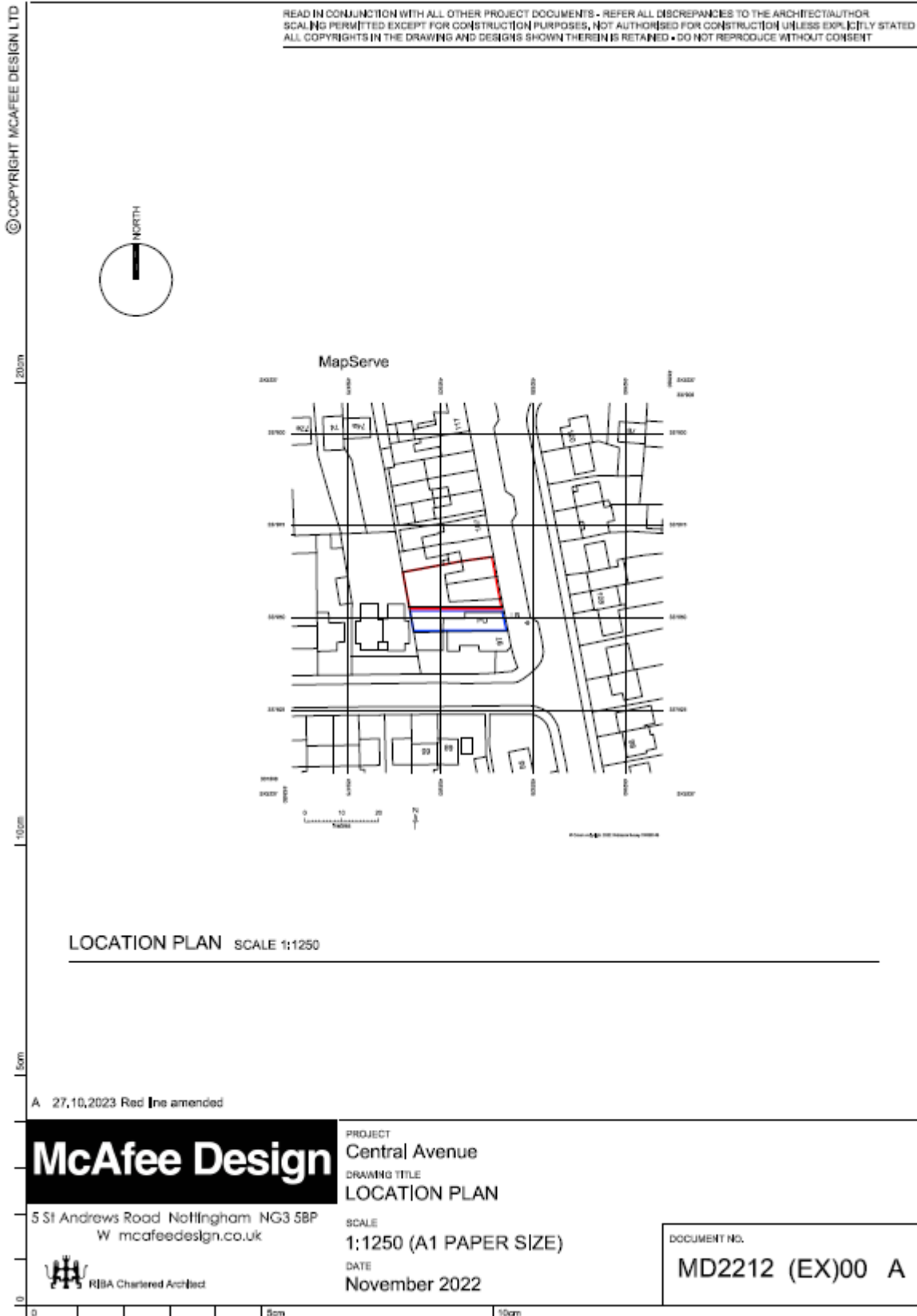


Photos





Plans



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Report of the Chief Executive

APPLICATION NUMBER:	23/00814/REG3
LOCATION:	1-27, 29-30, 32-52, 83A, 83-92 Princes Street and 1-22 Wellington Street, Eastwood, Nottinghamshire
PROPOSAL:	Install external wall insulation to front, rear and side elevations of properties, including enabling and facilitating works. Numbers 1-27, 29-30, 32-52, 83A, 83-92 Princes Street and 1-22 Wellington Street

This application is brought before Committee because the Council is the applicant.

1. Purpose of the Report

1.1 The application seeks planning permission for the installation of external wall insulation and brick effect render to 85 terraced properties in multiple ownerships. The majority of the properties are in the ownership of the Council with the remainder of the properties in private ownership.

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 6 blocks of 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.

3.2 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

Any climate change implications are contained within the report.

8. Background Papers

None.

APPENDIX

1. Details of the application

1.1 The application seeks planning permission for the installation of external wall insulation and brick effect render to 85 terraced properties in multiple ownerships. The majority of the properties are in the ownership of the council with the remainder of the properties in private ownership.

2. Site and surroundings

2.1 The application site consists of a row of 6 blocks of 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. The site is located on the north and eastern edges of Eastwood Conservation Area.

3. Relevant Planning History

3.1

23/00606/REG3	Install external wall insulation to the front, side and rear of 68-82 Princes Street	Permission Granted
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4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 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 **Planning (Listed Buildings and Conservation Areas) Act 1990**

- Section 72 - General duty as respects conservation areas in exercise of planning functions.

4.4 **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.'

The comments of this *Planning* Inspector are echoed in relation to the Eastwood application, specifically where it was 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.'

Further to my comments that related to the application 23/00814/REG3, my comments of November 15 submitted to the case officer at 6.13pm, are directly related to the new application. The level of harm (less than substantial) to the conservation area still stands and the harm will be marginally higher now that a precedent has been set for a large number of properties on the street to be externally insulated. There are still private properties on the terraced row that will not be carrying out the works and as such there will be no uniformity, with awkward junctions between the private / council owned buildings. As such I do not support the proposal.

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

- 6.2.1 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 policy 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.

- 6.2.2 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.
- 6.2.3 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 as close to like for like as possible.

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.

Alternatives are available to the external insulation which involves insulating the internal of the properties were discussed with the applicants. However, given the upheaval it would cause to the occupants of the properties and the reduced level of insulation level it would produce this was considered by the applicants to not be a viable option.

- 6.2.4 Given the fact that the properties in question are not all in the ownership of the applicants then there is no control by the applicants that the works will be able to be carried out to all of the properties. This could potentially result in a stepped effect in the insulation creating a detrimental visual impact on the street scene and specifically the Conservation Area. Out of the 85 properties in question 26 of these are in third party ownership. This could result in multiple steps in the street frontage along the six rows of housing having a further negative impact on the street scene.
- 6.2.5 There are multiple breaks in the terraces to allow for access to the rear of the properties. These passages are narrow in design and once the external insulation and render has been applied to the properties, these passages will narrow considerably and may become impractical in terms of being used as walkways for access to the rear of the properties and narrowed to such an extent that wheelie bins would not fit through them. This could result in additional clutter being created on the pedestrianised street frontage with wheelie bins being left to the front of the properties.
- 6.2.6 The properties within Wellington Street are located on a hill and so the properties are individually stepped from the proceeding one. This would cause concerns with regards to the appearance of the installation of the insulation as the base of the insulation is required to be level. This would create a step between the insulation and the base course of the properties which would also step in line with the properties. This new addition to the visual appearance of the property is considered to be an incongruous feature and not in line with

properties of this period. This step in the insulation would be further enhanced if not all of the properties are insulated due to ownership constraints.

- 6.2.7 The properties in question all have the services to them on the principle elevations. Given the complexities involved with regards to the moving of the services to the properties it will not be possible to relocate the gas pipes to the face of the proposed insulation. To overcome this issue, the insulation is proposed to be installed around the pipework with a removable faux panel installed over the pipes. There are concerns with regards to the installation of removable panels as there is no assurances that these panels will remain in place permanently and if these panels are damaged/removed or lost then the increase in the depth of the insulation and render will be enhanced and bare edged white insulation will be visible within these voids.

6.3 Amenity

- 6.3.1 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

- 6.4.1 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.

- 6.4.2 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.

- 6.4.3 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 D. H Lawrence Museum and they form a strong association with the D. H 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.
- 6.4.4 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.
- 6.4.5 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.

6.4.6 As previously stated in paragraph 6.2.4 there is the potential for some of the properties to be left uninsulated due to third party ownership. This would result in the facades of the properties stepping in and out where the works have not been carried out. The resulting appearance of old traditional brick finish and modern render would negatively impact the Conservation Area.

6.4.7 A previous application 23/00606/REG3 is in close proximity to the site within the conservation area, was previously approved at planning committee for external insulation to be carried out to a separate block of housing. This sets the precedent for this form of work within the area and is considered to cause moderate to substantial harm to the Conservation Area and the inclusion of further properties having a modern render finish applied will considerably increase this harm and irreparably damage the historic visual appearance of the area.

6.5 Ecology

6.5.1 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 in 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 several of the properties to be re-inspected once scaffolding has been erected.

6.5.2 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. Any mitigational bat and bird boxes would need to be located to the rear of the properties to minimise any additional negative impact on the Conservation Area.

7. Conclusion

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.



<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.	
1.	Reason: The external insulation system constitutes an incongruous feature in terms of detail and material which would appear out of character with the buildings and surrounding area. The proposal therefore would create substantial harm to the character and appearance of the Eastwood Conservation Area and to 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).
	NOTES TO APPLICANT
1.	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.

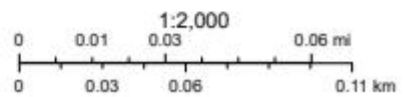
Map

23/00814/REG3



12/15/2023, 10:55:35 AM

-  Conservation Areas
-  INTERNAL: PCO Applications



Photos









Photo of a site with the proposed works already carried out, which demonstrates increased depth of reveals and gaps to ground level.



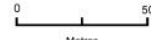
Plans

Date Produced: 16-Nov-2023

Scale: 1:1250 @A3



Planning Portal Reference: PP-12606130v1



<p>Existing Rear (East Elevation)</p>				<p>Existing Side (North Elevation)</p>				<p>Existing Front (West Elevation)</p>				<p>Existing Cross section (from South)</p>																																																							
<p>Proposed Rear (East Elevation)</p>				<p>Proposed Side (North Elevation)</p>				<p>Proposed Front (West Elevation)</p>				<p>Proposed Cross section (from South)</p>																																																							
<p>NOTES:</p> <ul style="list-style-type: none"> Property Type G, 2 storey hipped roof end terrace - Nos. 1 & 22 Wellington Street. Property Type H, 2 storey mid terrace, Nos 2-5, 8-13, 13-21 Wellington Street Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Proposed wall finish: Red brick effect render to front, side and rear elevations to match existing brick. Render pattern to include stone/cream coloured window lintels and sills to match the existing. Where roofs extended, matching slate tiles to be used. Windows are old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street. Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish. 																																																																			
<table border="0"> <tr> <td colspan="4"> <p>Broxtove Borough Council</p> </td> <td colspan="4"> <p>PROJECT: Princes & Wellington Street External Wall Insulation</p> </td> <td colspan="4"> <p>TITLE: Existing and Proposed Elevations, Type G & H Wellington Street</p> </td> </tr> <tr> <td colspan="4"> <p>Deputy Chief Executive's Department Council Office Foster Avenue Bendon Nottingham NG6 1AB Email: env@broxtove.gov.uk</p> </td> <td colspan="4"> <p>Tel: 0116 917 7777 Fax: 0116 917 3800</p> </td> <td colspan="4"> <p>SCALE: 1:100 DATE: 10/01/2024</p> </td> </tr> <tr> <td colspan="4"> <p>Revision A 15/11/2023 - External Insulation to front elevations added</p> </td> <td colspan="4"> <p>Revision B 10/11/2024 - Property Types updated</p> </td> <td colspan="4"> <p>DRAWN: SG CHECK: SCLJ SIZE: A2</p> </td> </tr> <tr> <td colspan="16"> <p>DWG No: CW24.010.002. REV.B</p> </td> </tr> </table>																<p>Broxtove Borough Council</p>				<p>PROJECT: Princes & Wellington Street External Wall Insulation</p>				<p>TITLE: Existing and Proposed Elevations, Type G & H Wellington Street</p>				<p>Deputy Chief Executive's Department Council Office Foster Avenue Bendon Nottingham NG6 1AB Email: env@broxtove.gov.uk</p>				<p>Tel: 0116 917 7777 Fax: 0116 917 3800</p>				<p>SCALE: 1:100 DATE: 10/01/2024</p>				<p>Revision A 15/11/2023 - External Insulation to front elevations added</p>				<p>Revision B 10/11/2024 - Property Types updated</p>				<p>DRAWN: SG CHECK: SCLJ SIZE: A2</p>				<p>DWG No: CW24.010.002. REV.B</p>															
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NOTES:
 Do not scale dimensions.
 If in doubt, please ask!

Existing Front (West Elevation) **Existing Side (South Elevation)** **Existing Rear (East Elevation)** **Existing Cross section (from North)**

Proposed Front (West Elevation) **Proposed Side (South Elevation)** **Proposed Rear (East Elevation)** **Proposed Cross section (from North)**

Notes:

- Property Type H - 2 storey mid terrace, Nos. 2-5, 8-13, 16-21 Wellington Street
- Property Type I - 2 storey end terrace, Nos. 6-7, 14-15 Wellington Street
- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows.
- Proposed wall finish: Red brick effect render to front, side and rear elevations to match existing brick.
- Render pattern to include stone/cream coloured window lintels and sills to match the existing.
- Windows are old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street.
- Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish.

<p>Broxtowe Borough Council</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beeston Nottingham NG8 1AB Email: em@broxtowe.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation	
	TITLE: Existing and Proposed Elevations, Type H & I Wellington Street	
	SCALE: 1:100	DATE: 10/11/2024
	DRAWN: SG	CHECK: BHLJ
DWG No: CW24.010.003.REV.B		

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

Existing Front (South Elevation) **Existing Side (East Elevation)** **Existing Rear (North Elevation)** **Existing Cross section (from West)**

Proposed Front (South Elevation) **Proposed Side (East Elevation)** **Proposed Rear (North Elevation)** **Proposed Cross section (from West)**

Notes:

- Property Type A - Two storey end terrace with hipped roof, Nos 1, 13, 14, 29, 30 Princes Street
- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Gable wall is rendered/ painted a maroon type colour.
- Proposed wall finish: Brick effect render to front, side and rear elevations to match existing brick. Proposed to replace the maroon render with red brick effect render to improve appearance. Note: some side elevations have a grey finish. Proposed to replace these also with red brick effect render.
- Render pattern to include stone/cream coloured window lintels and sills to match the existing.
- Old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street.
- Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish.

<p>Broxtowe Borough Council</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beeston Nottingham NG8 1AB Email: em@broxtowe.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation	
	TITLE: Existing and Proposed Elevations, Property Type A	
	SCALE: 1:100	DATE: 20/12/2023
	DRAWN: SG	CHECK: SC/LJ
DWG No: CW24.010.004.REV.B		

Existing Front (South Elevation) (Type E, Type F)
Existing side (East Elevation) (Type F)
Existing Rear (North Elevation) (Type F, Type E)
Existing cross section for West Elevation (Type E)

Proposed Front (South Elevation) (Type E, Type F)
Proposed side (East Elevation) (Type F)
Proposed Rear (North Elevation) (Type F, Type E)
Proposed cross section for West Elevation (Type E)

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

NOTES:

- Type G - No. 52 Princes Street, Type F Nos. 42 - 44 & 47-51 Princes Street.
- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows.
- Proposed wall finish: Red brick effect render to front, side and rear elevations to match existing brick. Proposed to replace the maroon render with red brick effect render to improve appearance.
- Render pattern to include stone/cream coloured window lintels and sills to match the existing.
- Where windows are old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street.
- Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish.

<p>Broxtowe Borough COUNCIL</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beeston Nottingham NG9 1AB</p> <p>Tel: (0115) 917 7777 Fax: (0115) 917 3600 Email: enq@broxtowe.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation
	TITLE: Existing and Proposed Elevations, Type E & F Princes Street
	SCALE: 1:100 DATE: 20/12/2023
	DRAWN: SG CHECK: SCLJ SIZE: A2 DWS No: CW24.010.006 REV.B
	Revision A 15/11/2023 - External Insulation to front elevations added Revision B 10/11/2024 - Property Types updated

Existing Front (South Elevation)
Existing Side (East Elevation)
Existing (North Elevation)
Existing Cross section (from West)

Proposed Front (South Elevation)
Proposed Side (East Elevation)
Proposed Rear (North Elevation)
Proposed Cross section (from West)

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

NOTES:

- Property Type D - Two storey front, 3 storey rear end terrace with hipped roof. No's 45 & 46 Princes Street
- Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Gable wall is rendered/ painted a maroon type colour.
- Proposed wall finish: Brick effect render to front, side and rear elevations to match existing brick. Proposed to replace the maroon render with red brick effect render to improve appearance. Note: some side elevations have a grey finish. Proposed to replace these also with red brick effect render.
- Render pattern to include stone/cream coloured window lintels and sills to match the existing.
- Old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street.
- Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish.

<p>Broxtowe Borough COUNCIL</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Beeston Nottingham NG9 1AB</p> <p>Tel: (0115) 917 7777 Fax: (0115) 917 3600 Email: enq@broxtowe.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation
	TITLE: Existing and Proposed Elevations, Type D Princes Street
	SCALE: 1:100 DATE: 10/01/2024
	DRAWN: SG CHECK: SCLJ SIZE: A2 DWS No: CW24.010.011

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

Existing Side (West Elevation)

Existing Front Elevations (South Elevation)

Existing Side (East Elevation)

Existing Rear Elevations (North Elevation)

<p>Broxtove Borough COUNCIL</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Barton Nottingham NG8 1AB Tel: (0116) 917 7777 Fax: (0116) 917 9800 Email: env@broxtove.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation	<p>Notes:</p> <ul style="list-style-type: none"> Type A - applies to Nos 1,13,14,29, 30 Princes Street; Type B - applies to Nos. 2-6, 9-12, 15-20, 23-27, 32 - 36, 39 - 41, 83 - 91. Princes Street; Type C applies to Nos. 7,8, 21,22, 37,38 Princes Street. Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Proposed wall finish: Red brick effect render to front, side and rear elevations to match existing brick. Proposed to replace the maroon render with red brick effect render to improve appearance. Render pattern to include stone/cream coloured window lintels and sills to match the existing. Where windows are old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street. Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish. 		
	TITLE: Existing Elevations, Type A,B,C Princes Street			
	SCALE: 1:100		DATE: 20/12/2023	
	DRAWN: SG		CHECK: SCLJ	SIZE: A2
	DWG No: CW24.010.012			

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

Existing Side (West Elevation)

Existing Front Elevations (South Elevation)

Existing Side (East Elevation)

Existing Rear Elevations (North Elevation)

<p>Broxtove Borough COUNCIL</p> <p>Deputy Chief Executive's Department Council Offices Foster Avenue Barton Nottingham NG8 1AB Tel: (0116) 917 7777 Fax: (0116) 917 9800 Email: env@broxtove.gov.uk</p>	PROJECT: Princes & Wellington Street External Wall Insulation	<p>Notes:</p> <ul style="list-style-type: none"> Type A - applies to Nos 1,13,14,29, 30 Princes Street; Type B - applies to Nos. 2-6, 9-12, 15-20, 23-27, 32 - 36, 39 - 41, 83 - 91. Princes Street; Type C applies to Nos. 7,8, 21,22, 37,38 Princes Street. Existing wall finish: Red brick with stone/ painted cream or grey lintels and sills to windows. Proposed wall finish: Red brick effect render to front, side and rear elevations to match existing brick. Proposed to replace the maroon render with red brick effect render to improve appearance. Render pattern to include stone/cream coloured window lintels and sills to match the existing. Where windows are old UPVC. Proposed to replace with new UPVC windows with addition of Georgian bars to return to a more traditional appearance, and to match the recent window replacements on Princes Street. Brick Corbels to be replicated with an extrusion integrated to insulation/ render finish. 		
	TITLE: Proposed Elevations, Type A,B,C Princes Street			
	SCALE: 1:100		DATE: 20/12/2023	
	DRAWN: SG		CHECK: SCLJ	SIZE: A2
	DWG No: CW24.010.013			

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00582,FUL
LOCATION:	68 Salisbury Street, Beeston, Nottingham, NG9 2EQ
PROPOSAL:	Change of use from C3 to 4 bed HMO class C4

APPEAL DISMISSED

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL –

The proposal, by virtue of the change of use into a house in multiple occupancy (C4 Use) would be unacceptable due to the significant direct and cumulative impact on the amenity of the immediate adjacent neighbouring property. The proposed change of use would result in an over-concentration of HMOs, and would have a harmful impact on the character of the area; Therefore, the application would be contrary to Broxtowe Borough Council Houses in Multiple Occupation Supplementary Planning Document (2022), Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).

LEVEL OF DECISION: DELEGATED

The main issues considered by the Inspector were:

- whether the proposal would result in an over-concentration of Houses in Multiple Occupation (HMO) in the area, and if so, the effect that this would have on the character of the area, and
- the effect of the proposal on the living conditions of residents of the immediate adjacent neighbouring property.

REASONS

The inspector acknowledges the guidance provided by the HMO SPD to prevent the excessive concentration of HMO's. Following the SPD's indicators, the Inspector noted that the proposal would result in the site being located in a row of 4 existing HMO's, therefore the proposal would create an imbalance in the mix of residential units in the area, thereby undermining its sustainability and eroding the character of the area. The Inspector did not consider that the proposed change of use would have a harmful effect on the living conditions of the immediate adjacent neighbouring properties.

CONCLUSION

The Planning Inspector concluded that the development conflicts with the development plan (Policy 8 of the ACS), Policy 17 (Part 2 Local Plan) and the HMO SPD.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00583/FUL
LOCATION:	36 Mona Street, Beeston, NG9 2BY
PROPOSAL:	Change of use from (C3) dwelling house to house in multiple occupation (C4)

APPEAL DISMISSED

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL –

The proposal, by virtue of the change of use into a house in multiple occupancy (C4 Use) would be unacceptable due to the significant direct and cumulative impact on the amenity of the immediate adjacent neighbouring property. The proposed change of use would result in an over-concentration of HMOs, and would have a harmful impact on the character of the area; Therefore, the application would be contrary to Broxtowe Borough Council Houses in Multiple Occupation Supplementary Planning Document (2022), Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).

LEVEL OF DECISION: DELEGATED

The main issues considered by the Inspector were:

- The character of the area with regards to the balance and mix of housing
- The living conditions of the occupiers of 34 Mona Street with regards to noise and disturbance.

REASONS

The inspector acknowledges the guidance provided by the HMO SPD to prevent the excessive concentration of HMO. Following the SPD’s indicators, the Inspector noted that the proposal would result in 34 Mona Street being sandwiched between two HMOs, therefore the proposal would create an imbalance in the mix of residential units in the area, thereby undermining its sustainability and eroding the character of the area. The Inspector also noted that the proposed change of use would have a harmful effect on the living conditions of the occupiers of 34 Mona Street with regards to noise and disturbance.

CONCLUSION

The Planning Inspector concluded that the development conflicts with the development plan (Policy 8 of the ACS), Policy 17 (Part 2 Local Plan) and the HMO SPD.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00100/FUL
LOCATION:	Car Park, Kelham Way, Eastwood
PROPOSAL:	Construct serviced apartments comprising of 16 units and associated infrastructure

APPEAL ALLOWED

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL –

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

LEVEL OF DECISION: COMMITTEE

The inspector considered the main issue to consider was:

- The impact of the proposed development on the character and appearance of the area.

REASONS

The Planning Inspector noted that proposed building would have a modern appearance and would complement the appearance of the neighbouring YPC building, which also has a contemporary appearance. The staggered footprint and stepped height would reduce the massing and bulk of the proposed building. The lower land level of the site, compared to buildings within the CA, would also reduce the effect of the development within the street scene.

The Inspector noted that the use of varied materials, including contrasting, coloured bricks, as well as the decorative brick detailing and the grey curtain wall features, would achieve a high-quality design of building.

The Inspector concluded that the character and appearance of the CA would be preserved and that there would be no loss of significance to the Sun Inn, as a non-designated heritage asset. Furthermore, the Inspector noted that the proposed development would not be harmful to the character and appearance of the area.

CONCLUSION

The Inspector considered that in terms of the main issue; the proposal would not result in an unacceptable impact on the character and appearance of the area.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00499/FUL
LOCATION:	1 Queens Road East, Beeston, Nottingham, NG9 2LD
PROPOSAL:	Construct three storey extension to the existing purpose built student accommodation to create an additional six bedrooms

APPEAL ALLOWED

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL –

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

LEVEL OF DECISION: COMMITTEE

The inspector considered the main issue to consider was:

- The main issue in this appeal is the effect of the development on neighbouring properties, by its overwhelming and overly dominant impact.

REASON

The Inspector noted that the new section of extension is not significantly higher than No 3, and there are no habitable room windows facing toward that property. The relationship between the existing property and the proposed extension is not markedly different from a traditional relationship between buildings. All of the aspects raised by the Council seem to be unobjectionable. The Inspector noted the Council’s view that the development would be overwhelming and an overly dominating presence, but in the absence of any further explanation, these criticisms are unsubstantiated.

CONCLUSION

The Inspector considered that in terms of the main issue; the proposal would not result in an unacceptable impact on the living conditions of nearby residents or occupiers.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00563/FUL
LOCATION:	121 and Land to Rear of 123 Brookhill Street, Stapleford, Nottingham, NG9 7GU
PROPOSAL:	Proposal for 5no. new dwellings and demolition of existing bungalow

APPEAL DISMISSED

RECOMMENDATION BY OFFICER - REFUSE

REASONS FOR REFUSAL –

1. The proposal represents an unsatisfactory form of development which is cramped and out of keeping with the style and predominant pattern of development within the immediate vicinity of the application site. Plots 4 and 5, by virtue of their design, scale and massing will be out of keeping with prevailing character of properties on Brookhill Street. As a result, the development will be harmful to the appearance and character of the area and is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
2. The submitted scheme by virtue of its layout and design results in a cramped form of development that results in the loss of privacy for future and neighbouring occupiers of properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
3. The proposed access, located in close proximity to neighbouring properties 123 and 125 Brookhill Street, would result in an adverse impact upon the living conditions of neighbouring occupiers of properties by virtue of noise relating to comings and goings of future occupiers. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).
4. The development would lead to an increase in vehicular traffic using the shared access driveway. The access is of insufficient width to allow the two-way vehicular movements along the length of the driveway, resulting in an increased likelihood of impediment to the free flow of traffic, whilst vehicles wait to turn into the site, whilst others egress. The access also fails to provide adequate pedestrian and vehicular visibility. It has further not been demonstrated that the access, parking and vehicle maneuvering space can be satisfactorily achieved within the red line boundary. Therefore, the proposal is contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

LEVEL OF DECISION: DELEGATED

The inspector considered the main issues to consider were:

- The effect of the proposal on the character or appearance of the area;
- Whether appropriate living conditions would be provided for future occupiers of the proposed dwellings and maintained for neighbouring occupants, with particular regard to privacy and noise; and
- The effect of the proposal on highway and pedestrian safety with particular regard to the adequacy of visibility, parking and manoeuvring opportunities for vehicles.

REASONS

The Planning Inspector noted that the development would not sit well with the established pattern of development of the area and would appear as an intrusive and discordant addition to the street scene to its detriment.

The Inspector noted that the inclusion of the terraced areas would result in a significant loss of privacy, thereby unacceptably harming the living conditions of the occupiers of the proposed Units 1 to 3, as well as the occupiers of No 123. Further to this, the vehicular movements associated with the proposed rear dwellings will be directly next to the rear gardens, and closer to rear windows, of Nos 123 and 125 than any other external source. The Inspector considered that the living conditions of the occupants of such properties, including the enjoyment of their gardens, would be adversely and unacceptably affected.

The Inspector concluded that the development would have an unacceptable effect on highway and pedestrian safety with particular regard to the adequacy of visibility, parking and manoeuvring opportunities for vehicles.

CONCLUSION

The Inspector considered that in terms of the main issues: the proposal would be harmful to the character and appearance of the locality, detrimental to the living conditions of neighbouring properties and adversely affect highway safety.

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	22/00790/FUL
LOCATION:	Land south of 70 and 72 Sandy Lane, Bramcote, NG9 3GS
PROPOSAL:	Construct two detached dwellings

APPEAL DISMISSED

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL

The proposed housing development, by virtue of the built development and the loss of habitats, would result in an unacceptable harm to a Green Infrastructure Asset and would result in the loss of a Biodiversity Asset (Local Wildlife Site). No benefits which clearly outweigh this harm have been demonstrated. Accordingly, the development is contrary to the aims of Policies 28 and 31 of the Broxtowe Part 2 Local Plan (2019), Policies 16 and 17 of the Broxtowe Aligned Core Strategy (2014) and Section 15 of the National Planning Policy Framework (NPPF) 2019.

LEVEL OF DECISION: DELEGATED

The Planning Inspector considered the main issue to be whether the benefits associated with the proposal would outweigh the harm or loss of a Green Infrastructure Asset and Local Wildlife Site.

REASONS

The Planning Inspector noted that whilst there were no concerns in respect of the design of the dwellings, they considered that the proposed dwellings, along with gardens and associated residential use of the site would introduce domestic activity, built form, hard landscaping, and associated domestic gardens. This would advance a material change away from the overgrown but fundamentally green, undeveloped, and natural part of the Prominent Area of Special Protection (Bramcote Ridge) to a suburban character. Part of the conservation value of the appeal site would be lost, resulting in harm to the Green Infrastructure Asset, and significant harm to the Local Wildlife Site due to the domestic use and overall increased use of the site and surrounds.

Other matters the appellant raised in respect of creation of community park (adjacent to the appeal site), removal of Japanese Knotweed on and adjacent to the site, and biodiversity net gain within the site would not outweigh the harm identified in the above paragraph.

CONCLUSION

The Planning Inspector concluded that the proposed development would conflict with the development plan taken as a whole and material considerations, including the

NPPF, did not indicate that the appeal should be determined other than in accordance with the development plan.

APPEAL COSTS

The appellant's claim for appeal costs were refused, as the Planning Inspector concluded that unreasonable behaviour resulting in unnecessary or wasted expense by the Local Planning Authority, cited by the appellant, has not been demonstrated.

APPLICATION NUMBER:	23/00049/FUL
LOCATION:	3 Pelham Crescent, Beeston, NG9 2ER
PROPOSAL:	Change of use from Use Class C4 to a sui generis 7 bed HMO

APPEAL ALLOWED

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL –

The proposal, by virtue of the change of use into a 7 bed roomed house in multiple occupancy (Sui Generis Use) would be unacceptable due to the significant direct and cumulative impact on the amenity of neighbouring properties. The proposed change of use would result in an intensification of the site and further upset the residential profile in terms of character as well as having potential negative impacts upon neighbour amenity; Therefore, the application would be contrary to Broxtowe Borough Council Houses in Multiple Occupation Supplementary Planning Document (2022), Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).

LEVEL OF DECISION: DELEGATED

The main issues considered by the Inspector were:

- the effect of the proposed development upon the character and appearance of the area, in terms of the mix and balance of housing in the area
- the effect of the living conditions of existing occupiers, by reason of noise and disturbance.

REASONS

The inspector noted that the appeal property has an established use as a 6-bed HMO and that 1no. additional bedroom would not result in the loss of a family home. Accordingly, the proposal would not affect the percentage of properties used as a HMO and would not unbalance the housing mix in the locality. The Inspector also noted that an additional bedroom would not result in a significant material increase in activity at the property.

CONCLUSION

The Planning Inspector concluded that the development would not adversely harm the character and appearance of the area, in terms of the mix and balance of housing in the area. Accordingly, the Inspector finds no conflict with Policies 8 and 10 of the ACS (2014) and Policy 17 of Broxtowe P2LP (2019).

CONDITIONS

The standard time limit and drawings.

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	23/00355/FUL
LOCATION:	64 Stapleford Lane, Toton, NG9 6GA
PROPOSAL:	Retention of existing car port

APPEAL DISMISSED

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL –

The proposed carport, by virtue of its size and prominent location forward of the principle elevation of the property and located immediately adjacent to the boundary with the public road, is a dominant feature that is out of character with the original dwelling and an intrusive feature detrimental to the appearance of the street scene. It fails to make a positive contribution to the character and appearance of the area, and has a harmful impact on the street scene. Accordingly, the proposed development would therefore be contrary to the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

LEVEL OF DECISION: DELEGATED

The main issues considered by the Inspector was the effect of the development on the character and appearance of the area

REASONS

The inspector noted that the carport is sited entirely forward of the building line to the house, adjacent to the boundary hedge and close to the front stone wall. Given the carport’s position at the front of the property, the large scale of the structure is at odds with the more open frontages within the locality, unduly drawing the attention as an incongruous and visually intrusive development, detracting from the wider character and appearance of the area.

CONCLUSION

The Planning Inspector concluded that the carport harms the character and appearance of the area. As such, conflicts with Policy 10 of the ACS (2014) and Policy 17 of the P2LP (2019) which seek to ensure high quality of development that integrate into their surroundings. It would also conflict with the overarching design aims of the NPPF.

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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
13 NOVEMBER 2023 TO 12 JANUARY 2024**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr WAHEED TUFAIL 23/00451/FUL
Site Address : 2 Highgrove Avenue Chilwell Nottinghamshire NG9 4DN
Proposal : **Construct first floor side extension, single storey side and rear extension and two storey rear extension.**
Decision : **Conditional Permission**

Applicant : Mr P Maltby Maltby Homes Ltd 23/00624/FUL
Site Address : 68 Bramcote Avenue Chilwell Nottinghamshire NG9 4DT
Proposal : **Demolish existing bungalow and construct two dwelling houses**
Decision : **Conditional Permission**

Applicant : Badger Corner Ltd 23/00667/FUL
Site Address : Towlson Court And Brentnall Court Kirk Close Chilwell Nottinghamshire
Proposal : **Construction of hipped roofs to Towlson Court and Brentnall Court. Extensions and alterations to garage block to form storage area and enlarged bin store**
Decision : **Conditional Permission**

Applicant : Mr Ian Stacey 23/00672/CLUP
Site Address : The Bungalow Barton Lane Attenborough Nottinghamshire NG9 6DY
Proposal : **Certificate of Lawfulness for proposed construction of outbuilding/carport**
Decision : **Approval - CLU**

Applicant : Mr Ian Stacey 23/00684/CLUE
Site Address : The Bungalow Barton Lane Attenborough Nottinghamshire NG9 6DY
Proposal : **Certificate of lawfulness for the existing 'garden land' to be included within curtilage of dwelling at The Bungalow, Barton Lane, Attenborough**
Decision : **Approval - CLU**

Applicant : Mrs Maureen Meller 23/00668/CAT
Site Address : 178 Attenborough Lane Attenborough Nottinghamshire NG9 6AL
Proposal : **Fell one x Scots Pine**
Decision : **No Objection**

Applicant : Julian Owen Julian Owen Associates Architects 23/00697/CLUE
Site Address : 21 Barratt Lane Attenborough Nottinghamshire NG9 6AD
Proposal : **Certificate of Lawfulness of existing development for below ground works for the proposed new dwelling at address 21 Barratt Lane, with the excavation starting as per approved planning permission 20/00164/FUL and approved discharge of planning condition 3**
Decision : **Approval - CLU**

Applicant : MR LOUIS WILKINSON 23/00749/NMA
Site Address : 48 School Lane Chilwell Nottinghamshire NG9 5EH
Proposal : **Non material amendment to 23/00515/FUL for reduction of scale of the single storey rear extension**
Decision : **Refusal**

Applicant	:	Dr Eldar Naghiyev	23/00750/FUL
Site Address	:	5 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	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)	
Decision	:	Conditional Permission	
Applicant	:	Mengtao Li	23/00793/FUL
Site Address	:	16 The Nook Chilwell Nottinghamshire NG9 5AB	
Proposal	:	Construct two storey side extension and alterations to roof of existing conservatory	
Decision	:	Conditional Permission	
Applicant	:	Mengtao Li	23/00794/FUL
Site Address	:	16 The Nook Chilwell Nottinghamshire NG9 5AB	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Megtao Li	23/00795/FUL
Site Address	:	16 The Nook Chilwell Nottinghamshire NG9 5AB	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Mabrouk	23/00821/NMA
Site Address	:	23 Attenborough Lane Chilwell Nottinghamshire NG9 5JP	
Proposal	:	Non-material amendment of 23/00550/FUL to side gable wall to be formed using block work and monocrouche render chalk white	
Decision	:	Unconditional Permission	
Applicant	:	Mr Nick Duckworth	23/00826/CAT
Site Address	:	34 Long Lane Attenborough Nottinghamshire NG9 6BG	
Proposal	:	1 x Conifer - Fell	
Decision	:	Conditional Permission	
Applicant	:	Mr David Benton	23/00832/CAT
Site Address	:	19 The Strand Attenborough Nottinghamshire NG9 6AU	
Proposal	:	Maintenance works to conifers to rear and side	
Decision	:	Conditional Permission	
Applicant	:	Mr David Benton	23/00833/CAT
Site Address	:	Old Bell 25 The Strand Attenborough Nottinghamshire NG9 6AU	
Proposal	:	Maintenance works to Olive tree and Red gum tree	
Decision	:	Conditional Permission	
Applicant	:	Mark Gorin Penco Developments Ltd	23/00847/FUL
Site Address	:	25 Highgrove Avenue Chilwell Nottinghamshire NG9 4DN	
Proposal	:	Construct two storey side and front extension, single storey rear extension and enlargement of dropped kerb	
Decision	:	Conditional Permission	
AWSWORTH, COSSALL & TROWELL WARD			
Applicant	:	Mr & Mrs Kay	23/00561/CLUP
Site Address	:	Wyndros Nottingham Road Trowell Moor Trowell Nottinghamshire NG9 3PQ	
Proposal	:	Certificate of Lawfulness to construct single storey extension	
Decision	:	Approval - CLU	

Applicant	:	Mrs T Lane	23/00650/FUL
Site Address	:	15 St Helens Crescent Trowell Nottinghamshire NG9 3PZ	
Proposal	:	Construct rear single storey extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Hawkins	23/00665/CLUP
Site Address	:	3 Cossall Road Trowell Nottinghamshire NG9 3PG	
Proposal	:	Certificate of Lawfulness for proposed side and rear extension, removal of existing chimney and external opening alterations.	
Decision	:	Approval - CLU	
Applicant	:	Miss Nisha Desai	23/00730/FUL
Site Address	:	34 Nottingham Road Trowell Nottinghamshire NG9 3PB	
Proposal	:	Construct detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mrs Zoe Shelmerdine	23/00753/FUL
Site Address	:	Uplands Farm Cossall Road Trowell Nottinghamshire NG9 3PG	
Proposal	:	Construct single storey extension to north and south elevations, creating side access and revised north access, construct detached garage with associated garden and drive alterations following the demolition of the existing garage	
Decision	:	Conditional Permission	
Applicant	:	Icon Tower Infrastructure Limited	23/00799/TEL
Site Address	:	Storage Yard Shilo Way Cossall Nottinghamshire	
Proposal	:	Removal of existing 12.5m monopole mast and associated compound, and the installation of replacement base station including a 25m lattice sharable mast, 6 no. antennas, 2 no. dishes, 7 no. cabinets and ancillary development to facilitate connectivity	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr & Mrs Hawkins	23/00855/FUL
Site Address	:	3 Cossall Road Trowell Nottinghamshire NG9 3PG	
Proposal	:	Render to dwelling elevations	
Decision	:	Conditional Permission	
BEESTON CENTRAL WARD			
Applicant	:	Ms E Staniforth	23/00574/FUL
Site Address	:	1 Henry Road Beeston Nottinghamshire NG9 2BE	
Proposal	:	Construct single storey rear extension and loft conversion	
Decision	:	Conditional Permission	
Applicant	:	Ms C Byrne	23/00723/FUL
Site Address	:	35 Dagmar Grove Beeston Nottinghamshire NG9 2BH	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Jamie Gleeson	23/00734/TPOW
Site Address	:	1 Henry Road Beeston Nottinghamshire NG9 2BE	
Proposal	:	Removal of Sycamore Tree	
Decision	:	Conditional Permission	
Applicant	:	Mr Mansoor Ahmed	23/00736/FUL
Site Address	:	Beeston Muslim Centre Evelyn Street Beeston Nottinghamshire NG9 2EU	
Proposal	:	Proposed shutter installation and removal of parapet wall	
Decision	:	Conditional Permission	
Applicant	:	Mr S AKHTAR	23/00790/FUL
Site Address	:	20 Lower Road Beeston Nottinghamshire NG9 2GL	
Proposal	:	Retain dormer window	
Decision	:	Conditional Permission	

Applicant : Mr Eamonn Chapman Wilson Architects 23/00801/CLUE
Site Address : 193 Station Road Beeston Nottinghamshire NG9 2AB
Proposal : **Certificate of Lawfulness for existing use as a C4 HMO**
Decision : **Approval - CLU**

Applicant : Mr Imran Ali 23/00830/ADV
Site Address : 211 Queens Road Beeston Nottinghamshire NG9 2BT
Proposal : **Illuminated fascia signs to front and side elevation**
Decision : **Conditional Permission**

BEESTON NORTH WARD

Applicant : Mr Hall 22/01004/FUL
Site Address : Beeston Car Centre Broadgate Beeston Nottinghamshire NG9 2HD
Proposal : **Proposed demolition of existing petrol station and garage to construct 32 no. studio flats over 4 floors**
Decision : **Refusal**

Applicant : Kin Man Ho 23/00581/FUL
Site Address : 150 Wollaton Road Beeston Nottinghamshire NG9 2PH
Proposal : **Creation of restaurant and associated access to rear of existing hot food takeaway**
Decision : **Conditional Permission**

Applicant : Ms S Nightingale 23/00674/FUL
Site Address : 70 Central Avenue Beeston Nottinghamshire NG9 2QP
Proposal : **Construct single/two storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Thomas Rook 23/00679/CLUP
Site Address : 28 Cyprus Avenue Beeston Nottinghamshire NG9 2PG
Proposal : **Certificate of Lawfulness for proposed single storey rear extension**
Decision : **Approval - CLU**

Applicant : Dr Jack Moorhouse 23/00744/TPOW
Site Address : 232 Wollaton Road Beeston Nottinghamshire NG9 2PL
Proposal : **Tree T20 - Silver Birch
Crown lift to reduce branches overhanging Clifford Avenue**
Decision : **Conditional Permission**

Applicant : Keys Group 23/00774/CLUE
Site Address : Willow House 6 Middleton Crescent Beeston Nottinghamshire NG9 2TH
Proposal : **Certificate of lawfulness for the use of Willow House, 6 Middleton Crescent, Beeston as a residential care home (Class C2) for children.**
Decision : **Approval - CLU**

BEESTON RYLANDS WARD

Applicant : Dr Smain Badaoui 23/00567/FUL
Site Address : Rylands Taybah Masjid 12 Victory Road Beeston Nottinghamshire NG9 1LH
Proposal : **Construct single storey side extension, new facade to front elevation and erect fencing/railing to north east side boundary**
Decision : **Conditional Permission**

Applicant : Mr Jake Kelly Network Rail (Infrastructure) Ltd 23/00673/LBC
Site Address : Beeston Railway Station Station Road Beeston Nottinghamshire NG9 2AB
Proposal : **Provision of lifts and staircases at station with small modifications to station forecourt including installation of bollards and replacement of disabled parking spaces. Demolition of existing concrete staircases to Station Road bridge (existing staircases not part of the listed building). Provision of temporary ramp to platform 2 during construction phase.**
Decision : **Conditional Permission**

Applicant	:	Mr Stephen Sarno Nottingham Casuals Rugby Football Club	23/00746/PJ14PA
Site Address	:	Nottingham Casuals Rugby Football Club Weir Fields Recreation Ground Canal Side Beeston Nottinghamshire NG9 1NG	
Proposal	:	Prior Notification under Class J - Solar PV array to South-East Roofs of clubhouse and changing room buildings. 30kW array - 79x385w panels, measuring 1769mm x 1052mm x 20mm per panel on 50mm mounts.	
Decision	:	Prior Approval Not Required	
Applicant	:	Mrs Emily Christie Keepmoat Homes East Midlands	23/00762/ADV
Site Address	:	Boots Campus Beeston Nottinghamshire	
Proposal	:	Display 1 non illuminated V Board Stack Sign and 2 Flagpole signs adjacent to Thane Road, to advertise forthcoming development	
Decision	:	Conditional Permission	
Applicant	:	Mrs C Keetley	23/00842/PNH
Site Address	:	12 Thorndike Close Beeston Nottinghamshire NG9 1LS	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.3 metres, and an eaves height of 2.4 metres.	
Decision	:	Prior Approval Not Required	
BEESTON WEST WARD			
Applicant	:	Mr Steven Parkin Project Build Notts Ltd	22/00831/VOC
Site Address	:	Beeston Snooker Club 3 And 7 - 11 Villa Street Villa Street Beeston Nottinghamshire NG9 2NY	
Proposal	:	Variation of condition 2 of 18/00422/FUL- External alterations and amendments to fenestration of main building and maisonettes. Amendments to roof style of main building. Increase height of ridge/eaves of main building. Increase eaves height of maisonettes, amendments to entrances and replacement of dormers with roof lights. Solar panels proposed on maisonettes and main building. Inclusion of air source heat pumps.	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Elliot	23/00225/FUL
Site Address	:	9A Devonshire Avenue Beeston Nottinghamshire NG9 1BS	
Proposal	:	Construct new two storey dwelling with Air Source Heat Pump/Air Conditioning unit	
Decision	:	Conditional Permission	
Applicant	:	Dilip Enterprises Ltd DSK	23/00587/FUL
Site Address	:	102 Chilwell Road Beeston Nottinghamshire NG9 1ES	
Proposal	:	Construct single storey ground floor extensions to rear and sides. Convert single retail unit to 3 retail units including changes to shopfront. Change of use of rear storage buildings from retail to 2 self-contained apartments	
Decision	:	Conditional Permission	
Applicant	:	Mr James Roberts JDR Holdings Ltd	23/00636/CLUP
Site Address	:	41 Chilwell Road Beeston Nottinghamshire NG9 1EN	
Proposal	:	Certificate of Lawfulness for proposed loft conversion with rear and side dormers	
Decision	:	Approval - CLU	
Applicant	:	Mr R Heath Landermeads Investments Limited	23/00714/VOC
Site Address	:	19 Chilwell Road Beeston Nottinghamshire NG9 1EH	
Proposal	:	Variation of conditions 2, 4 & 5 of planning reference 20/00892/FUL (retrospective)	
Decision	:	Refusal	
Applicant	:	Nationwide Building Society	23/00739/ADV
Site Address	:	Nationwide 1 High Road Beeston Nottinghamshire NG9 2JL	
Proposal	:	Display 1 projecting internally illuminated sign and 1 internally illuminated fascia and logo sign. Install new safety manifestations to front elevation and replace ATM surround. Replace 1 grey fascia on side elevation.	
Decision	:	Conditional Permission	

Applicant	:	Mr Andrew Aldred	23/00752/FUL
Site Address	:	Bond House Chilwell Road Beeston Nottinghamshire	
Proposal	:	Construct additional storey to create two self-contained flats (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr Paul Budden	23/00773/FUL
Site Address	:	27 Clinton Street Beeston Nottinghamshire NG9 1AZ	
Proposal	:	Proposed application of external solid wall insulation to the front, side and rear elevations, excluding the rear extension elevations	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Smith McGloin	23/00775/FUL
Site Address	:	96 Denison Street Beeston Nottinghamshire NG9 1DQ	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mrs B May	23/00770/CAT
Site Address	:	29 Elm Avenue Beeston Nottinghamshire NG9 1BU	
Proposal	:	Fell ornamental Cherry Tree	
Decision	:	Conditional Permission	
Applicant	:	Mr S Jude	23/00802/FUL
Site Address	:	28 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	Alterations to elevations including replacement roof tiles and windows and insertion of French window to front elevation.	
Decision	:	Conditional Permission	
Applicant	:	Mr Alik Marshall	23/00816/NMA
Site Address	:	12 Hope Street Beeston Nottinghamshire NG9 1DR	
Proposal	:	Non-material amendment of 23/00492/FUL to construct attached garage	
Decision	:	Withdrawn	
Applicant	:	Mr Roger Clarke	23/00820/CAT
Site Address	:	38 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	1 x Leylandii - Fell	
Decision	:	Conditional Permission	
Applicant	:	Mr Philip Shipley	23/00883/CAT
Site Address	:	51 Park Road Chilwell Nottinghamshire NG9 4DD	
Proposal	:	Apple trees x 3 - prune and remove mistletoe, reshape and remove wood	
Decision	:	No Objection	
BRAMCOTE WARD			
Applicant	:	Mr Mohammed Yousif	21/00378/FUL
Site Address	:	2A Thoresby Road Bramcote Nottinghamshire NG9 3EY	
Proposal	:	Retention of two storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr. Eqrem Ratkoceri	23/00308/FUL
Site Address	:	Valet Zone Hand Car Wash 59 Derby Road Bramcote Nottinghamshire NG9 3GW	
Proposal	:	Construct mechanical car wash / valet tunnel, staff /store room and pump house	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Woodward	23/00638/FUL
Site Address	:	The Farm Shop Bembridge Court Bramcote Nottinghamshire NG9 3HY	
Proposal	:	Change of use from farm shop (Class E use) to two residential apartments (Class C3 use). External alterations, with new openings, materials and external canopies.	
Decision	:	Conditional Permission	

Applicant	:	Mr K Hall	23/00655/TPOW
Site Address	:	Harley House Town Street Bramcote Nottinghamshire NG9 3DP	
Proposal	:	Beech tree - fell, dead	
Decision	:	Conditional Permission	
Applicant	:	Mr Rocco Labbate	23/00681/FUL
Site Address	:	70 Beeston Fields Drive Bramcote Nottinghamshire NG9 3TD	
Proposal	:	Construct Juliet balcony to rear and insertion of roof lights and wall and gates to front	
Decision	:	Refusal	
Applicant	:	Mr Grewal	23/00693/VOC
Site Address	:	7 Beeston Fields Drive Beeston Nottinghamshire NG9 3DB	
Proposal	:	Variation of condition 3 to application reference number: 23/00414/FUL - change of materials of boundary wall	
Decision	:	Conditional Permission	
Applicant	:	Mr Adam Patrick	23/00687/CLUP
Site Address	:	113 Ilkeston Road Bramcote Nottinghamshire NG9 3JT	
Proposal	:	Certificate of lawfulness for proposed dormer loft conversion	
Decision	:	Approval - CLU	
Applicant	:	Mr Luke Raftery	23/00712/FUL
Site Address	:	15 Coniston Road Beeston Nottinghamshire NG9 3AD	
Proposal	:	Construct single storey rear and front extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr Matthew Sanders	23/00720/FUL
Site Address	:	3 The Jardines Bramcote Nottinghamshire NG9 3BH	
Proposal	:	Construct single storey front and side extension, double gable first floor extensions to front, loft Conversion with roof additions to rear. Change to elevation treatments. Installation of solar panels to roof. Construct 2.1m high gates to front boundary.	
Decision	:	Conditional Permission	
Applicant	:	Mrs K Owen	23/00741/FUL
Site Address	:	18 Thornhill Close Bramcote Nottinghamshire NG9 3FS	
Proposal	:	Construct single storey rear and side extension and canopy to side elevation. Application of render finish to first floor rear elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Gordon Ellis	23/00745/CAT
Site Address	:	6 The Home Croft Bramcote Nottinghamshire NG9 3DQ	
Proposal	:	T1 - Rowan - Crown thin 25% T2 - Black Poplar - Fell T3 - Sour Cherry - Crown thin 25% and crown lift to 2m T4 - Sour Cherry - Crown thin 25% T5/6/7 - Silver Birch - Crown reduction to 3.5m	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Elizabeth Richards Swain Architecture	23/00758/FUL
Site Address	:	12 Arundel Drive Bramcote Nottinghamshire NG9 3FX	
Proposal	:	Construct two storey side extension. External alterations to existing house.	
Decision	:	Conditional Permission	
Applicant	:	Mrs Kokolski	23/00803/NMA
Site Address	:	49 Balmoral Drive Bramcote Nottinghamshire NG9 3FU	
Proposal	:	Non-material amendment to 23/00576/FUL to raise ridge and eaves height of approved side pitched roof by 300mm	
Decision	:	Unconditional Permission	

Applicant	:	Mrs Marjan Goodall	23/00772/CAT
Site Address	:	Manor Court Peache Way Bramcote Nottinghamshire	
Proposal	:	Conifer Tree - to remove crossing limbs from Multi-Stem trunk	
Decision	:	Conditional Permission	
Applicant	:	Mr Christian Wingate	23/00809/TPOW
Site Address	:	Beech House 47 Cow Lane Bramcote Nottinghamshire NG9 3DJ	
Proposal	:	1. Silver Birch front garden crown lift removing branches/limbs and crown reduce as indicated on photograph together with a crown clean to remove ivy and dead wood. 2. Beech rear garden crown lift removing branches as indicated on photograph and crown clean to remove dead wood. 3. Ash rear garden remove overhang to school as indicated in photograph and crown clean to remove dead wood. 4. Silver Birch rear garden remove x1 limb as indicated in photograph and crown clean to remove dead wood.	
Decision	:	Conditional Permission	
Applicant	:	Mr Colin Strawbridge White Hills Park Trust	23/00810/FUL
Site Address	:	Alderman White School Chilwell Lane Bramcote Nottinghamshire NG9 3DU	
Proposal	:	Construct replacement modular classroom	
Decision	:	Conditional Permission	
BRINSLEY WARD			
Applicant	:	Mr and Mrs John and Anna Shipley	23/00509/OUT
Site Address	:	Land Adjacent 59 Mansfield Road Brinsley Nottinghamshire NG16 5AF	
Proposal	:	Outline application for the construction of two dwellings with access (with some matters reserved)	
Decision	:	Conditional Permission	
Applicant	:	Mr Neil Cargill	23/00764/CAT
Site Address	:	Manor Farm Hall Lane Brinsley Nottinghamshire NG16 5AG	
Proposal	:	2 x Horse Chestnut crown reduction, crown lifting, crown clean to remove any dead or dying branches and removal of epicormic growth.	
Decision	:	Conditional Permission	
Applicant	:	Mr David Cash	23/00779/FUL
Site Address	:	Brinsley Lodge 56 Mansfield Road Brinsley Nottinghamshire NG16 5AE	
Proposal	:	Extension to and change of use from storage and food preparation building to provide staff accommodation	
Decision	:	Conditional Permission	
CHILWELL WEST WARD			
Applicant	:	MR ISAAC KETA HARDIHOOD HEALTHCARE LTD	23/00599/CLUE
Site Address	:	16 Great Hoggett Drive Chilwell Nottinghamshire NG9 4HQ	
Proposal	:	Certificate of lawfulness for a change of use from dwelling to residential institution	
Decision	:	Withdrawn	
Applicant	:	Miss Patel	23/00698/FUL
Site Address	:	81 Greenland Crescent Chilwell Nottinghamshire NG9 5LD	
Proposal	:	Construct single storey extension to front, rear and side, including insertion of roof lights. Construct raised terrace to rear of the property	
Decision	:	Conditional Permission	
Applicant	:	Mr Parag Morjaria	23/00786/FUL
Site Address	:	336 High Road Chilwell Nottinghamshire NG9 5EG	
Proposal	:	Construct single storey side and rear and two storey side and rear extensions	
Decision	:	Conditional Permission	

Applicant : Mr & Mrs Peter Boys 23/00798/FUL
Site Address : 3 Holkham Avenue Chilwell Nottinghamshire NG9 5EQ
Proposal : **Construct single storey side extension, pitched roof to existing side and front extension and conversion of garage to living accommodation.**
Decision : **Conditional Permission**

Applicant : Ms Rachel Curley 23/00853/NMA
Site Address : 22 Orton Avenue Bramcote Nottinghamshire NG9 3DW
Proposal : **Non material amendment to 23/00575/FUL to change heights of windows 04 and 05, height of bifold door and width of window 06 and change of roof fall direction to extension.**
Decision : **Unconditional Permission**

Applicant : Mr & Mrs Ganly 23/00869/NMA
Site Address : 45 Leamington Drive Chilwell Nottinghamshire NG9 5LN
Proposal : **Non-material amendment to 22/00879/FUL for amendments to front bay and porch design**
Decision : **Unconditional Permission**

EASTWOOD HALL WARD

Applicant : Nine Points Property Ltd 23/00642/CLUP
Site Address : 51B Mill Road Newthorpe Nottinghamshire NG16 3QG
Proposal : **Certificate of Lawfulness for proposed change of use from dwelling to residential institution**
Decision : **Refusal**

Applicant : Ms Michelle Symons 23/00628/FUL
Site Address : Brook Hill House 31 Lower Beauvale Newthorpe Nottinghamshire NG16 3PY
Proposal : **Demolish existing single storey rear extension and construct two storey rear extension**
Decision : **Conditional Permission**

Applicant : Doohan 23/00788/FUL
Site Address : 34 Brandyline Gardens Newthorpe Nottinghamshire NG16 3TS
Proposal : **Retain single storey rear conservatory**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Hearn Care Homes Hearn Care Homes 23/00669/CLUE
Site Address : Ashton Court 56 Three Tuns Road Eastwood Nottinghamshire NG16 3EJ
Proposal : **Certificate of Lawfulness for an existing conservatory**
Decision : **Approval - CLU**

Applicant : Mr Jack Bridge 23/00748/FUL
Site Address : 289 Nottingham Road Eastwood Nottinghamshire NG16 2AP
Proposal : **Change of use to beauty salon. Alterations to side and rear elevations.**
Decision : **Conditional Permission**

Applicant : Mr B Plant UK Oxygen Projects Ltd 23/00785/NMA
Site Address : Land On The North West Side Of The Man In Space Nottingham Road Eastwood Nottinghamshire
Proposal : **Non-material amendment of 22/00165/ROC to make alterations to windows and doors on elevations**
Decision : **Unconditional Permission**

Applicant : 23/00812/VOC
Site Address : 17A Percy Street Eastwood Nottinghamshire NG16 3EP
Proposal : **Variation of condition 2 relating to drawing numbers on planning reference 23/00183/REM Decision Notice**
Decision : **Conditional Permission**

EASTWOOD ST MARY'S WARD

Applicant : Mr Stephen Grimes Broxtowe Borough Council 23/00606/REG3
Site Address : 68-82 Princes Street Eastwood Nottinghamshire
Proposal : **Install external wall insulation to the front, side and rear of 68-82 Princes Street**

Decision : **Conditional Permission**

Applicant : Mr & Mrs Lambert 23/00647/FUL
Site Address : 30 Bailey Grove Road Eastwood Nottinghamshire NG16 3PB
Proposal : **Construct two storey side extension, single storey rear extension, loft conversion, raise ridge height and detached double garage. Insert first floor side window.**

Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Mr Andy Priestley 23/00634/FUL
Site Address : Greasley House 99 Church Road Greasley Nottinghamshire NG16 2AB
Proposal : **Installation of a new 34 kW solar array system within garden area**

Decision : **Conditional Permission**

Applicant : Mr Niblett 23/00689/FUL
Site Address : 74 Moorgreen Newthorpe Nottinghamshire NG16 2FB
Proposal : **Construct two storey side and rear extensions**

Decision : **Conditional Permission**

Applicant : Mrs Chan 23/00695/FUL
Site Address : 87 Smithurst Road Giltbrook Nottinghamshire NG16 2UD
Proposal : **Construct single storey side extension and garage conversion**

Decision : **Conditional Permission**

Applicant : Mrs Anke Granger 23/00702/ADV
Site Address : The Byre Willey Wood Court Willey Lane Newthorpe Nottinghamshire NG16 3QW
Proposal : **Display 2 signs**

Decision : **Withdrawn**

Applicant : Mr S Poxon 23/00729/FUL
Site Address : 248 Main Street Newthorpe Nottinghamshire NG16 2DN
Proposal : **Convert garage to habitable space**

Decision : **Conditional Permission**

Applicant : Mr Wayne Spencer 23/00737/FUL
Site Address : 39 Rolleston Drive Newthorpe Nottinghamshire NG16 2BA
Proposal : **Construct single storey side extension**

Decision : **Conditional Permission**

Applicant : Christine Clarke 23/00778/FUL
Site Address : 22 Stamford Street Newthorpe Nottinghamshire NG16 2DR
Proposal : **Construct single storey side / rear extension**

Decision : **Conditional Permission**

Applicant : Mr & Mrs R Hind 23/00768/PJ14PA
Site Address : Newlands Farm 201A Main Street Newthorpe Nottinghamshire NG16 2DL
Proposal : **Prior Notification under Class J - Solar panels to agricultural barn**

Decision : **Prior Approval Not Required**

Applicant	:	Mrs Gillian Brown	23/00846/PNH
Site Address	:	82 Kent Road Giltbrook Nottinghamshire NG16 2FU	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0m, with a maximum height of 3.7m and an eaves height of 2.5m.	
Decision	:	Prior Approval Not Required	

KIMBERLEY WARD

Applicant	:	Mr Will Watson	23/00699/FUL
Site Address	:	Adelaide House 19 Babbington Lane Kimberley Nottinghamshire NG16 2PT	
Proposal	:	Construct first floor rear balcony	
Decision	:	Conditional Permission	

Applicant	:	Mr Tom Pearson	23/00701/FUL
Site Address	:	51 Swingate Kimberley Nottinghamshire NG16 2PU	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Wendy Sheffield	23/00719/CLUP
Site Address	:	21 Millfield Road Kimberley Nottinghamshire NG16 2LJ	
Proposal	:	Certificate of Lawfulness for a proposed rear extension	
Decision	:	Approval - CLU	

Applicant	:	Mr Matt Hoe	23/00767/FUL
Site Address	:	12 Tip Tree Close Kimberley Nottinghamshire NG16 2TQ	
Proposal	:	Construct two storey side extension and single storey front and rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr Andrew Allport	23/00780/FUL
Site Address	:	Land To Rear Of 35 Edgwood Road Kimberley Nottinghamshire NG16 2JR	
Proposal	:	Construct dwelling	
Decision	:	Refusal	

Applicant	:	Mr Tom Maltby	23/00797/NMA
Site Address	:	21 Swingate Kimberley Nottinghamshire NG16 2PG	
Proposal	:	Non-material amendment of 23/00144/FUL to add a rendered finish to the new walls and rear first floor wall	
Decision	:	Refusal	

Applicant	:	Mr Tom Maltby	23/00835/FUL
Site Address	:	21 Swingate Kimberley Nottinghamshire NG16 2PG	
Proposal	:	Construct two storey side and single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Andrew Glebocki	23/00839/TPOW
Site Address	:	3 Beverley Drive Kimberley Nottinghamshire NG16 2TW	
Proposal	:	Works to lime tree TPO/KIM/02 T4. Raise tree canopy to 5 metres above the road and remove dead wood on all sides.	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Ms S Dhillon	23/00545/FUL
Site Address	:	9 Cokefield Avenue Nuthall Nottinghamshire NG16 1AU	
Proposal	:	Retain raised patio area	
Decision	:	Conditional Permission	

Applicant	:	Rahul Bhansali	23/00680/FUL
Site Address	:	33 Drummond Drive Nuthall Nottinghamshire NG16 1BJ	
Proposal	:	Construct two storey rear extension, first floor side extension over existing garage including balcony to rear, front porch and single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Dan Lawrence-Eyre	23/00715/CLUP
Site Address	:	19 Knightsbridge Drive Nuthall Nottinghamshire NG16 1RD	
Proposal	:	Certificate of Lawfulness for proposed loft conversion with roof lights	
Decision	:	Approval - CLU	
Applicant	:	Mr James Duffy	23/00732/FUL
Site Address	:	16 Horsendale Avenue Nuthall Nottinghamshire NG16 1AN	
Proposal	:	Construct loft conversion with side dormers and cladding on part of front elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Tim Carroll	23/00777/FUL
Site Address	:	1A Roland Avenue Nuthall Nottinghamshire NG16 1BB	
Proposal	:	Alterations to outbuilding including construction of dormer window to facilitate conversion to ancillary use to main dwelling	
Decision	:	Conditional Permission	
Applicant	:	Pike	23/00789/FUL
Site Address	:	70 Gunnersbury Way Nuthall Nottinghamshire NG16 1RE	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs R Foley	23/00796/FUL
Site Address	:	4 Temple Drive Nuthall Nottinghamshire NG16 1BE	
Proposal	:	Construct two storey side extension (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr _ Mrs Henstock	23/00771/PNH
Site Address	:	126 Nottingham Road Nuthall Nottinghamshire NG16 1BA	
Proposal	:	Construct single storey rear Orangery extending beyond the rear wall of the original dwelling by 3.6 metres with a maximum height of 3.0 metres and a eaves height of 2.5 Metres	
Decision	:	Prior Approval Granted	
STAPLEFORD NORTH WARD			
Applicant	:	Ms Elaine Ancelin	23/00704/FUL
Site Address	:	16 Kennedy Drive Stapleford Nottinghamshire NG9 8HT	
Proposal	:	Construct single storey rear extension and single storey side extension, and render to existing front ground floor elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Hendy	23/00784/FUL
Site Address	:	7 Grenville Drive Stapleford Nottinghamshire NG9 8PD	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH EAST WARD			
Applicant	:	Nine Points Property Ltd	23/00643/CLUP
Site Address	:	143 Toton Lane Stapleford Nottinghamshire NG9 7JD	
Proposal	:	Certificate of Lawfulness for proposed change of use from dwelling to residential institution	
Decision	:	Approval - CLU	
Applicant	:	Mr T Armstrong	23/00652/FUL
Site Address	:	10 Hogarth Close Stapleford Nottinghamshire NG9 7HS	
Proposal	:	Construct two storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Ida Gjokaj	23/00671/FUL
Site Address	:	131 Hickings Lane Stapleford Nottinghamshire NG9 8PG	
Proposal	:	Construct single storey rear extension, two storey side extension & loft conversion.	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH WEST WARD

Applicant : Mr K Krishanand DSK Nottingham Ltd 23/00389/FUL
Site Address : 26 - 28 Derby Road Stapleford Nottinghamshire NG9 7AA
Proposal : **Conversion of two existing retail units into two smaller units and 3 apartments**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Barry Forman 23/00691/FUL
Site Address : 19 Silverdale Stapleford Nottinghamshire NG9 7EX
Proposal : **Demolish existing porch and construct single storey front extension**
Decision : **Conditional Permission**

Applicant : Mr Jagjit Jonny Sanga 23/00705/FUL
Site Address : 71 Eatons Road Stapleford Nottinghamshire NG9 7EA
Proposal : **Construct external platform lift and stepped approach to dwelling**
Decision : **Conditional Permission**

Applicant : - Cash Access UK Limited 23/00707/ADV
Site Address : 62 Derby Road Stapleford Nottinghamshire NG9 7AB
Proposal : **Installation of signage including externally illuminated fascia and internally illuminated projecting sign**
Decision : **Conditional Permission**

Applicant : - Cash Access UK Limited 23/00706/FUL
Site Address : 62 Derby Road Stapleford Nottinghamshire NG9 7AB
Proposal : **Install two no. air conditioning condensers on rear single storey roof**
Decision : **Conditional Permission**

Applicant : Co-op Funeralcare Co-op 23/00754/ADV
Site Address : 99 Derby Road Stapleford Nottinghamshire NG9 7AR
Proposal : **Display 1 non illuminated fascia sign on the front and 1 wall mounted parking sign at the rear**
Decision : **Conditional Permission**

Applicant : Sarah Murray 23/00813/FUL
Site Address : 32 Ash Grove Stapleford Nottinghamshire NG9 7GL
Proposal : **Construct two storey side and rear extension including roof above existing extension, single storey rear extension and roof over**
Decision : **Conditional Permission**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mrs J Mooney 23/00605/FUL
Site Address : 10 The Crescent Toton Nottinghamshire NG9 6FU
Proposal : **Retain hard standing to front of property**
Decision : **Conditional Permission**

Applicant : Mr D Porter 23/00738/FUL
Site Address : 5 Seaburn Road Toton Nottinghamshire NG9 6HT
Proposal : **Construct single storey rear extension. Render treatment to front, east side and rear elevations**
Decision : **Conditional Permission**

Applicant : Mr Michael Buck 23/00751/TPOW
Site Address : 24 Katherine Drive Toton Nottinghamshire NG9 6JB
Proposal : **T1 Larch - poor structure, fell.**
Decision : **Conditional Permission**

Applicant : Mr David Evetts 23/00766/TPOW
Site Address : 26 Katherine Drive Toton Nottinghamshire NG9 6JB
Proposal : **T1 Oak - removal of branches**
Decision : **Conditional Permission**

Applicant : Nick Hawke 23/00811/NMA
Site Address : 71 Spinney Rise Toton Nottinghamshire NG9 6JL
Proposal : **Non material amendment to 22/00684/FUL to amend the entrance to the extension and extend the roof overhang by 1 metre**
Decision : **Unconditional Permission**

Applicant : Mr & Mrs P Reddish 23/00825/FUL
Site Address : 36 Seaburn Road Toton Nottinghamshire NG9 6HN
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Paul Hinton Secretary of State... 23/00827/DEM
Site Address : Chetwynd Barracks Chetwynd Road Chilwell Nottinghamshire
Proposal : **Demolition of Building 8**
Decision : **Prior Approval Not Required**

Applicant : Mr Clive Day 23/00885/CLUP
Site Address : 54 Lonsdale Drive Toton Nottinghamshire NG9 6LS
Proposal : **Certificate of Lawfulness for proposed construction of rear single storey extension**
Decision : **Approval - CLU**

WATNALL & NUTHALL WEST WARD

Applicant : MR Eric Crossland 19/00843/CAT
Site Address : 66 Maple Drive Nuthall Nottinghamshire NG16 1EJ
Proposal : **Ash - Pollard Sorbus- Crown Silver Birch - Crown Thin**
Decision : **Conditional Permission**

Applicant : Ms Heather Coulton 21/00316/FUL
Site Address : 99 Main Road Watnall Nottinghamshire NG16 1HF
Proposal : **Construct front porch, single storey rear extension and extension of dropped kerb (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Anthony Wheatley 23/00633/FUL
Site Address : 4 Tilstock Court Watnall Nottinghamshire NG16 1JZ
Proposal : **Construct two storey side, single storey front and rear extensions**
Decision : **Conditional Permission**

Applicant : Mr Austen Rowark 23/00657/FUL
Site Address : 6 Coronation Road Nuthall Nottinghamshire NG16 1EP
Proposal : **Retain garden cabin**
Decision : **Conditional Permission**

Applicant : Mr Nick Eyre 23/00708/TPOW
Site Address : 7 Tilstock Court Watnall Nottinghamshire NG16 1JZ
Proposal : **Horse Chestnut - Crown lift approximately 6 metres, Crown thin approx. 30%, Remove lower left hand branch back to trunk, Reduce back overhang by selective branch removal back to main trunk**
Decision : **Conditional Permission**

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