



Tuesday, 1 September 2020

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 9 September 2020 on Virtual teams meeting, commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
M Handley
R I Jackson
R D MacRae

J W McGrath (Vice-Chair)
P J Owen
D D Pringle
D K Watts (Chair)
R D Willimott
G Marshall

AGENDA

1. APOLOGIES

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 20)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 22 July 2020

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 19/00756/ROC (Pages 21 - 60)

Variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend layout and remove plots, change external materials and amend landscaping scheme.
Land off Acorn Avenue, Giltbrook, Nottinghamshire

5.2 20/00334/MMA (Pages 61 - 80)

Minor material amendment to reference 17/00285/FUL to make minor changes to elevation details
51a Mill Road Newthorpe Nottinghamshire

5.3 20/00326/FUL (Pages 81 - 98)

Retain marquee extension and a sheltered bar servery and variation of condition 3 of planning approval 13/00533/FUL to permit amplified music and speech to be allowed within the marquee and marquee extension
The Star Inn Beeston

5.4 20/00283/OUT (Pages 99 - 116)

Outline application to construct 2 dormer bungalows, following demolition of garages (with some matters reserved)
Land to the rear of 13 Rutland Avenue, Toton, Nottinghamshire, NG9 6EP

5.5 20/00180/FUL (Pages 117 - 132)

Construct single/two storey side/rear and first floor front/side extensions, partial conversion of garage to living accommodation, pitched roof over front flat roof and erect fence
43 Pimlico Avenue, Bramcote, Nottinghamshire, NG9 3JJ

5.6 20/00269/FUL (Pages 133 - 144)

Raise roof to create rooms in the roofspace including rear dormer, erection of double garage and creation of new access
114 Moorgreen Newthorpe

5.7 20/00346/FUL (Pages 145 - 154)

Construct two storey front extension and porch
Rose Cottage, 53 Awsworth Lane Cossall

6. INFORMATION ITEMS

6.1 APPEAL DECISIONS (Pages 155 - 162)

6.2 DELEGATED DECISIONS (Pages 163 - 170)

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PLANNING COMMITTEE

WEDNESDAY, 22 JULY 2020

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
R I Jackson
R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
R D Willimott

Apologies for absence were received from Councillor M Handley.

13 DECLARATIONS OF INTEREST

Councillor D Bagshaw declared a non-pecuniary interest in agenda item 5.1 due to knowing a resident neighbouring the application site and visiting their property as part of the site visit process, minute number 16.1 refers.

Councillor P J Owen declared a non-pecuniary interest in agenda item 5.5 due to the applicant being a former member of Nuthall Parish Council, minute number 16.5 refers.

Councillor L A Ball BEM declared a pecuniary interest in agenda item 5.1 due to being employed by the applicant, minute number 16.1 refers.

14 MINUTES

The minutes of the meeting held on 24 June 2020 were approved as a correct record and signed.

15 NOTIFICATION OF LOBBYING

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

16 DEVELOPMENT CONTROL

16.1 19/00756/ROC

Variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend layout and remove plots, change external materials and amend landscaping scheme.

Land Off Acorn Avenue Giltbrook Nottinghamshire

This application sought planning permission for the variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend the layout and remove plots, change external materials and amend the landscaping scheme. The application was brought to the Committee due to the original permission to which this application relates being determined by Planning Committee.

Members considered the late items for the application which included a further 7 objections raising concern over drainage and loss of amenity.

Mr Matthew O'Donnell (objector) submitted a formal written representation that was read to members of the Committee, Councillor M Handley addressed the Committee as ward member.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.
- the development is not being built in accordance with the plans.

RESOLVED that the application be deferred.

(Having declared a disclosable pecuniary interest in the item Councillor L A Ball BEM left the meeting before discussion or voting thereon.)

16.2 20/00293/FUL

Change of use from a nursing and residential care home (Class C2) to four Houses of Multiple Occupation (Class C4) (revised scheme)

The Gables 169 – 171 Attenborough Lane Attenborough

This application sought planning permission for the change of use from a nursing and residential care home (Class C2) to four Houses of Multiple Occupation (Class C4) (revised scheme) and had been brought before the Committee at the request of Councillor E Kerry.

Members considered the late items for the application which included the Environment Agency raising no objection to the scheme, an additional condition requiring the development to be undertaken in accordance with the submitted flood risk assessment and a letter of objection.

Mrs J Lawrance (objector) submitted a formal written representation that was read to members of the Committee, Mr A Harding (applicant) submitted a formal written representation that was read to members of the Committee. Additionally, Councillor E Kerry addressed the Committee as ward member.

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

- that the scheme is acceptable for the area following a decision made by the Planning Inspectorate.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan and Block Plan (C/201 rev C) and drawings numbered C/200 rev H and C/101 rev O received by the Local Planning Authority on 04.05.20; C/100 rev Q, C/105 rev J and C/106 received by the Local Planning Authority on 30.06.20**
- 3. Prior to first occupation, the bin store shall be constructed in accordance with material details which shall have first been submitted to and approved in writing by the Local Planning Authority.**
- 4. Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**
 - (a) Proposed boundary treatments**
 - (b) Proposed hard surfacing treatment**
 - (c) Planting, seeding / turfing of other soft landscaping areas**

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

- 5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 6. No part of the development hereby permitted shall be brought into use until the parking areas have been surfaced in a bound material, with the parking bays clearly delineated in accordance with drawing number C/200 Rev H, and constructed with provision to prevent the unregulated discharge of surface water onto the public highway. The parking areas shall be**

maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.

- 7. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification.**
- 8. The new window serving the en-suite to bedroom 4 of House 1 on the first floor rear elevation on drawing no. C/105 rev J shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.**
- 9. The development shall be carried out in accordance with the submitted flood risk assessment (FRA - Flood Risk Assessment, The Gables, IDOM, FRA-MER01486-18-76, 29/03/2020, R1; Addendum - Flood Risk Assessment, The Gables, 22066-XX-RP-D-001, IDOM, 30/04/2020, R1, Technical Note; Gable Nursing Home 169-171, TN-22066-20-273, Rev-00, 1st of July, IDOM) and the following mitigation measures it details:**

- Finished floor levels shall be set no lower than 27.645 metres above Ordnance Datum (AOD) for the Eastern side and 27.719m AOD for the Western side as stated within the Technical Note.

- Flood Resistant Measures are implemented up to a height no lower than 28.33 metres above Ordnance Datum (AOD) as stated within the Technical Note.

- Flood Resilience Measures are implemented up to a height no lower than 28.33 metres above Ordnance Datum (AOD) as stated within the Technical Note.

- A Safe Refugee area is provided which has a minimum finished floor level no lower than 28.33 metres above Ordnance Datum as stated within the Technical Note.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

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

4. Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. To ensure adequate parking is available within the site, in the interests of highway safety and amenity and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy (2014).
8. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
9. To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).

Notes to applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E.
3. Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4. The development makes it necessary to construct / improve the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

16.3 19/00465/FUL

Erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park
Bramcote Ridge Open Space, Sandgate, Beeston

This application sought planning permission for the erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park and had been brought before the Committee as a major development.

Members considered the late items for the application which included additional information on the removal of Japanese Knotweed, access arrangements and an additional 67 representations.

Mr Winslow (objector) submitted a formal written representation that was read to members of the Committee, Mr Patel (supporting) submitted a formal written representation that was read to members of the Committee. Additionally, Councillors B C Carr, S Carr and H Land addressed the Committee as ward members.

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

- The proposed 11 properties would not benefit the existing green infrastructure of the area.
- The site owner has an obligation to remove the Japanese Knotweed.

A recorded vote was proposed by Councillor D K Watts and seconded by Councillor D Grindell. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
B Bagshaw		
L A Ball BEM		
T A Cullen		
D Grindell		
R I Jackson		
R D MacRae		
J W McGrath		
G Marshall		
P J Owen		
D Pringle		
D K Watts		
R D Willimott		
H Khaled MBE		

RESOLVED that planning permission be refused for the following reasons:

Reasons

The proposed housing development, by virtue of the built development and the loss of habitats, would result in an unacceptable harm to the Green Infrastructure Asset and would result in a net loss to biodiversity. 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), Policy 16 of the Broxtowe Aligned Core Strategy (2014) and Section 15 of the National Planning Policy Framework (NPPF) 2019.

Note to applicant

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

16.4 19/00631/FUL

Construct three storey apartment block comprising 9 flats and dropped kerb
Land to the rear of Clayton Court, Queens Road, Nottinghamshire

This application sought planning permission to construct a three storey apartment block comprising 9 flats and dropped kerb and had been brought before the Committee at the request of Councillor T A Cullen.

There were no late items for this application.

Councillor T A Cullen addressed the Committee as ward member.

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

- The level of parking was sufficient.
- The area was large enough to accommodate the development.
- Section 106 contributions are no longer required as the scheme had been reduced in size.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawing numbers:

Received by Local Planning Authority on 1 October 2019:

- 001

Received by Local Planning Authority on 15 June 2020:

- 003 Rev G
- 004 Rev G
- 005 Rev D

Received by Local Planning Authority on 25 June 2020:

- 002 Rev H
- 007 Rev F

Received by Local Planning Authority on 30 June 2020:

- 006 Rev J
- 008 Rev J
- 009 Rev B

3. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.
4. No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:
 - a. numbers, types, sizes and positions of proposed trees and shrubs
 - b. details of boundary treatments;
 - c. proposed hard surfacing treatment;
 - d. planting, seeding/turfing of other soft landscape areas and
 - e. a timetable for implementation of the scheme.

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

5. Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment Rev A prepared by Swish Architecture dated June 2020. Flood resilient measures and resistance measures shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 28.15m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.
6. The apartments hereby approved, shall not be first occupied until:
 - all driveways and parking areas have been surfaced in a hard, bound material (not loose aggregate) and designed to prevent the unregulated discharge of surface water onto the public highway;
 - each car parking space has been clearly delineated as shown on drawing 008 Rev J;
 - visibility splays are provided in accordance with drawing 008 Rev J and retained for the lifetime of the development;
 - dropped vehicular footway crossings on Grove Street and Queens Road are constructed and available for use;

- the existing dropped vehicular footway crossing on Grove Street is extended and made available for use and
- the cycle store and bin store as shown on drawing 008 Rev J are constructed and available for use.

The surfaced drives, parking areas, delineated spaces and dropped vehicular crossings shall then be maintained in such form for the lifetime of the development.

7. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
4. No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).
5. To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
6. In the interests of highway safety to mitigate the impact of the development on the highway network, to ensure the bin and cycle store are available for use and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

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 prospective building manager/occupants should register to receive flood warnings <https://www.gov.uk/sign-up-for-flood-warnings>
3. Any discharge of surface water from the site should look at: 1) infiltration 2) watercourse 3) sewer, as the priority order for discharge location. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and appropriate measures should be in place to avoid this. You are advised to contact the Nottinghamshire County Council as Highways Authority on telephone number: 0300 500 80 80.
5. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
6. The development makes it necessary to construct a dropped kerb crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>
7. No waste shall be burnt on site at any time.

16.5 20/00334/MMA

Minor material amendment to reference 17/00285/FUL to make minor changes to elevation details

51a Mill Road Newthorpe Nottinghamshire

This application sought planning permission for a minor material amendment to reference 17/00285/FUL to make minor changes to elevation details and had been brought before the Committee at the request of Councillor J P T Parker.

There were no late items for this application.

There were no written representations for this application. Councillor J P T Parker addressed the Committee as ward member.

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

- There was a loss of neighbour amenity.

RESOLVED that the item be deferred.

16.6 19/00728/FUL

Retain front extension, windows and doors in rear extension, juliet balcony, rear extension roof and conservatory
235 Derby Road, Beeston, Nottinghamshire, NG9 3AZ

This application sought planning permission to retain a front extension, windows and doors in rear extension, juliet balcony, rear extension roof and conservatory and had been brought before the Committee at the request of Councillor D K Watts.

There were no late items for this application.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.
- retrospective planning applications required approval or refusal on the individual merit.

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

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

Received by the Local Planning Authority on 3 December 2019:

- **Site Location Plan (1:1250)**

Received by the Local Planning Authority on 27 May 2020:

- **Proposed Ground Floor Plans**
- **Proposed First Floor Plans**
- **Proposed Side (West) Elevation**
- **Proposed Front (North) Elevation**
- **Proposed Block Plan**

Received by the Local Planning Authority on 8 July 2020:

- **Proposed Side (East) Elevation**
- **Proposed Rear (South) Elevation**

- 2. The first floor window in the east (side) elevation of the first floor rear extension shall be retained with glazing of Pilkington Level 4 or 5 (or equivalent) and remain fixed shut and retained in this form for the lifetime of the development.**

- 3. The Juliet balcony doors in the west (side) elevation of the first floor rear extension shall be retained with glazing of Pilkington Level 4 or 5 (or equivalent) and retained in this form for the lifetime of the development.**

4. **No part of the flat roof beyond the Juliet balcony shown on the block plan shall be used as a balcony, sun terrace or similar amenity space.**

Reasons

1. **For the avoidance of doubt.**
2. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
3. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
4. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

16.7 20/00193/FUL

Retain boundary fence and gate
Gin Farm Hall Lane Brinsley Nottinghamshire NG16 5BJ

This application sought planning permission to retain a boundary fence and gate had been brought before the Committee as the proposal constitutes a material departure from policy.

Members considered the late items for the application which related to amendments to the original report.

Mrs L Berry (objector) submitted a formal written representation that was read to members of the Committee, Mr Clarke (applicant) submitted a formal written representation that was read to members of the Committee.

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

- the fence had no impact of the Green Belt.
- concern over the use of the gate and its impact on the Green Belt.
- an additional condition should be imposed in relation to keeping the gate closed.

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

1. **The hereby permitted fence and gates shall be retained in accordance with drawing(s) numbered Site Location Plan 1: 1250, Site Plan, 1: 200 and Fence Plan/Elevations, TDB003/01 received by the Local Planning Authority on 26 March 2020.**

2. The gate hereby approved shall remain closed, except when required for the safe access and egress of vehicles.

Reasons

1. For the avoidance of doubt.
2. In the interests of privacy 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, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.

16.8 20/00299/ROC

Variation of condition 21 (named first occupant) of application reference 18/00268/FUL (Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping)
Myford Ltd, Wilmot Lane, Beeston, NG9 4AF

This application sought planning permission for the variation of condition 21 (named first occupant) of application reference 18/00268/FUL (Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping) and had been brought before the Committee at the request of Councillor R I Jackson.

There were no late items for this application.

There were no written submissions for this application.

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

- the scheme was acceptable for the area
- the condition should be varied to relate to a registered care provider.

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

1. The development hereby permitted shall be commenced before 10 January 2022.
2. The development hereby permitted shall be carried out in accordance with drawing numbers: P4693_111 Planning - Proposed Façade Details received by the Local Planning Authority on 18 April 2018; P4693 001 Location Plan,

P4693_121 Rev A Planning - External Bin and Generator Store, P4693_122 Rev A Planning - External Cycle and Buggy Store and P4693_123 Planning - Substation Drawing received by the Local Planning Authority on 18 May 2018; P4693_106 Planning - Proposed GA Elevations - Sheet 1, P4693_108 Planning - Proposed GA Elevations - Sheet 3, P4693_109 Planning - Proposed GA Elevations - Sheet 4, 1072 003 Rev A Landscape Strategy and P4693_112 Planning - Proposed Household Façade Details received by the Local Planning Authority on 21 May 2018; M2715(69)001 Rev P1 received by the Local Planning Authority on 2 July 2018; P4693_SK112 Barrydale Avenue Boundary Sections received by the Local Planning Authority on 25 July 2018; P4693_110 Rev A Planning - Proposed GA Elevations - Sheet 5 and P4693_124 Rev A Planning - Car Park Sections received by the Local Planning Authority on 3 August 2018; P4693_113 Rev B Planning - GA Sections received by the Local Planning Authority on 13 November 2018; P4693_102 Rev B Planning - Proposed First Floor, P4693_103 Rev B Planning - Proposed Second Floor, P4693_104 Rev A Planning - Proposed Third Floor, P4693_105 Rev A Planning - Proposed Roof Plan, P4693_114 Rev C Planning - Proposed Street Elevations and P4693_107 Rev A Planning - Proposed GA Elevations - Sheet 2 received by the Local Planning Authority on 4 December 2018 and P4693_101 Rev B Planning - Proposed Ground Floor and P4693_100 Rev D Planning - Proposed Site Plan received by the Local Planning Authority on 11 December 2018.

- 3. No development shall commence until a plan to show the location of protective fencing for the trees shown to be retained on drawing number P4693_100 Rev B has been submitted to and agreed in writing by the Local Planning Authority. The erection of fencing for the protection of these retained trees shall be undertaken in accordance with the agreed details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**
- 4. No development shall commence until details of the location of the construction compound, construction site access and parking arrangements for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. The siting of the compound, construction access and parking shall take place in accordance with the agreed details.**
- 5. No development above slab level shall be carried out until samples of the materials to be used in the facing walls (including windows and doors) and rainwater goods 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.**
- 6. No development above slab level shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:
(a) numbers, types, sizes and positions of proposed trees and shrubs,**

- (b) proposed hard surfacing treatment,**
- (c) planting, seeding/turfing of other soft landscape areas,**
- (d) proposed boundary treatments including details of the gate access to the British Legion social club**
- (e) a timetable for implementation.**

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

- 7. The approved landscaping shall be carried out not later than the first planting season following the practical completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.**
- 8. No building to be erected pursuant to this permission shall be occupied or brought into use until:
 - (i) All necessary gas and vapour barrier and clean cover remediation measures have been completed in accordance with Remediation Method Statement (Ref 12292A June 2018) and;**
 - (ii) It has been certified to the satisfaction of the Local Planning Authority that the remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.****
- 9. No deliveries or collections by commercial vehicles (excluding the delivery of urgent medical supplies) shall be made to/from the site except between the hours of 07:00 - 22:00 on any day.**
- 10. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.**
- 11. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.**
- 12. The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing background sound level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive premises.**

13. The building shall be constructed and the glazing and ventilation installed in accordance with the specification details in the Azymuth Acoustics UK report Ref AA0050, dated February 2018.
14. The development shall not be occupied until the redundant vehicular crossings on Ellis Grove have been removed and replaced with full kerbs and the footpath reinstated to the Highway Authority specification.
15. The building shall not be first occupied until the parking, turning and servicing facilities have been provided in accordance with the approved plans and constructed so as to prevent the unregulated discharge of surface water therefrom onto the public highway. These facilities shall thereafter be retained in the agreed form for the lifetime of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
16. The building shall not be first occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority.
17. The Automatic Opening Vents in the north east elevation of the apartments shall only be opened in the event of a fire and shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.
18. The hereby approved apartments shall not be occupied other than by persons who have attained the age of 55 years, together with the spouse or partner of such persons, including a widow or widower who may be under 55 years of age.
19. The building hereby approved shall be first occupied by a registered care provider with registered charitable status.
20. The site access shall be provided in accordance with the approved drawings before the development is first occupied.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of retaining the trees on the site boundary with Barrydale Avenue and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
4. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are

satisfactory, in the interests of highway safety, to avoid conflict with the tram and to protect residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

5. Full details were not submitted, in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
6. No such/insufficient details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area, to ensure a satisfactory standard of amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
7. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
8. In the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019).
9. To protect nearby residents from excessive noise and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
10. To protect groundwater from contamination and nearby buildings and residents from noise and vibration in accordance with the aims of Policies 17 and 19 of the Part 2 Local Plan (2019).
11. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
12. To protect residents from excessive plant noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
13. To protect future occupiers from excessive environmental, commercial and industrial noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
14. In the interest of pedestrian safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).
15. In the interests of highway safety to ensure satisfactory access, servicing and parking arrangements are provided and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).
16. To promote sustainable travel and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).

17. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
18. In accordance with the terms of the application and in relation to S106 contribution requirements.
19. In accordance with the terms of the application and in relation to S106 contribution requirements.
20. In the interests of highway safety to ensure a satisfactory access is provided and in accordance with aims of Policy 17 of the Part 2 Local Plan (2019).

Notes to applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the 13 week determination timescale.
2. It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).
3. In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under section 278 of the Act. Please contact hdc.south@nottscc.gov.uk for details.
4. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

16.9 20/00255/FUL

Construct single storey rear/side extension and lower rear garden level
10 Wimpole Road Beeston Nottinghamshire NG9 3LQ

This application sought planning permission to construct a single storey rear/side extension and lower the rear garden level and had been brought before the Committee at the request of Councillor S J Carr.

Members considered the late item for the application which was a supporting statement e-mail from the planning agent.

There were no written submissions for this application.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.

RESOLVED that the application be refused with the precise wording of the refusal to be delegated to the Interim Head of Planning and Economic Development in consultation with the Chair of the Planning Committee:

The scale of the proposed extension would result in overdevelopment of the plot, resulting in a substandard level of amenity for existing and future occupiers, and be out of keeping with the character of properties in the locality. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

16.10 20/00267/FUL

Retain 4 lamp posts in garden
Woodend, Kimberley Road, Nuthall, NG16 1DA

This application sought planning permission to retain 4 lamp posts in a garden and had been brought before the Committee as the proposal constitutes a material departure from policy.

There were no late items for this application.

Mrs J Regan (objector) submitted a formal written representation that was read to members of the Committee, Mrs A Kaur (applicant) submitted a formal written representation that was read to members of the Committee.

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

- The application was appropriate for the area.
- It is appropriate for the lights to be controlled by infra-red.

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

1. **The development hereby permitted shall be retained in accordance with the drawings numbered 19-187(02)S01 (1:1250), 19-187(08)001 (1:500) and 19-187(08)002 (1:20); received by the Local Planning Authority on 29 April 2020.**
2. **The light source shall be obscured so as to prevent illumination of adjoining properties to the north and west, and be operated by a Passive infrared (PIR) switch for the duration of the permission.**

Reasons

1. **For the avoidance of doubt.**
2. **To prevent light nuisance to immediate properties.**

Note to applicant

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

17 **INFORMATION ITEMS**

17.1 **APPEAL DECISIONS**

The Committee noted the appeal decisions.

17.2 **DELEGATED DECISIONS**

The Committee noted the delegated decisions.

Report of the Chief Executive

APPLICATION NUMBER:	19/00756/ROC
LOCATION:	Land Off Acorn Avenue Giltbrook Nottinghamshire
PROPOSAL:	Variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend layout and remove plots, change external materials and amend landscaping scheme.

1 Executive Summary

1.1 This application was brought before Planning Committee on 22 July 2020 (Appendix 2) with a recommendation for approval. Members deferred making a decision on the application due to concerns surrounding the proposed landscaping scheme, specifically to the rear of plots 251-260.

1.2 Further discussions have taken place with the developers and they have submitted amended plans which show the following alterations from those previously considered:

- Increase in number of trees per plot to 4 (5 to plot 253).
- A two tier patio with the 'upper' patio being closest to the property at a higher level with steps down to a lower patio with space for sitting out on.
- Reduction in trees to the side of plot 260 and a timber screen installed to the side of the upper patio.

The applicants have also advised that they would give a tree to each of the existing adjoining properties on Acorn Avenue if the owners request one. However, this cannot be controlled as part of the planning process as this falls outside of the application site and relates to land not within the ownership of the developer.

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

1 Details of the Application

1.1 In response to the concerns expressed by Members at the Planning Committee on 22 July 2020 the developers have increased the number of trees proposed within each plot. They have clarified the boundary to the rear of plots 251-260 as being a total of 2.4m consisting of 2 gravel boards on top of a timber fence. They have also reduced the patio immediately outside plots 251-260 from 3m to 1.5m in depth and created a lower level patio. This will be 1m lower than the upper patio area accessed via steps from this area and measuring approximately 3m x 4m. They have also advised that they would provide each adjoining property on Acorn Avenue with a tree within their own garden if they request one.

1.2.1 Reconsultations have been undertaken with the properties who directly adjoin this part of the site (plots 251-260) and in addition to those comments already made four further responses have been received (including one through a local councillor). The comments made in these representations can be summarised as follows:

- Who attended the meeting when the plans were passed?
- Plans are hand drawn and do not reference elevation heights or heights of properties on Acorn Avenue
- Plans have just been tweaked and do not afford any privacy to existing residents, the provision of an 8ft fence will provide no privacy.
- The provision of 5 trees is not a considered approach. The trees will run wild and are difficult to maintain. The issue of privacy will be replaced with neighbour disputes.
- There has been no mediation or discussion with residents.
- Object to plot 260, plans incorrectly show existing properties on Acorn Avenue.
- Raised patio should be at a lower level to protect privacy.
- There has been no original plans offered by the developer showing how the site should be built.

An additional response has been received advising that independent advice had been sought and recommended that a land drain be fitted to prevent gardens becoming waterlogged.

1.3 In addition representations from 7 individuals were received as late items before the Planning Committee on 22.7.20 objecting to the proposals. These can be summarised as follows:

- Lack of adequate drainage causing flooding. Resident Informed by developer a French drain is to be installed, questions where are the plans are for this.
- Immense impact on privacy and amenity due to how close properties are and height of them.
- Development contrary to Planning Policy.
- Landscaping is not enough to cover up height differences.
- Let down by developers and BBC, amended plans do not resolve issues.
- Complete lack of regard as development continues. Questions whether the developer has permission to continue.

- Plans only available on microfiche which doesn't demonstrate an open and honest culture.
- There were no drawings indicating any properties elevations until 25th March 2020. These drawings were hand sketches, with no scale, factually incorrect in heights and distances from existing properties, totally misleading & submitted far too late for consideration, or for any residents to base an informed opinion on.
- 3 metre patios will exaggerate the loss of privacy due to the height of the new properties. The remaining garden area is negligible and virtually unusable.
- No valid reason why the ground couldn't have been graded to more suitable level. The presence of the tarmac road could have been lifted and lowered. There are no civils associated with this just tarmac.
- The Committee photographs bear no representation of the issue and are over 7 months old. They offer no useful information and Committee Members should visit the site and rear gardens to see the impact of the heights of the properties.
- Whilst plot 260 has been lowered there would need to be a 9 foot fence for there to be any privacy.
- Hope the committee will consider the amount of stress that this issue is causing and it gets resolved very soon.
- Door frames appear higher from the ground than required.
- Questions how the development be safe for its lifetime without increasing flood risk elsewhere and whether is it in accordance with the NPPF? State it is irrelevant if the LLFA objects or not the LPA has the final say. The development currently goes against the NPPF and DEFRA's Drainage guidelines in terms of managing surface flood water that exceeds the design criteria and the increased flooding risk to properties off site. Questions who will be accountable if guidelines are not adhered to.

2. History of permissions

- 2.1 Members are aware of the history of the site and this was set out in the original report at appendix 2. However, for clarity the site has the following implementable permissions:
- 92/00730/FUL - Construct 107 houses with garages and associated works
 - 15/00010/FUL - Construct 67 N° dwellings
- 2.2 The planning system in the early 1990s was different to the current day system and there was very little information required from applicants. Conditions placed on planning permission also tended to be far fewer than is the case today. From records held by the Council a site location plan, road layout plan and elevations of the house types appear to have been submitted and approved. There were 6 conditions attached to this permission as advised in the report to Committee on 22nd July. These dealt with materials, diversion of public footpaths, the retention of garages for the parking of vehicles, details of landscaping to include planting and hard paved areas, the implementation of this planting scheme and details of boundary treatments alongside the public footpaths and open space.
- 2.3 No details about the land levels of the site appear to have been submitted with the application and this information was not required by way of a condition. The land levels across the part of the site subject to the current application are significant with the north-eastern part of the site being as much as 12m higher than land in the south-west of the site.

- 2.4 Due to these level differences and the site layout, with two roads leading off the main link road, there will be significant differences in heights between plots fronting Filbert Drive and Alton Drive as well as those fronting Alton Drive and existing properties on Acorn Avenue. Whilst this is not ideal people purchasing these new properties will be aware of the level differences when they purchase them, which would have also been the case for the properties fronting Alton Drive and Acorn Avenue had they been built at the same time.
- 2.5 It can reasonably be assumed that details of the roads were approved under planning ref 92/00730/FUL as there was no condition requiring this information and the scheme was implemented and partly built out (44 homes and all roads, including Alton Drive and Filbert Drive). In addition, there are letters on the file confirming the discharge of conditions and no enforcement cases appear to have been opened to deal with construction issues during this time.
- 2.6 The internal roads have to be constructed with flat surfaces and therefore any level differences have to be dealt with vertically rather than on the horizontal emphasis. This adds further constraints on the land level changes across the site and reduces the available land for dealing with these in a more graded way without the need for significant changes in levels between plots.
- 2.7 Where there are level differences across sites and there is no information regarding build levels and these are not required by way of a condition it has been found in case law that developments can be constructed at the height of any land across the site and materials can be imported to build up parts of the site to create a level platform to construct development. This would form part of the engineering operation for which planning permission was granted and there would be no recourse available to the Council to seek amendments to these levels.
- 2.8 Permission 92/00730/FUL therefore established this principle and is an extant permission which could be built out without any further consents.
- 2.9 The principle of the form of the development, having regard to the extant permission and the works that had already taken place to implement this, could not therefore be revisited as part of the consideration of planning permission 15/00010/FUL by way of introducing a levels condition. However, in determining the application it is considered that betterment was achieved in improvements to the site's drainage bringing it in line with current guidelines. In determining this current application, it is also considered that the landscaping proposed would achieve betterment on that approved by way of 92/00730/FUL, through improved screening with the introduction of trees within the rear gardens of plots 251-260 and increased height of boundary treatments (2.4m rather than 1.8m).
- 2.10 The view of the Council's Legal team is that the earlier permission for the site (92/00730/FUL) could be constructed concurrently with the later permission (15/00010/FUL). To this end should the current application be refused the developers could still construct the row of houses which adjoin 71-99 Acorn Avenue shown on the approved layout plan for application 92/00730/FUL without any further consent from the Council. This would mean that there would be no

planting in the rear gardens and the boundary fence would measure 1.8m in height, as annotated on the approved landscaping plan for this permission.

3. Amendments

3.1 Discussions with the developer have resulted in the following changes to the landscaping to the rear of plots 251-260:

- Increase in number of trees and conifers proposed along the rear boundary from 2 to 4 (3-5 at plot 253).
- Two tier patio with 'upper tier' closest to the properties being reduced in depth to 1.5m. The lower patio will be set 1m lower than this and be 3m in depth and 4m in width.
- A tree has also been removed from the side of plot 260 due to comments made from the Parks and Environment Manager regarding the plantings proximity to the house. A 1.8m fence is proposed instead to the side of the upper tier patio of this plot to act as a screen.

The applicants have also clarified that the total height of the boundary will measure 2.4m (2 gravel boards on top of a 1.8m close boarded fence).

3.2 Consideration was also given to the position of the proposed trees within the garden. However through discussion it was considered that moving these closer to the property and planting them at the higher level would result in more conflict between the future occupants of the properties and the trees and would more likely lead to their removal once they grew to a more mature height and started to reduce light to the rear rooms. Planting them at the bottom of the gardens further away from the immediate rear of the properties would reduce any conflict.

3.3 The planting scheme includes a mix of four trees and conifer species (five to plot 253) towards the rear of the gardens. The planting will include a mix of Carpinus Betulas, Ilex Aquifolium, Thuja Occidentalis Brabant and Thuja Plicata and are proposed to be 12-14cm girth (for the trees) or in 70 litre containers (for the conifers) on planting. These species were recommended by the Councils Parks and Environment Manager as being either evergreen or holding their leaves throughout winter. It was considered that these would be preferable to Leylandii as although these will achieve a full screen within a number of years they take a lot of maintenance and can cause problems if not taken care of. The developers have noted that the trees (species dependant) will grow to between 4 and 12m in height. In reviewing details of the species it would appear that at time of planting they will be between approximately 1.75 and 2.5 metres in height, although this is tree and supplier dependant and therefore the girth of a tree is used to more accurately reflect maturity of landscape trees.

3.4 The Council's Parks and Environment manager has commented that the proposal includes a mix of trees and conifers with the trees being either evergreen or deciduous but holding their leaves in winter. He comments that the trees have good canopies and that conifers need to be maintained.

3.5 Whilst the fence height will not directly block out views from the rear of the properties, in combination with the planting it is considered that this will provide some enhanced screening to the properties on Acorn Avenue without being overbearing.

- 3.6 The developers have also advised that they would be willing to give a tree to all adjoining properties on Acorn Avenue to plant in their garden if they request one. However, this is not something that can be controlled by the planning process as it involves land outside the site and outside of the ownership of the developer. This cannot therefore be taken into consideration.
- 3.7 The amendments to the patio areas include a reduction in depth of the higher level patio from 3m to 1.5m which will reduce the opportunity to use this area immediately adjacent to the house as an outdoor seating space but rather provide a level access around the property.
- 3.8 Steps are proposed from this area down to a lower level area which will measure approximately 3m in depth by 4m in width and provide a level area for outdoor seating. This area will be approximately 1m lower than the house and will not extend the full width of the property. It is considered that these amendments reduce the opportunity for overlooking from the outdoor space around the properties and in combination with the fencing and planting will provide a satisfactory relationship with occupants of existing neighbouring properties.

4. Conclusion

- 4.1 To conclude the site benefits from an extant permission for 107 dwellings dating back to the early 1990's which did not set levels or require these to be approved. This permission has been partly implemented through the construction and occupation of a number of dwellings and the construction of internal roads. The remainder of the dwellings could be constructed without any further consents from the Council. Whilst it is acknowledged there will be some impact on the amenity of residents in terms of loss of privacy, there are no tools available to the council to revisit the principle of this. The applicants have worked with the council in attempts to reduce this impact on the residents of adjoining properties where level differences are most acute through the grading of the garden areas, planting in the rear garden and increased height of boundary treatments. It is considered that on balance these measures will ensure that the relationship is acceptable.

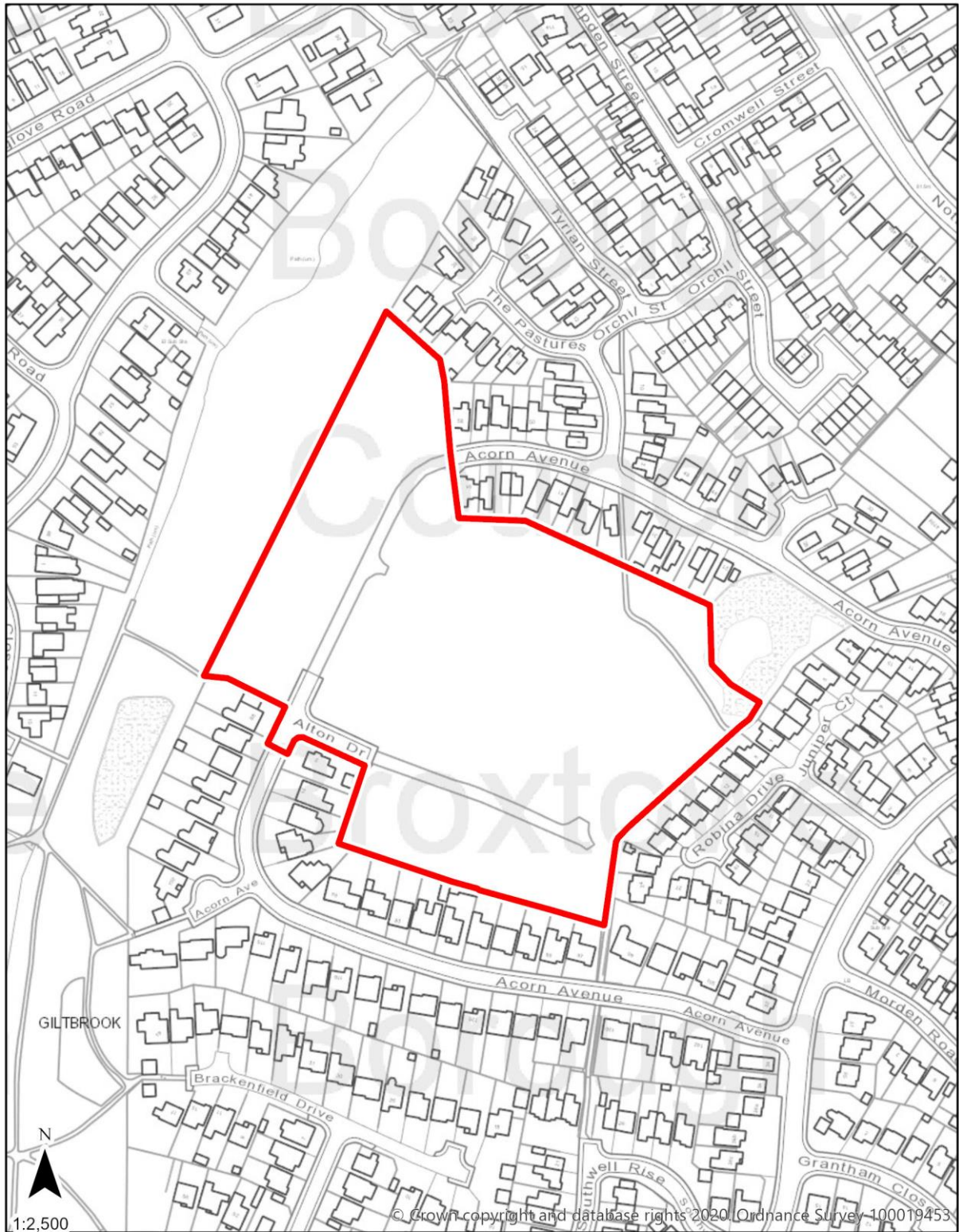
<u>Recommendation</u>	
The Committee is asked to RESOLVE that the application be approved subject to the following conditions.	
1.	The development hereby permitted shall be carried out in accordance with drawings referenced: - AAGDR01-SLP Rev U received by the Local Planning Authority on 4 May 2020

	<ul style="list-style-type: none"> - Block Plan AAGDR11-DSBP Rev D received by the Local Planning Authority on 10 June 2020 - Site Sections D, E, F Rev B, Landscaping Plan AADDR03-SLP Rev S, Site Sections Plot 260 sh2 AAGDR17-SS Rev D and Site Section Plot 260 AAGDR15-SS Rev D and Standard site retaining LHWD12(A3) Rev D, received by the Local Planning Authority on 17 and 18 August 2020. - Site Section Plan Plot 251/253 AAGDR14-SS Rev E and Site Section Plan Plot 256 AAGDR18-SS Rev B received by the Local Planning Authority on 26 August 2020. - DA3A-2020 (O) received by the Local Planning Authority on 12 March 2020 - K7/2019 (OSG), B6/2019 (OSG), C8/2018 (OSG), K7E/2019 (OSG) Sheet 1 and 2 and Z4/2018 (OSG) received by the Local Planning Authority on 25 November 2019 - C9/2018 (OSG) and LHDR01-ES1/2 Rev B received by the Local Planning Authority on 17 February 2020 - A1/2019 (OSG), received by the Local Planning Authority on 27 February 2020 - N2/2017 (HSG) Rev A and N2/2017 (O) received by the Local Planning Authority on 26 February 2018 - KA2/2017 (HSG) and KA2/2017 (OSG), S20/2018 (OSG) and S20/2018 (HSG), T20/2017 (OSG) and T20/2017 (HSG), DA3/2017 (O) and DA3/2017 (H), E20/2016 (OSG) and E20/2017 (SG), F5/2018 (HSG) F5/2018 (OSG) plots 223 and 224 received by the Local Planning Authority on 2nd February and 27 March 2018 - Garage/DG/2/88s/B Revision A, received by the Local Planning Authority on 12 January 2015. <p><i>Reason: For the avoidance of doubt.</i></p>
<p>2.</p>	<p>The dwellings hereby approved shall be constructed using Weinerberger Calderdale Edge roof tiles in Terracotta Red and Dark Grey (420 x 334mm), Leicester Red Stock, Eton Buff Facing and Blue Engineering bricks as shown on plan LHDR01-ES1/2 Rev B and black rainwater goods with all metre boxes located to the sides of the dwellings.</p> <p><i>Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan.</i></p>
<p>3.</p>	<p>No building to be erected pursuant to this permission shall be first occupied or brought into use until:-</p> <ul style="list-style-type: none"> i. All the necessary remedial measures have been completed in accordance with the approved details contained within plans LHWD01, LHWD02 and LHWD03 and the extracts provided from the Geo-environmental assessment report together with the Visqueen gas barrier information received on 26th October 2018 GB-18, GB-02, GB-12, GB-01 GB-14 and the

	<p>data sheet, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii. It has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Part 2 Local Plan.</i></p>
<p>4.</p>	<p>The surface water drainage scheme and foul sewerage scheme, including the attenuation feature approved under planning reference 18/00687/FUL shall be implemented in accordance with the approved plans prior to the completion of the development. Details of how the drainage system shall be maintained and managed after completion and for the lifetime of the development shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development.</p> <p><i>Reason: To prevent the increased risk of flooding, to improve and protect water quality; and to ensure the future maintenance of the sustainable drainage structures in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2012).</i></p>
<p>5.</p>	<p>The public highways including street lighting, drainage, utility services and public visibility splays shall be completed in accordance with 07282-121 Rev H, 07282-123 Rev G, 07282-135 Rev C, 07282-137 Rev B, 07282-171 Rev E, 07282-120 Rev G, 07282-170 Rev J, 07282-136 Rev C, 07282-124 Rev D, 07282-122 Rev H, 07282-100 Rev J, 07282-130 Rev G, 07282-110 Rev F, 07282-131 Rev H, 07282-111 Rev F and 07282/175 Rev F</p> <p><i>Reason: In the interests of highway safety.</i></p>
<p>6.</p>	<p>No dwelling shall be first occupied unless and until its associated access driveway and/or parking spaces have been constructed to prevent the unregulated discharge of surface water from the driveway and/or parking spaces onto the public highway.</p> <p><i>Reason: In the interests of highway safety to ensure surface water from the site is not deposited on the public highway causing danger to road users.</i></p>
<p>7.</p>	<p>Wheel washing facilities as set out in the email of 4th July 2018 shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no debris is discharged or carried onto the public highway. These facilities shall be retained on the site until the substantial completion of construction work.</p> <p><i>Reason: In the interests of highway safety.</i></p>
<p>8.</p>	<p>Protective fencing as shown in the Hamps Valley Limited report</p>

	<p>received on 21st August 2018 shall be erected around the two areas containing protected trees in accordance with the following detail:</p> <ul style="list-style-type: none"> - Area A4 adjacent to plot 251 (Ash Trees) require an RPA 5.7 radius from the trees. - Area A3 adjacent to plot 194 (Oaks and Hawthorne's) require an RPA 8m radius from the trees moment. <p><i>Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected.</i></p>
9.	<p>The approved landscaping scheme as shown on plan AAGDR03-SLP Rev S received on 17 August 2020 and the email of 25 August 2020 confirming container size, shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 10 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) within Schedule 2, Part 1, Classes A, B, or C shall be made to the following dwelling house(s) as shown on drawing number AAGDR01-SLP Revision U: Plots 223, 224, 251 and 260 without the express permission in writing of the Local Planning Authority.</p> <p><i>Reason: To protect the amenity of neighbouring occupiers and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan.</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>Any tree works should be undertaken outside of the bird-breeding season (March-September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds. Birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).</p>
3.	<p>Greasley Footpaths Number 54 and 55 runs through the site. The</p>

	<p>footpath should remain open and unobstructed at all times. If a temporary closure of the footpath is required Nottinghamshire County Council's Countryside Access Team must be contacted at least 5 weeks before to allow for a Temporary Closure Order to be put in place. Nottinghamshire County Council can be contacted on 0300 500 8080.</p>
<p>4.</p>	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. This may result in problems to occur in the future, particularly as a result of the development taking place. 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, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.</p> <p>The applicant should be aware that any intrusive activities and any subsequent treatment require the prior written permission of the Coal Authority. Failure to obtain permission will potentially result in court action. The Coal Authority can be contacted on 0845 762 6848 and further information is provided on https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</p>



Legend

 Site Outline



Approved

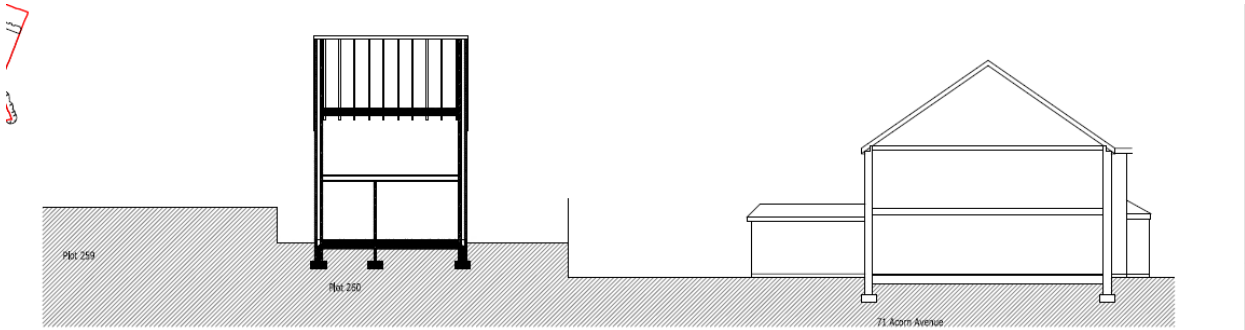
layout

plan

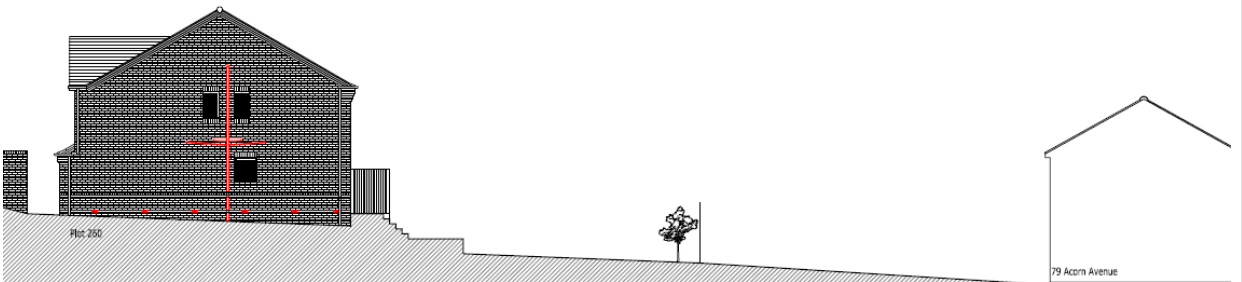
92/00730/FUL



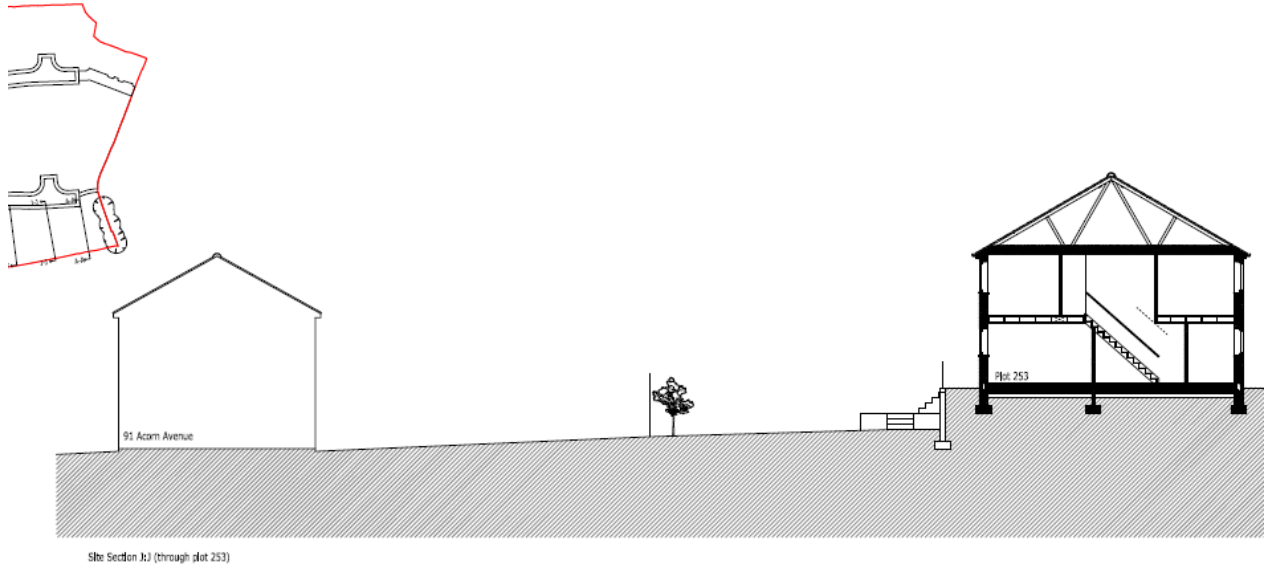
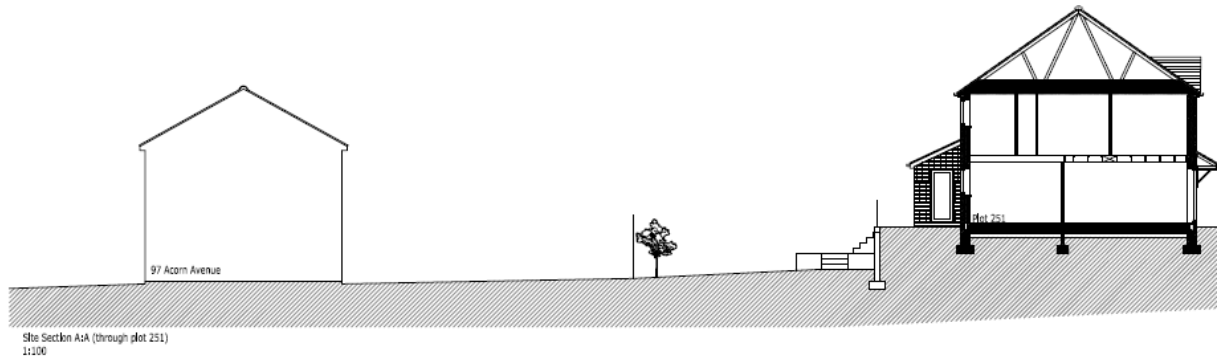
Landscaping plan



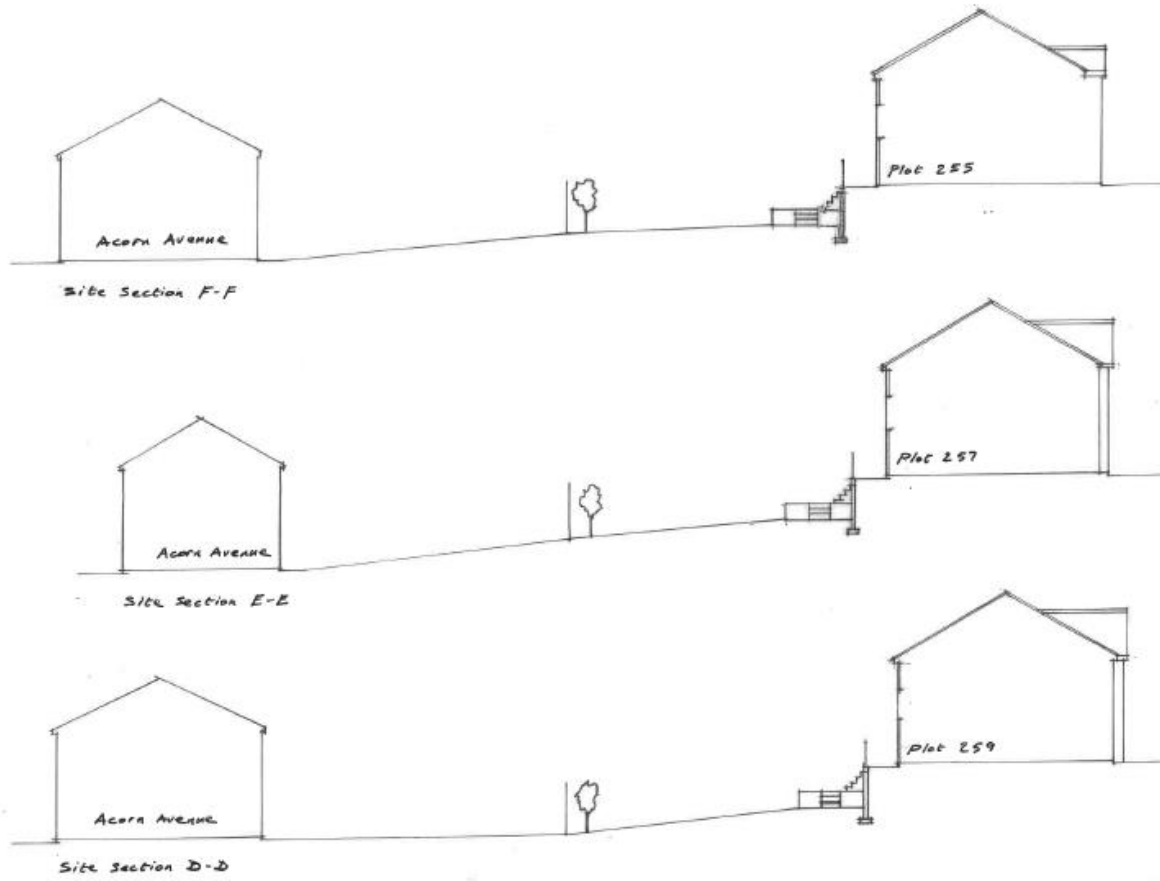
Site Section M-N (through plot 260)
1:100



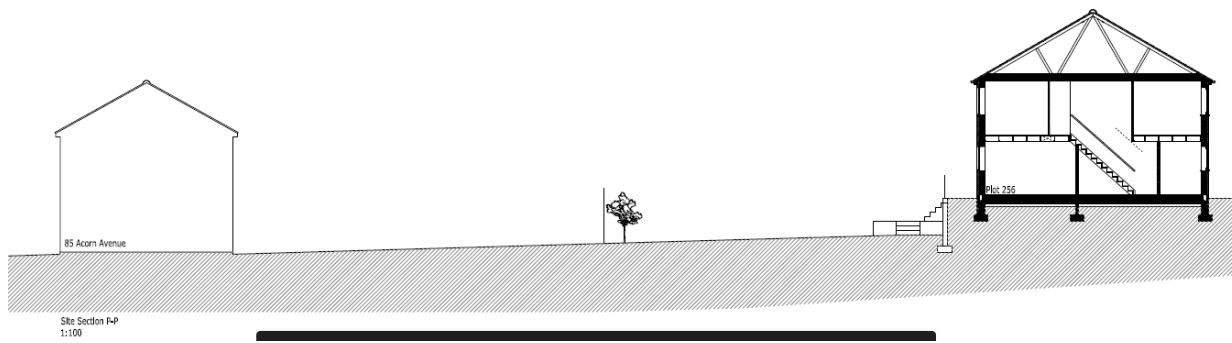
Site Section Plot 260



Site Sections Plots 251 and 253



Site Sections Plots 255, 257 and 259



Site Section Plot 256

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Appendix 2

Report of the Chief Executive

APPLICATION NUMBER:	19/00756/ROC
LOCATION:	Land Off Acorn Avenue Giltbrook Nottinghamshire
PROPOSAL:	Variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend layout and remove plots, change external materials and amend landscaping scheme.

The application is brought to the Committee due to the original permission to which this application relates being determined by Planning Committee.

1 Executive Summary

- 1.1 The application seeks to vary 3 conditions attached to planning permission 15/00010/FUL relating to drawing numbers, materials and landscaping. The revisions to the drawing numbers will result in several minor amendments to house types, largely involving fenestration detailing, the removal of 2 plots and associated layout alterations, the substitution of 5 plot types, which will include a raised parking area to the front of plot 260 and minor extensions to the rear of two house types. The principle of residential development in a similar form to that considered under this application has been established for many years, but has an extant permission dating back to 1993 (92/730/FUL).
- 1.2 The amendments to condition 3, materials, are minor and would still involve bricks and tiles of a similar colour to those already approved. Rainwater goods and doors would be black and meter boxes would be located on the side of the houses.
- 1.3 The amendments to the house types are largely minor and involve fenestration alterations, some additional bay windows and on two property types relatively small single storey additions to the rear.
- 1.4 The main issues relate to the design of the amendments proposed and the impact on amenity.
- 1.5 On balance the design of the amendments are considered to be acceptable. There are significant level differences within the site and whilst concern has been raised by residents, particularly in respect of plots 251-260, due to the historical consents in place, the extant permission and works already undertaken within the site to commence the permission relating to 92/00730/FUL, notably the linking arm of Acorn Avenue, Filbert Drive and Albert Drive, it is not considered that the height of these dwellings is something which can be revisited at this point in time. The landscaping plans however demonstrate how these level differences will be treated within the rear gardens of these properties and it is considered that the

grading of the gardens and the planting screen proposed will protect the amenity of the occupants of properties to the rear of these on Acorn Avenue.

- 1.6 The Committee is asked to resolve that the application be approved subject to the conditions outlined in the appendix.

Appendix 1

1 Details of the Application

- 1.1 The application seeks to vary conditions 2, 3 and 11 placed on planning permission 15/00010/FUL for the construction of 67 dwellings at land adjacent to an existing residential development within the larger Smithurst Road development, Giltbrook.
- 1.2 These conditions relate to drawing numbers for the development to be completed in accordance with, external materials to be used in the construction of the dwellings approved and the landscaping scheme. The amendments will include;
- Minor alterations to the design of several house types to update them to the current company standard house type, largely relating to fenestration detailing and the position of windows with the addition of some bay windows also to several of the properties;
 - Alternations to the layout in the north-western corner which result in the reduction of overall number by 2 (65 dwellings) and amendments to the property types for 3 of the remaining dwellings in this area;
 - Small single storey projections beyond the original rear elevation of two plots (221 and 251);
 - Amendments to plot 260 to include a smaller house type and a raised parking area to the front of the property;
 - Changes to the details of the approved roof tiles, although these still include a mix of red and grey colours as previously approved; and
 - Landscaping within the rear of plots 251-260 to include a raised patio area with retaining wall and steps leading to a lower garden area with trees along the rear boundary with the existing properties along Acorn Avenue.
- 1.3 The scheme has been amended during the course of the application to include revisions and additional information in relation to the landscaping scheme to deal with the level differences, the removal of a number of plots and a change in house type for plot 60.
- 1.4 The permission to which this application seeks to amend was subject to a Section 106 Agreement which required the developer to transfer land and provide £100,000 to the authority to be used for the purposes of flood alleviation in the area.

2 Site and surroundings

- 2.1 The site comprises approximately 2.39 hectares of land within an existing residential area. As there has been an extant permission for housing on the site since 1993, some works have been undertaken in the 1st phase of development including the connecting access road which joins the two sections of Acorn Avenue. Work had also been commenced in laying the two roads leading from Acorn Avenue (Alton Drive and Filbert Drive).

- 2.2 Works have commenced on site to implement 15/00010/FUL with a number of properties up to first floor level and footings dug for several properties along the southern boundary of the site.
- 2.3 The site is largely boarded by residential properties to the northern, eastern and southern boundaries. The properties to the south and south east of the site consist of the 44 dwellings constructed under the extant permission (92/00730/FUL) by the applicant and as such are fairly similar in respect of design and appearance with some minor alterations in terms of fenestration detailing and materials used. These together with the properties to the north and east largely consist of detached two storey dwellings with a smaller number of semi-detached properties. To the west of the site there is an area of open land, which under the requirements of the S106 for the development is required to be transferred to the Council and kept free from development (except for the purposes of flood alleviation works if required). Within this space an attenuation pond has been constructed and this is enclosed by a low knee-rail type fence to discourage access.
- 2.4 A gabion wall has also been constructed to the north-western boundary of the site, separating the built development from the open space and there is a steep level change from these properties to the attenuation pond and the open space.
- 2.5 A temporary site office complex has been constructed in association with the works. A closed barrier gate to the north and fencing to the south still currently restricts access and through traffic whilst works are taking place. A public footpath connecting the two parts of Acorn Avenue runs behind the properties on Robina Drive. There is a group Tree Preservation Order at the south eastern tip of this footpath.
- 2.6 There is a significant change in levels across the site, which slopes upwards from west to east and from south to north. The properties on Robina Drive are 5-6m higher than the properties to the west on Thorn Drive and the properties at one end of Acorn Avenue (numbers 51 and 58) are 3-4m higher than those to the south

3 Relevant Planning History

- 3.1 In 1981 planning permission was granted for development consisting of 'Use site for residential, industrial, shops and school development' (79/00666/OUT). This was further supplemented by the granting of outline planning permission for residential, industrial, shopping and school development as part of a comprehensive scheme for the whole of the Giltbrook Farm Estate (81/00566/OUT). These applications established the principle of residential development on the site which has subsequently been developed in a phased manner since this time.
- 3.2 Planning permission for 107 houses with garages and associated works within a section of this larger site was granted in 1993 (92/00730/FUL). As stated in section 1 of this report, part of this development has been built out and as such the permission is extant and could be built as approved at any point in the future without the need for any further planning permission.

3.3 In 2006 planning permission (06/00967/FUL) was refused for the substitution of house types for 63 dwellings previously approved and alterations to the internal road layout. The reasons for refusal stated:

1 – The proposed residential development provides a low-density scheme, insufficient to meet the requirements of PPS3 and Policy H6 of the Broxtowe Local Plan and represents an inefficient use of land. In addition the development proposes fail to provide a satisfactory variety of housing types contrary to Policy H3 of the Broxtowe Local Plan (2004).

2 – The applicant has failed to provide the necessary information on the level changes of the site and subsequently there is a lack of detail to assess the impact of the proposal on the occupiers of the neighbouring properties and the amenity of occupiers of future residents within the site. The proposal is accordingly contrary to local plan policy H7.

3.4 In November 2015 an application for 67 dwellings (15/00010/FUL) was presented to Planning Committee. Members resolved that having regard to all material planning considerations, including the extant planning permission for 63 dwellings that could be constructed without any further permissions required by the Council that the proposal, including the Section 106 contributions towards flood alleviation measures in the wider area and the transfer of land to aid the implementation of these measures, was acceptable.

3.5 Prior to the signing of the Section 106 Agreement the applicants proposed some alterations to the scheme in early 2018. These largely related to updates in house types with some minor amendments to the layout. These were approved by Planning Committee in May 2018. The permission was issued in August 2018.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- 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 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 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

5 Consultations

- 5.1 **Nottingham West Clinical Commissioning Group:** Queried why they hadn't been consulted on the application. They were advised of the site history and the details of this application and were content with this.
- 5.2 **The Councils Parks and Green Spaces Manager:** Commented on the original proposal that the planting shown would provide little in terms of screening with just 1 tree per garden. He comments that Leylandii will achieve a full screen within a number of years but they do take a lot of maintenance and if they get out of hand can create problems under the High Hedges legislation. He provided a list of trees that are good at creating a screen which are either evergreen or hold their leaves throughout winter and recommended a minimum of 2 trees per garden. These comments were shared with the applicant and amended plans showing a minimum of two evergreen trees from the list per garden were received.
- 5.3 **Cllr M Handley:** Raises concern with regard to loss of privacy of existing residents and considered that plans should be submitted which address these concerns. Does not consider that a video of the site would clearly demonstrate the situation and Members should undertake a site visit. Builders should be able to regrade the land to mitigate the invasion of privacy. The proposed raised patios will allow further loss of privacy as the gardens will be smaller. No sign of any retaining wall towards the rear of the property and advised that a drainage pipe will take away surface water run-off. Questions whether the LLFA are aware of

this with current problems existing in the area. At least one property had water and slurry in their garden after the storms.

5.4 **Cllr Willimott:** Raises concerns with privacy and flooding. Considers that proper scrutiny of the plans is required and that a site visit by Members is necessary before its determination.

5.5 78 neighbours were consulted on the application initially. 4 responses were received comprising: 1 raises concern that they were not consulted on the application initially, 2 reiterate original objections in respect of height of properties leading to loss of light, privacy, sense of enclosure, 1 of these also raises concern with traffic generation and 1 queries the plans on the website.

5.6 In relation to the amended plans and additional information submitted during the course of the application all 78 neighbours were reconsulted initially with further consultations taking place with those existing properties which directly adjoined the area where amendments were shown. Representations from 13 different households have been received of which 11 are objections, 1 raises no objections and another doesn't state whether they object or not but raises a number of concerns. Photographs have also been received to justify comments made. The following objections are raised:

- Due to height of properties there is no privacy. The raised patios will enable people to look directly into existing gardens and properties, doesn't comply with policy because of this loss of privacy
- Landscaping needs to be planted asap to provide screen.
- Was assured by Langridge that plot 260 wouldn't be built due to level differences.
- Loss of light and sense of enclosure due to height of properties
- Is there going to be an engineered retaining wall to stop any slippage / subsidence from the ground
- Is there going to be adequate drainage for any increase in surface water run-off
- How will the proposed boundary fence relate to the existing boundary to the properties on Acorn Avenue. Who will be responsible for this, will there be an area of dead space between the two?
- Can any tree be located closing the gaps with the tallest evergreen tree possible.
- Will the tree also be prevented from being cut down? The trees must grow to natural height for privacy. These should all be evergreen.
- Revised plans fail to show accurately how high the new properties' gardens, patios and windows will be in relation to all existing properties.
- Concern with professionalism of drawings provided
- Steepness of new gardens mean the properties won't be accessible for the disabled.
- Previous plans didn't show the height of these properties.
- Request to see all landscaping plans
- Request for a site visit by Members of the Planning Committee
- Inaccuracy of plans
- Work continues on site whilst the application is being considered

- Request to delay the application being taken to Planning Committee and reconsult on all plans
- Since work commenced there has been flooding to existing gardens on Acorn Avenue
- Failure of applicants and LPA to submit plans showing level differences in 2018.
- flooding issues appears to be un-resolved, the drawings indicate the “deliberate discharge” of surface flood water, off-site, to the lower reaches of Acorn Ave, where properties are already at risk of flooding. How will the development meet the requirements of the NPPF.
- Design of plot 260 makes it look like an extra plot has been squeezed in. Should be removed from scheme and area used for additional drainage.
- Additional traffic generation with Acorn Avenue used as in/out to the development.
- Loss of view.
- Impact on property value.
- Big difference to the noise levels, can already hear the conversations of the builders.
- Have to have blinds drawn whilst builders on site as they are able to look straight into all rear rooms of properties.
- The traffic generated from the building its self is unacceptable. The trucks are often on site and working before 8.00am and drive with no consideration for it being a residential street.
- Sense of enclosure from height of buildings made worse depending on the trees that they are proposing to plant to help with the loss of privacy.

6 Assessment

6.1 The main issues for consideration are the design of the proposed amendments to property types and the impact on neighbour amenity and highway safety.

6.2 **Principle**

6.2.1 The principle of residential development in this location has been established since 1981 with the original outline planning permission. In 1993 Planning permission was granted for 107 dwellings and garages and 44 of these properties were constructed ensuring that the permission is extant. At this time an application for building control was submitted and approved. As previously established during the consideration of 15/00010/FUL the remaining 63 dwellings could therefore be constructed without any further permissions from the Council. Details of land levels were not required by any condition attached to these permissions.

6.2.2 Planning permission 92/730/FUL was granted subject to 6 conditions including the approval of materials, required diversion of public footpaths, the retention of garages for the parking of vehicles, details of landscaping to include planting and hard paved areas, the implementation of this planting scheme and details of boundary treatments alongside the public footpaths and open space.

6.2.3 At the time of constructing the 44 existing dwellings on Acorn Avenue the link road was laid as were the two roads, in part within this site; Alton Drive and Filbert

Drive. It is therefore reasonable that these roads established the heights at which the remaining properties were to be constructed, whether it be those constructed under permission 92/00730/FUL or subsequent permissions, as practically the driveways would need to be accessed parallel to the road they were served by. This principle is particularly important with the flooding history in the vicinity of this site and avoiding steep hardsurfaced areas.

6.2.4 During the processing of 15/00010/FUL, the extant permission, the conditions attached to this and the existing built form within the site were all material considerations and it was considered that the application created the opportunity for betterment throughout the wider area with the provision of land for flood attenuation purposes and a financial contribution towards these measures.

6.2.5 Whilst this current application to vary conditions results in the loss of two dwellings from that approved under the 2015 application (15/00010/FUL), it would still result in an increase of 2 dwellings from that approved under the original permission which would contribute to the boroughs housing supply.

6.3 Design

6.3.1 In respect of the proposed changes to the materials; the bricks, roof tiles and rainwater goods were required by condition 3 to be approved by the Local Planning Authority. These were agreed in December 2018, however the applicants now wish to retain the approved bricks but change the roof tiles and colour of the rainwater goods. The proposal is still for a mix of dark coloured and red tiles to provide some variation in the streetscene. It is considered that the amended detail is an acceptable alternative to those previously approved. The rainwater goods, front doors and garage doors are also proposed to change from white to black in colour. It has been confirmed by way of email that the meter boxes will be located on the side elevations of the dwellings and these will also be black. It is considered that the proposed changes are acceptable in design terms and a suitably worded condition can control that these are used.

6.3.2 The design changes to the proposed dwellings differ by plot type, but include the following:

- Three pane window replaced with Juliet balcony and railings
- Various amendments to fenestration detailing to front and rear elevations including replacing two pane and single panes with three pane windows and vice versa, replacing two, two pane window in the front gable with a single four pane window and alterations to patio doors;
- One side of a property brought forward but no further than the garage. The roof of the garage is proposed to be amended and a canopy will extend the full width of the property at ground floor level (A1/2019 (OSG));
- Removal of header and sill detailing around the openings;
- Bay window at ground floor and extended canopy to run over front door and bay window.
- Amendments to side openings including, replacing single pane window serving bathroom with two pane landing window, additional single pane window at ground floor, addition of single pane window serving bathroom in first floor and removal of single pane window in ground floor, addition of single door in side elevation serving kitchen.

- 6.3.3 It is considered that the removal of the stone header and sill features is disappointing but not unacceptable and it is understood to be due to the availability of materials. The fenestration alterations to all properties are acceptable. The addition of bay windows to some properties will add some length to the dwelling but the design is acceptable and in keeping with a number of other properties in the development and wont impact on parking provision.
- 6.3.4 Two property types (K7E x3 and B6 x1) are also proposed to have an additional single storey projection to the rear (1.8m by 3.545m in width – B6 and 4.6m by 5.885m in width – K7E). These contained to the rear of the properties and it is considered that the single storey addition is a minor change proportionate to the host dwelling and in keeping with the dwelling and development as a whole.
- 6.3.5 Plot 260 is proposed to be amended from a house type T20 to house type DA3A, which is a smaller 4 bed dwelling. This allows for a greater separation distance between this dwelling and the existing properties on Acorn Avenue and Alton Drive due to the level changes within the site. The design of the property is considered to be acceptable and in keeping with the existing and proposed dwellings.
- 6.3.6 Due to the level changes within the site however the property will have its parking on a raised platform in front of the dwelling, surrounded by a retaining wall with steps leading down to the front door. This will largely obscure the ground floor from the street scene. Whilst this is not ideal it is not considered that this would result in such a poor addition to the streetscene that permission should be refused.
- 6.3.7 The changes to the north-west corner of the site include the reorientation of properties and the reduction in overall numbers including those served from the private drive in this area of the site. The design of the layout changes and the property type substitutions are acceptable.

6.4 Amenity

- 6.4.1 The amendments to the properties in the north-west corner of the site are not considered to have any significantly greater impact than those previously approved. Whilst the orientation of the properties are altered, the number of dwellings in proximity to existing dwellings is reduced. Plot 206 will largely have a view from its front elevation of the road and the side of 58 Acorn Avenue, with its own drive and the private driveway separating the properties. Plot 207 will be orientated with its front elevation towards the rear garden of this existing property on Acorn Avenue and its neighbouring properties on The Pastures, however due to the separation distance and the angle of any view from the first floor of this dwelling it is not considered that this relationship would result in any significant loss of privacy. There is one first floor window in the side elevation of this property facing the existing dwellings on The Pastures however this is to serve an ensuite bathroom and will have a top opener only.
- 6.4.2 It is not considered that any of the fenestration changes to the plot types would result in any increased loss of amenity which would need further assessment beyond that undertaken in considering application 15/00010/FUL.

- 6.4.3 The single storey additions to plot types KE7 are not considered to cause any significant detriment to amenity. There are three of these proposed within the development. Two of which overlook the open space and are a considerable distance away from any properties to the rear. The properties either side are to be built as part of the development and it is considered that the relationship is acceptable. Plot 221 backs onto 3 existing properties on Acorn Avenue, however due to the orientation of the plot in relation to these and the separation distances it is not considered that there would be any detriment to the amenity of the occupants of these properties.
- 6.4.4 The single storey addition to Plot 251 will project a further 1.8 metres from the rear of the approved dwelling. Whilst this property is higher than the existing dwellings on Acorn Avenue onto which it shares a rear boundary with, it is considered that the separation distance and minor nature of the amendment would not result in any significant detriment to the amenity of the occupants of these neighbouring properties beyond the approved scheme.
- 6.4.5 The proposed amendments to plot 260 result in a property with a smaller footprint which brings the built form away from the boundary with 2 Alton Drive and 71 Acorn Avenue. The building will be constructed on a slightly lower land level than 2 Alton Close, albeit with a raised parking area to the front, although this is set away from the shared boundary, with 2 Alton Close having a garage between this and the property. Section plans submitted through the site show the property being 1.4m higher than the rear boundary of 71 Acorn Avenue. However due to the increased distance being created between the proposed and existing properties at 2 Alton Drive and 71 Acorn Avenue it is not considered that there would be any significant detriment through loss of amenity. In addition to this landscaping is proposed to the side of plot 260 and the patio area to provide some screening.

6.5 Landscaping and current situation

- 6.5.1 The developer has an extant permission for 63 dwellings (92/00730/FUL) of which;
- 44 dwellings have been completed and occupied;
 - All the roads within the site including Filbert Drive, Alton Drive and the linking arm of Acorn Avenue have been partially constructed;
 - All 6 conditions relating to this permission (materials, diversion of public footpaths, retention of garages for the parking of vehicles, landscaping to include planting and hard paved areas, the implementation of this planting scheme and details of boundary treatments alongside the public footpaths and open space) have been discharged.

No further information or consent is required to undertake these works and there was no Section 106 Agreement signed as part of this permission which required any contributions.

- 6.5.2 During the consideration of application 15/00010/FUL, the principle of the development was established and whilst betterment was achieved through improved drainage and, contributions towards flood attenuation measures and land transfer the Council could not revisit the principle of the approval which had

been implemented, and partially constructed. The layout, with properties fronting Alton and Filbert Drive remained broadly similar to that of the original consent, with the roads as constructed providing fixed points.

- 6.5.3 The heights of the properties were approved during the consideration of the original application and it is not therefore considered that the Council at this time has any reasonable mechanism available to it to require the developer to reduce this. Arguably if there is too steep a slope down from the hard-surfaced road, along a sloping hardsurfaced driveway to the front new dwellings then this will speed up water run-off in this direction rather than along the routes which the 2015 permission sought to establish. Having graded slopes within the rear gardens will allow water to infiltrate the soil and slow the speed of water run-off. This arrangement is considered to be beneficial from a flood mitigation perspective.
- 6.5.4 The application currently before the council has been submitted to amend minor details of permission 15/00010/FUL, specifically those relating to materials, some slight changes to the layout, a reduction in housing numbers of 2, changes to the design of certain house types, the substitution of 4 plots and landscaping to the rear of plots 251-260. It does not provide the opportunity to revisit the principle of the development.
- 6.5.5 Landscaping plans have been submitted which show patios to the rear of all properties. To the rear of plots 251-260 these are 3 metres in depth. Due to the significant land level changes in this area of the site the plans and submitted site sections show retaining walls beyond these areas with steps leading down to a lower graded lawn area. To the rear of these areas a minimum of 2 trees are proposed to be planted. A 1.8m close boarded timber fence is proposed along the rear boundary, which will sit on top of 2 gravel boards. Retaining walls will be constructed along the new shared side boundaries of plots 251-260 and on top of each of these there will be a 1.8m high close boarded fence.
- 6.5.6 The design of the fencing detail, patios and retaining wall are all considered to be acceptable features of rear gardens within a residential development. The tree species proposed are all acceptable to the Council's Parks and Green Spaces Manager and he advises that these will provide appropriate screening and unlike conifer trees are unlikely to result in excessive growth which could cause neighbour disputes in the future. The landscaping has been improved during the course of this application with two trees in each garden adjacent to the lower dwellings to the south of the site and these trees to be evergreen.
- 6.5.7 Concerns have been raised with the height of these properties within this section of the site and their impact on existing properties through loss of privacy and being overbearing. Whilst sympathetic to the concern of residents who may have reasonably assumed that dwellings would be sited lower, officers have worked hard with the developer to minimise any impact, with enhanced landscaping along the boundaries with the most affected neighbours. Whilst the level differences are most significant in this area it is considered that the separation distances, in combination with the proposed planting will ensure that the relationship between the existing and proposed dwellings is acceptable.

6.5.8 It is considered that all other detailing shown on the landscaping plan, including frontage planting, hard paved areas and fencing is acceptable.

6.7 Other issues

6.7.2 Traffic generation was assessed when the application was first granted permission, and due to the historical permissions in place it is not considered appropriate to revisit that here.

6.7.3 It is understood under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended that Western Power will be constructing a substation directly adjacent to the development within the open space. Whilst details of the substation have not been provided to the Council, as they are a statutory undertaker they are permitted to carry out certain works without the need to seek consent.

7. Planning Balance

7.1 The benefits of the proposal are the provision of 65 dwellings on a brownfield site within an existing urban area. Whilst it is acknowledged there will be some impact on the amenity of residents in terms of loss of privacy, it is considered that the principle of the housing development and its built form has long been established and that there are no tools available to the council to revisit the principle of this. The applicants have worked with the council in attempts to reduce this impact through the grading of the garden areas and planting in the rear garden of those plots where level differences are most acute. It is considered that on balance these measures will ensure that the relationship is acceptable.

8. Conclusion

8.1 It is considered the principle of the development has been established for a number of years. The proposed amendments to the design of the house types and materials used are considered to be minor alterations which would be acceptable in the streetscene. The reduction in dwellings by two is not considered to be significant and would still result in a gain of two from the extant permission which could be built. The minor alterations to the layout and plot substitutions are considered to be acceptable alterations to the overall scheme. Although there will be some loss of privacy to the occupants of existing properties on Acorn Avenue which share boundaries with plots 251-260 it is considered that this relationship was established by the 1993 permission (92/00730/FUL) and the proposed landscaping scheme offers screening through planting to mitigate this impact.

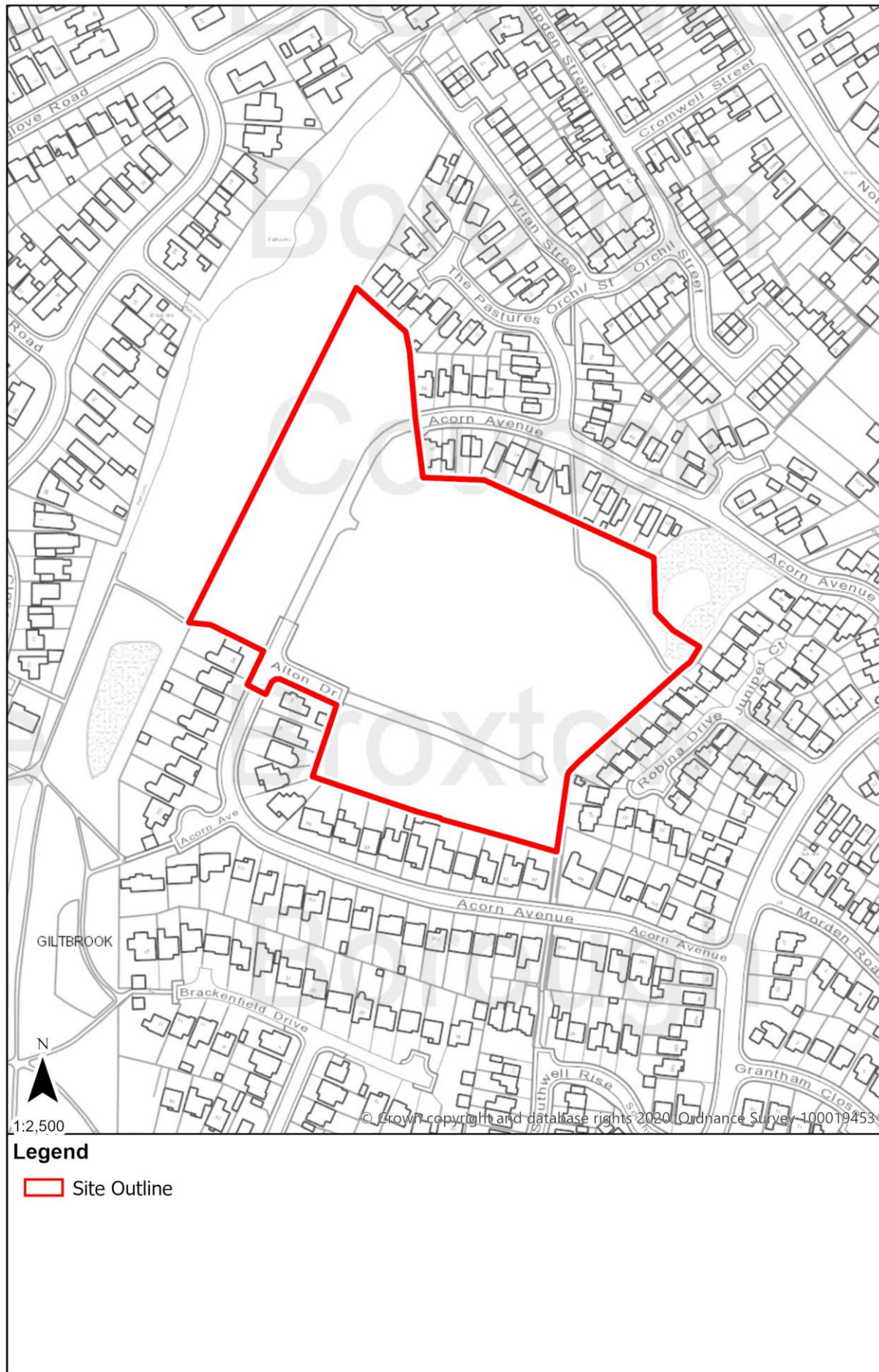
<u>Recommendation</u>	
The Committee is asked to RESOLVE that the application be approved subject to the following conditions.	
1.	The development hereby permitted shall be carried out in

	<p>accordance with drawings referenced:</p> <ul style="list-style-type: none"> - AAGDR01-SLP Rev U and Site Sections D, E, F Rev A received by the Local Planning Authority on 4 May 2020 - AAGDR03-SLP Rev P and Site Sections Plot 260 sh2 AAGDR17-SS Rev B received by the Local Planning Authority on 6th July 2020 - AAGDR14-SS Rev B and AAGDR16-SS received by the Local Planning Authority on 2 June 2020 - Site Sections Plot 260 sh2 AAGDR15-SS Rev A and Site Section Plot 260 AAGDR15-SS Rev C received on 22 June 2020 - DA3A-2020 (O) received by the Local Planning Authority on 12 March 2020 - Standard site retaining LHWD12(A3) Rev B received by the Local Planning Authority on 25 March 2020 - K7/2019 (OSG), B6/2019 (OSG), C8/2018 (OSG), K7E/2019 (OSG) Sheet 1 and 2 and Z4/2018 (OSG) received by the Local Planning Authority on 25 November 2019 - C9/2018 (OSG) and LHDR01-ES1/2 Rev B received by the Local Planning Authority on 17 February 2020 - A1/2019 (OSG), received by the Local Planning Authority on 27 February 2020 - N2/2017 (HSG) Rev A and N2/2017 (O) received by the Local Planning Authority on 26 February 2018 - KA2/2017 (HSG) and KA2/2017 (OSG), S20/2018 (OSG) and S20/2018 (HSG), T20/2017 (OSG) and T20/2017 (HSG), DA3/2017 (O) and DA3/2017 (H), E20/2016 (OSG) and E20/2017 (SG), F5/2018 (HSG) F5/2018 (OSG) plots 223 and 224 received by the Local Planning Authority on 2nd February and 27 March 2018 - Garage/DG/2/88s/B Revision A, received by the Local Planning Authority on 12 January 2015. <p><i>Reason: For the avoidance of doubt.</i></p>
<p>2.</p>	<p>The dwellings hereby approved shall be constructed using Weinerberger Calderdale Edge roof tiles in Terracotta Red and Dark Grey (420 x 334mm), Leicester Red Stock, Eton Buff Facing and Blue Engineering bricks as shown on plan LHDR01-ES1/2 Rev B and black rainwater goods with all metre boxes located to the sides of the dwellings.</p> <p><i>Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan.</i></p>
<p>3.</p>	<p>No building to be erected pursuant to this permission shall be first occupied or brought into use until:-</p> <ul style="list-style-type: none"> i. All the necessary remedial measures have been completed in accordance with the approved details contained within plans

	<p>LHWD01, LHWD02 and LHWD03 and the extracts provided from the Geo-environmental assessment report together with the Visqueen gas barrier information received on 26th October 2018 GB-18, GB-02, GB-12, GB-01 GB-14 and the data sheet, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii. It has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Part 2 Local Plan.</i></p>
<p>4.</p>	<p>The surface water drainage scheme and foul sewerage scheme, including the attenuation feature approved under planning reference 18/00687/FUL shall be implemented in accordance with the approved plans prior to the completion of the development. Details of how the drainage system shall be maintained and managed after completion and for the lifetime of the development shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development.</p> <p><i>Reason: To prevent the increased risk of flooding, to improve and protect water quality; and to ensure the future maintenance of the sustainable drainage structures in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2012).</i></p>
<p>5.</p>	<p>The public highways including street lighting, drainage, utility services and public visibility splays shall be completed in accordance with 07282-121 Rev H, 07282-123 Rev G, 07282-135 Rev C, 07282-137 Rev B, 07282-171 Rev E, 07282-120 Rev G, 07282-170 Rev J, 07282-136 Rev C, 07282-124 Rev D, 07282-122 Rev H, 07282-100 Rev J, 07282-130 Rev G, 07282-110 Rev F, 07282-131 Rev H, 07282-111 Rev F and 07282/175 Rev F</p> <p><i>Reason: In the interests of highway safety.</i></p>
<p>6.</p>	<p>No dwelling shall be first occupied unless and until its associated access driveway and/or parking spaces have been constructed to prevent the unregulated discharge of surface water from the driveway and/or parking spaces onto the public highway.</p> <p><i>Reason: In the interests of highway safety to ensure surface water from the site is not deposited on the public highway causing danger to road users.</i></p>
<p>7.</p>	<p>Wheel washing facilities as set out in the email of 4th July 2018 shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no debris is discharged or</p>

	<p>carried onto the public highway. These facilities shall be retained on the site until the substantial completion of construction work.</p> <p><i>Reason: In the interests of highway safety.</i></p>
8.	<p>Protective fencing as shown in the Hamps Valley Limited report received on 21st August 2018 shall be erected around the two areas containing protected trees in accordance with the following detail:</p> <ul style="list-style-type: none"> - Area A4 adjacent to plot 251 (Ash Trees) require an RPA 5.7 radius from the trees. - Area A3 adjacent to plot 194 (Oaks and Hawthorne’s) require an RPA 8m radius from the trees moment. <p><i>Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected.</i></p>
9.	<p>The approved landscaping scheme as shown on plan AAGDR03-SLP Rev P received by the Local Planning Authority on 6th July 2020 shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 10 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) within Schedule 2, Part 1, Classes A, B, or C shall be made to the following dwelling house(s) as shown on drawing number AAGDR01-SLP Revision U: Plots 223, 224 and without the express permission in writing of the Local Planning Authority.</p> <p><i>Reason: To protect the amenity of neighbouring occupiers and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan.</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>Any tree works should be undertaken outside of the bird-breeding season (March-September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds. Birds, their nests</p>

	<p>and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).</p>
<p>3.</p>	<p>Greasley Footpaths Number 54 and 55 runs through the site. The footpath should remain open and unobstructed at all times. If a temporary closure of the footpath is required Nottinghamshire County Council's Countryside Access Team must be contacted at least 5 weeks before to allow for a Temporary Closure Order to be put in place. Nottinghamshire County Council can be contacted on 0300 500 8080.</p>
<p>4.</p>	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. This may result in problems to occur in the future, particularly as a result of the development taking place. 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, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.</p> <p>The applicant should be aware that any intrusive activities and any subsequent treatment require the prior written permission of the Coal Authority. Failure to obtain permission will potentially result in court action. The Coal Authority can be contacted on 0845 762 6848 and further information is provided on https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</p>



Photographs

View towards the top of Filbert Drive towards the open space on Acorn Avenue and public footpath at the back of properties on Robina Drive.



View towards north-east corner of the site.



View of north side of Alton Drive towards rear of properties on Robina Drive.



View from the top of Alton Drive towards the link section of Acorn Avenue



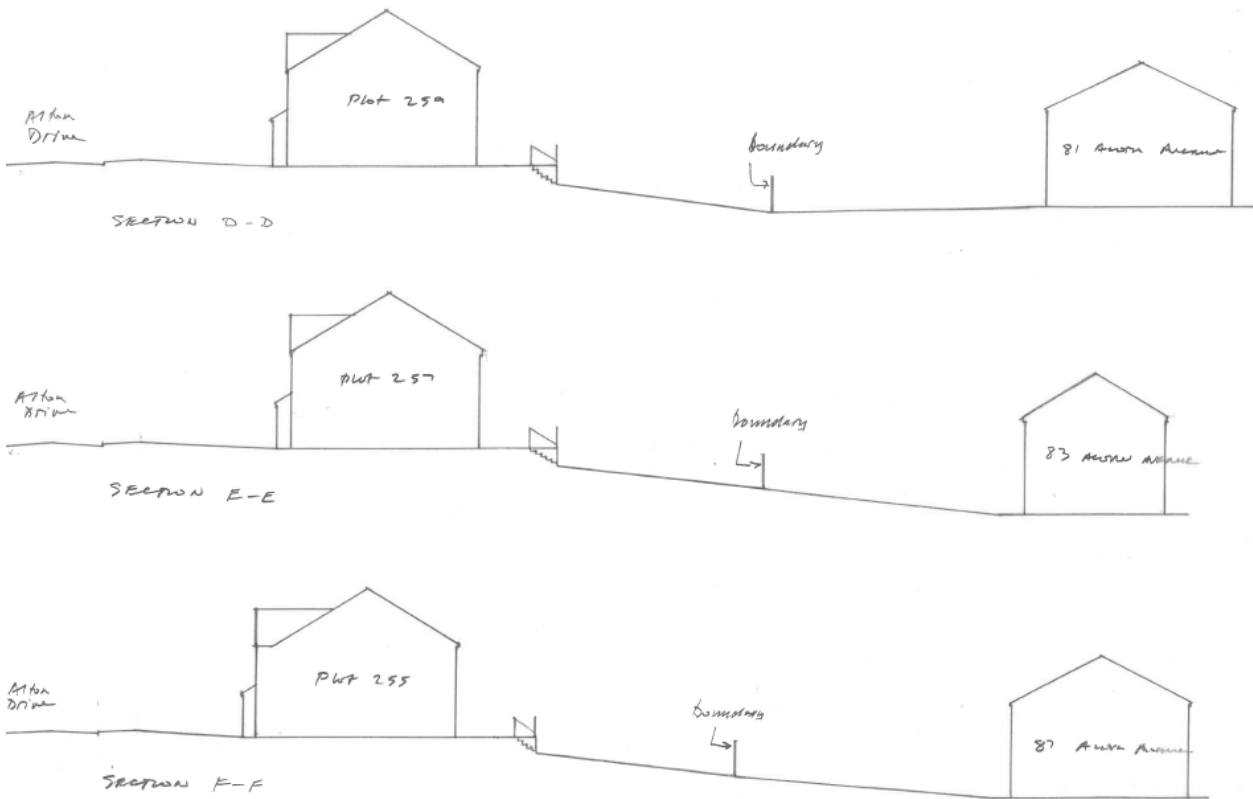
View from top of Alton Drive towards the south-west corner of the site and existing properties on Acorn Avenue



Site sections plot 251 and 253



Site section plot 260



Site sections for plots 255, 257 and 259



House type KE7



House type B6

Report of the Chief Executive

APPLICATION NUMBER:	20/00334/MMA
LOCATION:	51A MILL ROAD NEWTHORPE NOTTINGHAMSHIRE
PROPOSAL:	MINOR MATERIAL AMENDMENT TO REFERENCE 17/00285/FUL TO MAKE MINOR CHANGES TO ELEVATION DETAILS

Councillor J Parker has requested this application be determined by Committee.

1 Executive Summary

- 1.1 The application was first brought before Planning Committee on 22 July 2020 (original report attached as Appendix 1). The Committee moved to defer the application to allow for further negotiations with the applicant/agent to mitigate against the impact upon neighbouring properties.
- 1.2 With regards to the roof light on the rear elevation adjacent the boundary with number 53, the agent advises that this formed part of the original plans which were granted planning permission at appeal under reference number 17/00285/FUL. Furthermore, as advised within the original report the roof light is located at 2.4m above finished floor level limiting any direct views.
- 1.3 Condition 9 of the planning permission 17/00285/FUL required the applicant to agree with the Council the finished floor level of the proposed bungalow. This was done last year as part of the discharge of conditions application submitted in March 2019. This required the applicant to obtain an independent levels survey of the site with a bench mark provided at the site to the agreed “lowest point” of the site as the level for the finished floor in accordance with the condition. No other alterations are proposed to the land levels within the application site.
- 1.4 The proposal seeks an amendment to the previously approved scheme. The principle of development remains acceptable and the impact on residential amenity and the design remain acceptable as before. The changes sought relate to minor detail changes to the previously approved elevation details as per the planning permission granted by the Planning Inspectorate under reference number 17/00285/FUL.
- 1.5 Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would outweigh this. It is recommended that the application be approved subject to the conditions contained within the original report.

<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 hereby permitted shall be commenced before the expiration of three years beginning from the date of the original 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 following plans: Site Location Plan 1: 1250, Proposed Site Plan, 2015/31/SP Rev E and Proposed Plan and Elevations, 2015/31/P3 Rev B received by the Local Planning Authority on 25 May 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development shall be carried out in accordance with the following details: Weberpral M One Coat through-coloured monocouche render in Silver Pearl and Marley Modern smooth grey roof tiles approved 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
4.	<p>The approved landscaping as shown on plan 2015/31/SP/ Rev D approved on 07 May 2019 shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
5.	<p>The dwelling shall not be occupied until space has been laid out within the site in accordance with drawing no. 2015/31/SP Rev E (received 25.05.2020) for cars to be parked and that space shall thereafter be available for the parking of vehicles at all times.</p>

	<i>Reason: In the interests of highway safety.</i>
6.	<p>The driveway, parking and turning areas shall be surfaced using Marshall Drivesetts in accordance with the submitted details approved on the 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety.</i></p>
7.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or enlargements to the dwellinghouse hereby permitted shall be erected.</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
8.	<p>The finished floor levels of the hereby approved dwelling shall be set out in accordance with drawing number 4405ia approved 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.</p>



Photographs

View of access from Mill Road and within site



Boundary with 51A and 53 Mill Road



Boundary with 53 Mill Road



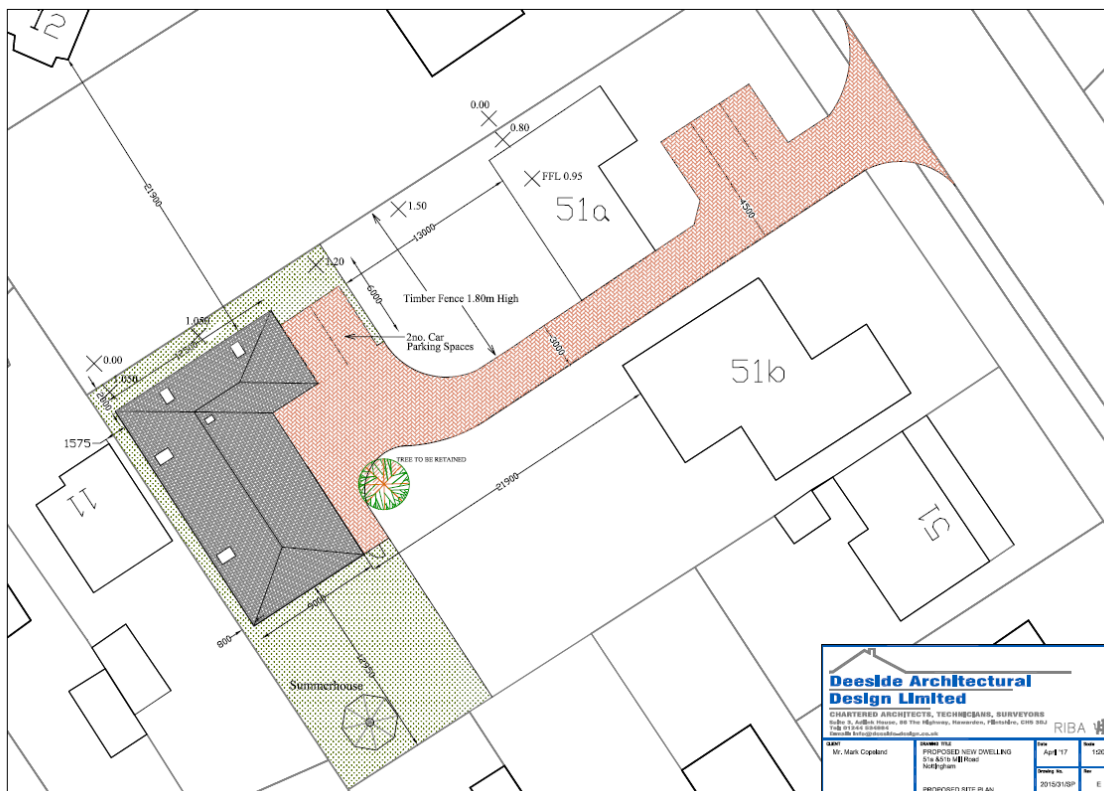
Side elevation and rear of 11 Kirby Close



Proposed garden area.



Plans (not to scale)



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Report of the Chief Executive

APPENDIX 2

APPLICATION NUMBER:	20/00334/MMA
LOCATION:	51A MILL ROAD NEWTHORPE NOTTINGHAMSHIRE
PROPOSAL:	MINOR MATERIAL AMENDMENT TO REFERENCE 17/00285/FUL TO MAKE MINOR CHANGES TO ELEVATION DETAILS

Councillor J Parker has requested this application be determined by Committee.

1 Executive Summary

1.1 This application seeks minor material amendments to elevation details relating to planning permission reference number 17/00285/FUL, which was allowed at appeal by the Planning Inspectorate to construct a detached single storey dwelling on land to the rear of numbers 51A and 51B Mill Road.

1.2 The proposed changes are detailed as follows:

Side elevation (adjacent boundary with number 53 Mill Road)

- Removal of patio doors to bedrooms 1 and 2;
- New small window to bedroom 2;
- Small en-suite window remains;
- 2 roof lights positioned at a high level (above 2.4m).

Front elevation (facing the rear of number 51A Mill Road)

- New window to bedroom 1;
- Removal of entrance porch
- 1 small roof light positioned at a high level (above 2.4m).

Rear elevation (facing side of 11 Kirby Close)

- Utility door and small window;
- Smaller window to bedroom 3;
- 2 roof light positioned at a high level (above 2.4m).

Side elevation (facing into garden serving dwelling)

- Removal of large bi – folding doors serving lounge/kitchen area and smaller bi – folding doors serving a bedroom replaced with a window and a single door and patio doors serving the lounge/kitchen area.
- The overall roof height remains the same with 2.4m high eaves and an overall height to ridge of 4.5m.

1.3 The principle of the development on this site has been established through the granting of planning permission by the Planning Inspectorate 17/00285/FUL. The main considerations in the determination of this Minor Material Amendment application (MMA) are the impact of the changes on the design of the proposed dwelling and the amenity of the immediate neighbouring properties. Given the

minor nature of the changes proposed to the approved elevation details, the Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

Appendix 1

1 Details of the Application

- 1.1 This application seeks minor material amendments to elevation details relating to planning permission reference number 17/00285/FUL, which was allowed at appeal by the Planning Inspectorate to construct a detached single storey dwelling on land to the rear of numbers 51A and 51B Mill Road.
- 1.2 The approved dwelling is a L – shaped single storey three - bedroom property with a hipped roof. The dwelling is to be positioned to the rear of the site adjacent the boundary with number 11 Kirkby Close, wrapping around the boundary with number 53 Mill Road.

2 Site and surroundings

- 2.1 The site has an area of approximately 540 square metres. It forms part of the rear garden of numbers 51a and 51b Mill Road. 51a is a detached bungalow, with an existing extension to the rear of the property and 51b is a detached two storey dwelling. The site itself slopes upwards toward the south-west and is at a higher land level than the bungalows at 51a and 53 Mill Road.
- 2.2 Vehicle access to the site is taken from the existing drive off Mill Road and goes between the two dwellings to the site at the rear.
- 2.3 Mill Road is a residential area, which largely consists of detached and semi-detached, two and single storey dwellings. There are a mix of garden depths and sizes with number 51 having a significantly smaller garden than its neighbour at 51b and number 53 having a similar sized garden to number 51a and 51b.

3 Relevant Planning History

- 3.1 A planning application to construct a dwelling' (ref: 16/00037/FUL) was refused at Planning Committee on 20 April 2016
- 3.2 A revised application (ref: 16/00464/FUL) was also refused contrary to recommendation at Planning Committee on 13 October 2016. An appeal against the application was dismissed on 6 March 2017.
- 3.3 A further application (ref: 17/00649/FUL) was refused permission at Planning Committee on 6 December 2017. An appeal against this application was dismissed on 20 July 2018.
- 3.4 The development subject to this MMA, planning permission 17/00285/FUL was refused on 21st June 2017 by Planning Committee. The applicant appealed this decision and the proposal was allowed by the Planning Inspectorate on 20 July 2018.

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

4.2 Part 2 Local Plan (Draft)

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

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

4.3 National Planning Policy Framework (NPPF) 2019:

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

5 Consultations

5.1 6 neighbouring properties were consulted by the applicant along with the posting of two site notices (Mill Road and Kirby Close), with 3 letters having been received objecting on the grounds of:

- Loss of privacy;
- Overlooking;
- Proposed changes being beyond the scope of a Minor Material Amendment;
- Consider any changes to the approved plans should be passed back to the Planning Inspectorate.

6 Assessment

6.1 The main issues for consideration are the principle of development, design and the impact upon residential amenity. These will be discussed in turn as follows:

6.2 Principle

6.2.1 The principle of residential development on the land has been established through the granting of planning permission by the Planning Inspectorate under reference number 17/00285/FUL. The changes relate purely to elevation details along with a minor alteration to the roof through the removal of the front porch. The overall size, positioning, access, parking etc remains as per previously approved.

6.3 Design

6.3.1 No alterations are proposed to the siting or overall height of the dwelling as previously approved. Although the proposed porch is to be removed from the front elevation the design is still considered acceptable given the isolated location to

the rear of numbers 51A and 51B Mill Road. Furthermore, the proposed changes to the elevation details on all sides of the property in terms of fenestration detailing are considered acceptable. It is not considered the proposed changes will give rise to any significant detrimental impact upon the character of the street scene or visual amenity of the area.

6.4 Amenity

- 6.4.1 Number 53 Mill Road is a bungalow with a very large curtilage, incorporating a substantial wide rear garden. The rear garden is set approximately 1m lower than the application site, which has a retaining stone wall and a 2m high close boarded timber boundary fence above. No. 53 has a garage positioned alongside the boundary with the application site, which projects some 6m beyond the rear elevation of this neighbouring property. The proposed changes to the side elevation facing the garden serving number 53 relate to the removal of patio doors serving bedrooms 1 and 2 and the provision of a small window serving bedroom 2. A small ensuite window remains. Two roof lights are proposed, however these are positioned 2.4m above ground floor level and will not give rise to any direct overlooking issues. Although a bedroom window is proposed serving bedroom 1 adjacent the boundary with number 53, albeit facing the rear of number 51A Mill Road, given the siting of the garage within the garden of number 53 and the existing boundary treatment, it is not considered the proposed changes will give any significant increase in potential overlooking or overbearing issues.
- 6.4.2 Changes proposed to the rear elevation facing number 11 Kirkby Close relate to the removal of a small bedroom window and the provision of a utility door and window. A small window is proposed serving bedroom 3. Two roof lights are proposed, however these are positioned 2.4m above ground floor level and will not give rise to any direct overlooking issues. To the side elevation facing into the garden serving the dwelling the changes proposed include the removal of bi-folding doors to the lounge/kitchen area and patio doors to bedroom 1. The bi-folding doors will be replaced with patio doors and a window to bedroom 1. Due to the siting of the utility door, window and bedroom window opening onto the side boundary with number 11, with the application site being at a slightly lower level and the patio doors and bedroom window facing into the garden of the proposed dwelling with the properties on Walker Street being a adequate facing distance away, it is not considered the changes give rise to any significant detrimental impact upon the residential amenity of the occupants of any of these properties in terms of overlooking or overbearing issues.
- 6.4.3 Proposed changes to the front of the dwelling facing the rear of number 51A Mill Road involve the removal of an entrance porch and the provision of a small window to bedroom 1. Along the boundary with the application site and number 51A there is an existing 2m high close boarded timber fence. It is not considered the changes give rise to any significant detrimental impact upon the residential amenity of number 51A Mill Road in terms of overlooking or overbearing issues.
- 6.4.4 In terms of alterations to the roof of the dwelling this involves the removal of the porch to the front and the provision of roof lights. The eaves height of the dwelling

remain as previously approved at 2.4m, with an overall height to the ridge of 4.5m.

- 6.4.5 The impact upon all other neighbouring properties is considered acceptable given the siting of the dwelling within the plot.

7 Other Issues

- 7.1 As part of the planning permission granted by the Planning Inspector under reference number 17/00285/FUL, various conditions were recommended. Following the granting of planning permission, the applicant has submitted an application to discharge condition 3 (materials), 4 (landscaping), 7 (driveway, parking and turning surfaces) and 9 (finished ground floor levels). These conditions have been partially satisfied and the applicant will need to comply with the agreed details. All other conditions as imposed by the Planning Inspector are recommended in relation to this application.

8 Conclusion

- 8.1 The proposal seeks an amendment to the previously approved scheme. The principle of development remains acceptable and the impact on residential amenity and visual amenity remain acceptable as before. The changes sought relate to minor detail changes to the previously approved elevation details as per the planning permission granted by the Planning Inspectorate under reference number 17/00285/FUL
- 8.2 Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would outweigh this.

<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 from the date of the original 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 Site Location Plan 1: 1250, Proposed Site Plan, 2015/31/SP Rev E and Proposed Plan and Elevations, 2015/31/P3 Rev B received by the Local Planning Authority on 25 May 2020. <i>Reason: For the avoidance of doubt.</i>
3.	The development shall be carried out in accordance with the

	<p>following details: Weberpral M One Coat through-coloured monocouche render in Silver Pearl and Marley Modern smooth grey roof tiles approved 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
4.	<p>The approved landscaping as shown on plan 2015/31/SP/ Rev D approved on 07 May 2019 shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
4.	<p>The dwelling shall not be occupied until space has been laid out within the site in accordance with drawing no. 2015/31/SP Rev E (received 25.05.2020) for cars to be parked and that space shall thereafter be available for the parking of vehicles at all times.</p> <p><i>Reason: In the interests of highway safety.</i></p>
5.	<p>The driveway, parking and turning areas shall be surfaced using Marshall Drivesetts in accordance with the submitted details approved on the 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety.</i></p>
6.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or enlargements to the dwellinghouse hereby permitted shall be erected.</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>
7.	<p>The finished floor levels of the hereby approved dwelling shall be set out in accordance with drawing number 4405ia approved 20 May 2019, unless otherwise agreed in writing by the Local Planning Authority</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).</i></p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.



Photographs

View of access from Mill Road and within site



Boundary with 51A and 53 Mill Road



Boundary with 53 Mill Road



Side elevation and rear of 11 Kirby Close



Proposed garden area.



Report of the Chief Executive

APPLICATION NUMBER:	20/00326/FUL
LOCATION:	Star Inn 22 Middle Street Beeston NG9 1FX
PROPOSAL:	Retain marquee extension and a sheltered bar servery and variation of condition 3 of planning approval 13/00533/FUL to permit amplified music and speech within the marquee and marquee extension

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

1 Executive Summary

- 1.1 The application seeks planning permission for the retention of an extension to the existing marquee and a detached sheltered bar servery, to the rear of the property, and also seeks to vary a restrictive condition in respect of amplified music and speech in the marquee and marquee extension.
- 1.2 The site contains a two storey detached building and coach house, in use as a public house, and which has been extended at the rear in the past. The pub has a large beer garden to the rear. Part of the site falls in Flood Zone 2.
- 1.3 The main issues relate to whether the marquee extension and bar servery are of an acceptable design and whether these would have an unacceptable impact on neighbour amenity, and whether the variation of the restrictive condition would have an unacceptable impact on neighbouring amenity through noise and disturbance.
- 1.4 The benefits of the proposal are that the retention of the marquee extension and bar servery would be regularised, and would enhance outdoor facilities for the benefit of the customer, thereby contributing to the viability of a local business and retain local employment opportunities. The proposal is considered to be in accordance with policies contained in the development plan. This is given significant weight. There is the potential for an increase in noise and disturbance, however this could be controlled by conditions. This is outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

1 Details of the Application

- 1.1 The application seeks to retain an open sided extension to the marquee, located to the rear of the building, and a sheltered bar servery, which has been erected in the rear beer garden area, located to the rear of the kitchen extension and adjacent to the Moore Gate boundary.
- 1.2 The marquee extension consists of a frame with a poly carbonate roof and is attached to the existing covered marquee, and adjacent to the timber built smoking shelter. The bar servery, which had been erected at the time of the Planning Officer site visit, consists of a timber built frame with hipped roof, and infill panels. There are panels above which are openable during hours of use.
- 1.3 The application also seeks a variation to condition 3 imposed on planning approval 13/00533/FUL and this condition relates to the use of amplified music and speech, which is not allowed in the marquee at any time. The condition states:

‘No amplified music equipment or amplified speech equipment shall be used in the marquee at any time.’

The application seeks permission for the use of amplified music and speech to be allowed in both the marquee and the marquee extension.

2 Site and surroundings

- 2.1 The Star Inn is a two storey detached public house located to the south east side of Middle Street, and opposite the public transport interchange and Beeston Square development. The site is just outside of the Town Centre boundary.
- 2.2 The site consists of a two storey building with a two storey former coach house building attached to the north east. The property has been extended to the rear, having a single storey brick built extension to the rear of the main building, a single storey brick built extension to the rear of the coach house building, and a marquee between, linking the main building and extension to the other extension and the coach house, in effect infilling this area. There is a raised decking area to the rear of the marquee and this is covered by way of an extension to the marquee, and has open sides beyond the main marquee. The pub has a large external area to the rear, which consists of a ‘beer garden’ with picnic style benches and tables, and a fenced off area which is used as a children’s play area. There is a forecourt for limited parking to the front of the property.
- 2.3 There are a mix of uses along the Middle Street frontage, which include pubs, commercial uses, apartments and a care home. The area to the south west and south east of the site, to the rear, is generally residential in character.
- 2.4 To the north east of the site, and also fronting Middle Street, is The White Lion, also a detached two storey pub with an external area to the rear. To the rear of

this property is 1 Nether Street, which is to the north east boundary of the application site, adjacent to the beer garden of the Star Inn, and adjacent to this but not adjoining the site, is 106 Station Road, a single storey building in commercial use.

- 2.5 1 Nether Street is a detached two storey cottage which has its side elevation forming the boundary to the site. No windows are in the side elevation. The rear garden of this property is adjacent to the site and there are windows in the rear elevation (north west facing).
- 2.6 Nether Street, at the point where it abuts the rear of the site, is a footpath which links Station Road to Waverley Street and Moore Gate. To the south east of the footpath is 48 Waverley Street, a detached bungalow, the side elevation of which is adjacent to the footpath.
- 2.7 To the south west of the site and running along the side of the site is Moore Gate, a link which is not wide enough for vehicular traffic for its whole length. To the north west end of Moore Gate, where it meets Middle Street, there is a car parking area associated with Newgate House, beyond, which is a three storey residential apartment building. To the south east of this there is a commercial two storey property which is understood to be used as a warehouse or storage facility. This building has windows facing the site and is built up to the edge of Moore Gate.
- 2.8 Beyond the commercial building and to the south east are a pair of semi-detached two storey dwellings (16 and 18 Moore Gate). These dwellings are set back from Moore Gate and have the front elevation facing the site, looking over the children's play area and into the beer garden beyond. The dwellings also have a secondary vehicular access from Hallam Road, to the rear. 20 Moore Gate is to the south of these semis and is a two storey detached cottage with a single storey addition in a L shape form and has windows at ground floor and one window at first floor in the north east facing elevation.
- 2.9 To the south east of 20 Moore Gate and 48 Waverley Street, which are opposite one another, the street is residential with a mix of detached bungalows (north east side of the street) and two and three storey properties mainly to the south east side.
- 2.10 Part of the site (the rear of the building and the external areas) falls within Flood Zone 2.

3 Relevant Planning History

- 3.1 Prior to 2013, there were planning applications for minor works such as advertisements and an access ramp.
- 3.2 In 2013, planning permission was granted for the construction of a single storey rear and side extension, and the erection of a marquee (reference 13/00533/FUL). The rear extension was to the rear of the main body of the building, adjacent to the Moore Gate side (the south west elevation), and to the width of the building, and the side extension was to the rear of the coach house

element, adjacent to the White Lion site (the north east elevation). The marquee was attached to the side extension and positioned between this and the main building. A condition was imposed on this planning permission which required no amplified music or amplified speech equipment to be used in the marquee at any time.

- 3.3 In 2014 planning permission was granted for a change of use of the first floor to create 8 letting bedrooms and alterations to the rear extension and marquee (reference 14/00586/FUL). This application was retrospective and saw the creation of 8 letting rooms on the first floor; changes to the extension along the north east boundary which sees the extension detached from the coach house, and built further off the boundary, and have a covered area to the rear accessed via the marquee; and the marquee design changed to show two sets of doors in lieu of full height glazing, and 0.5m further toward the rear boundary. Again, a restrictive condition in respect of amplified music or speech equipment was imposed, as per the 2013 planning permission.
- 3.4 In 2015, planning permission was granted to retain 'extension, shed, fencing beside Moore Gate, and extraction equipment' (reference 15/00543/FUL). The extension to be retained related to that approved in 2013, albeit with different choice of materials. The shed was a detached structure to the rear of the extension, and the fencing was to the side of this. The extraction equipment was located above the single storey rear extension. A requirement of planning permission was for the extraction equipment to be painted black.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan 2019:**

4.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

- 5.1 **Council's Environmental Health Officer:** Recommend that condition 3 not be removed but can be amended such that amplified music and speech can take place in the internal marquee only, and not the external marquee. Conditions relating to hours and length of sessions in this respect, and to measures to ensure noise levels are monitored, and to limit hours of operation for the outdoor bar servery, are recommended.
- 5.2 **Nottingham Express Transit:** as the works are to the rear of the property and do not appear to interfere with any of the tram infrastructure, the NET team have no comments to make. Works vehicles required to be kept clear of tram tracks at all times. Note – all development works now complete.
- 5.3 Six properties either adjoining or opposite the site were notified of the application by the applicant and site notices were displayed. 22 letters were received, one of support, one making observations and 20 objections.
- 5.4 The grounds of objection are as follows:
- Several noise complaints made by residents as amplified music has been played in the marquee for 12 months now, leading to complaints to Environmental Health and to Planning Enforcement
 - The marquee is unfit to host amplified music, as it is very disruptive and lowers the quality of life for nearby residents
 - Only asking for removal of the condition now as it hasn't been enforced before
 - The external bar has already been built
 - This, along with the development at the top of the road, will add further disruption to the residents
 - Whilst the pub has been there a long time, the development of the outside as a beer garden and use as outside music venue is a complete change of purpose
 - Condition 3 (of planning permission 13/00533/FUL) was specifically imposed in order to protect local residents from noise and should not be lifted
 - Already unable to sleep before 11pm when music is played outside. If this is approved then live music can be played outside every weekday til 11pm and 11.30pm on Fridays and Saturdays, with an outside bar serving until midnight
 - This is not a 'centre of town' location – Waverley Avenue and surrounding roads are home to many elderly residents and families with young children
 - Previous experience of music events demonstrated that loud music and shouting of customers travels unimpeded along most of the length of Waverley Avenue, and excessive noise on a bank holiday extended license made it unpleasant to be outside in gardens, and when inside, windows and doors had to be kept closed to try and limit the impact from bass frequencies
 - Both the premises licence and the planning application should be rejected
 - The traditional old coach house is continually being extended out into the garden area, reducing the amount of green space and obscuring the

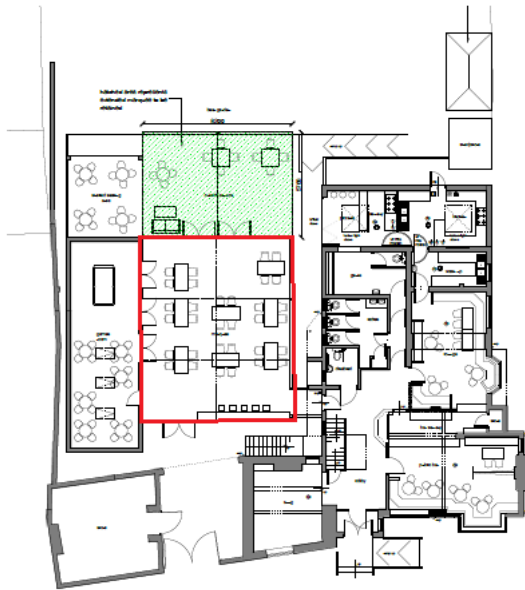
architecture of the building. The tent bolted on to the rear is an eyesore and any extension will make this worse

- The owner constructs whatever they like and then applies retrospectively
- This is one of the few streets of family housing remaining in this area and this noisy business could drive families away, leaving the area to the blight of more HMO's
- Lack of sound insulation (in the marquee) allows for music to emanate almost without restriction
- Currently, as most of the noise is confined to the buildings, noise is not a problem, however with the marquee area and outside bar if granted permission, would result in potential excessive noise
- Already experience anti-social behaviour with people leaving the pub and shouting late into the evening. Also have seen vandalism which may not be directly linked to the pub but the concern is that this will happen more if the pub promotes late-finish events more frequently
- Lack of publicity / consultation on the planning application [it should be noted that this was prior to site notices being posted]
- The proposal to retain the external bar and effectively have an enlarged open air music venue is wholly inappropriate due to the close proximity of residential properties and the impact on health and amenity of residents due to noise from both loud music and shouting from customers over the noise of the music
- Concerned that there will not be a cap on the number of events that take place, or that the sound levels will be monitored by a professional sound engineer
- No problem with the occasional event, or even a small number in succession similar to that held at the Victoria, but the difference is there [at The Victoria] is that the music has to finish by 9pm so that it doesn't intrude on local residents. The outdoor area at the Victoria is covered and surrounded by trees, so the sound doesn't carry as much, whereas the Star's patio and garden space is unobstructed so sound will carry quite far if the doors to the marquee are open
- If the Star is granted late night music, this will set a precedent for the neighbouring pub (The White Lion) who may wish to hold its own late finish outdoor events
- No problem with alcohol being served [outside] but feel that amplified music and speech should be stopped sooner than proposed as the combination of alcohol and music can escalate into more problematic, or serious, behaviours
- Concerned in regard to the need to have four 'portaloos' in the former play area, to support this development
- Understand that the facilities are owned by Heineken – should they be making the application rather than the landlord?
- There should be a condition that requires the external marquee to be cleared by 22.30, the same as the beer garden area, and the external bar servery to cease use by 22.00
- No objection to the use of amplified music in the marquee as long as the sound levels are kept to an average of 5dB above background noise over a 15-minute period. There has been no mention of any sound insulation being added to the marquee and as such are unable to see how noise reduction can be achieved.

- 5.5 One letter of observation was received. Whilst there are no objections to the building or the serving of alcohol outside, do have concerns over live music being played outside every Friday and Saturday evening until 23.30. If it was once a month this wouldn't be too bad, but every weekend is too much. No concerns if music were to be played during the day (as long as it doesn't contain offensive language).
- 5.6 One letter of support has been received. In light of the pandemic, where the hospitality industry has suffered tremendously, considers that the marquee arrangement at the Star enables customers to feel safer, able to access everything, without the need to go inside. In these difficult times it would help the Star to remain a sustainable business and continue to be a valuable social resource for local people.
- 6 Assessment
- 6.1 The main issues for consideration are the design and impact on neighbours in regard to the built structures, and the impact on neighbours in regard to the variation of the restrictive condition relating to amplified music and speech.
- 6.2 **Principle**
- 6.2.1 The principle of built development is acceptable subject to consideration of design and to the impact on neighbours. The principle of the use as a public house is established. Consideration of the impact of the variation of the restrictive condition is set out below, and would need to comply with the requirements of Policy 19 of the Part 2 Local Plan in respect of noise and disturbance.
- 6.3 **Design**
- 6.3.1 The marquee extension is a lightweight structure which is attached to an existing marquee. Given the context, which is the rear of a two storey building used as a public house, and the nature of the use, it is considered that the design and scale of the marquee extension is acceptable.
- 6.3.2 Similarly, the external bar, which is located on the lower beer garden and is of a lower height than the kitchen extension adjacent, and which is located in the context of the commercial building behind on Moore Gate, is also considered to be of a design that is appropriate to the use of the site as a public house.
- 6.4 **Neighbour Amenity**
- 6.4.1 In regard to the physical structures of the marquee extension and the external bar area, due to their siting adjacent to the pub buildings, it is considered that these structures do not have a significant impact on the amenities of the occupiers of nearby residential property in respect of loss of light, outlook, or privacy.
- 6.4.2 Condition 3 of planning permission reference 13/00533/FUL, which requires that no amplified music equipment or amplified speech be allowed in the marquee at any time, was imposed following concerns from the Environmental Health team in

regard to previous noise complaints, and in order to ensure that the amenities of the occupiers of nearby property were safeguarded.

- 6.4.3 Given the proximity of residential properties, with the closest (1 Nether Street) being less than 25m measured from its rear elevation to the closest part of the external marquee, and being located directly to the north east boundary of the site, adjacent to the beer garden, it is considered necessary to ensure that the potential for noise and disturbance is minimised.
- 6.4.4 It is apparent from consultation responses that noise from events at the pub have resulted in disturbance for the residents of nearby property. Many of the comments relate to events which appear to have taken place outside of the marquee. Whilst the application does seek permission for use of amplified music and speech to be allowed in both the marquee and the external area of the marquee, this does not include the beer garden or other external areas, where there is no restrictive planning condition. A premises licence which seeks to increase the licensable area to include the beer garden and the marquee has recently been agreed and the decision issued. Conditions are included on the licence restricting use of the beer garden (external bar to close at 10pm, garden to be clear of customers by 10.30pm and only two live/recorded entertainment events per annum in the garden), requiring a contact telephone number for residents to be displayed in the event of noise disturbance and requiring the licence holder to assess the impact of noisy activities and to take action to reduce noise levels if necessary (use to be made of decibel meter).
- 6.4.5 Measures to minimise noise transmission from the enclosed marquee have been undertaken and these include the installation of solid walls to three sides and additional roof draping.
- 6.4.6 Notwithstanding the above measures, it is considered that it would not be appropriate for amplified music and speech to be allowed in the external marquee, due to its' elevated position and proximity to sensitive noise sources. It is considered that the measures undertaken to reduce noise transmission from inside the enclosed marquee are acceptable and the variation of condition 3 of planning permission reference 13/00533/FUL can therefore be considered in respect of this area only, but not in respect of the external area of the marquee. A modified condition, which will limit the amount of sessions to three a week and for a maximum duration of three hours up to 10pm within the enclosed marquee only, would be imposed in its place.



Red line denotes internal (enclosed) marquee area.

6.4.7 A restrictive condition is also recommended in respect of operating hours of the external bar area, to between 12 noon and 10pm on any day, in order to further minimise noise and disturbance. It is noted that there are no planning conditions as to the hours of use of the external area including the beer garden and as such it would be unreasonable to impose a condition restricting the hours of use of the external areas. This can be controlled by the premises license.

6.5 Flood Risk

6.5.1 The application site is partly within Flood Zone 2. A public house (drinking establishment) is classed as a ‘more vulnerable’ development. The Environment Agency standing advice considers development in this case to be appropriate. As the marquee extension is at a higher ground level and located on an existing raised area, and has no ‘sides’, and the external bar is a structure that is temporary in nature, it is considered that these structures would not significantly increase flood risk to the property or to surrounding properties, and as they do not include or impact upon living accommodation, there would be no significant increase in risk to lives.

6.6 Other Matters

6.6.1 Whilst it is acknowledged that the character of the area, to the south east and south west, is residential, it should also be noted that the pub is located on a busy road with several non-residential uses surrounding and as such the surrounding area is a mix of uses. Whether the use would ‘drive families away’ to be replaced with HMO’s is not a material planning matter, and given the site’s location and the proximity of Waverley Street and adjacent roads to the town centre, it can be expected that the area will be attractive to a mix of households in the vicinity.

6.6.2 The matter of anti-social behaviour is noted, however, this is an existing business and the proposed development, including the change to the condition relating to

the use of the marquee, would not, in itself, give rise to a significant increase in anti-social behaviour.

- 6.6.3 Lack of publicity of the application – the comment was received prior to the posting of four site notices which were erected in the immediate vicinity. The applicant also notified all adjoining properties about the planning application.
- 6.6.4 In regard to ‘setting a precedent’, should the White Lion, adjacent to the site, submit a planning application, this would be considered on its own merits and on the circumstances at the time of any submission.
- 6.6.5 There are currently some portable toilets located in the beer garden area. It is understood that these are temporary and have been installed so as to provide additional facilities, for the safety of staff and customers, during the current pandemic.
- 6.6.6 The ownership certificate has been signed by the applicant and the Local Planning Authority are satisfied that this is correct.

7 Planning Balance

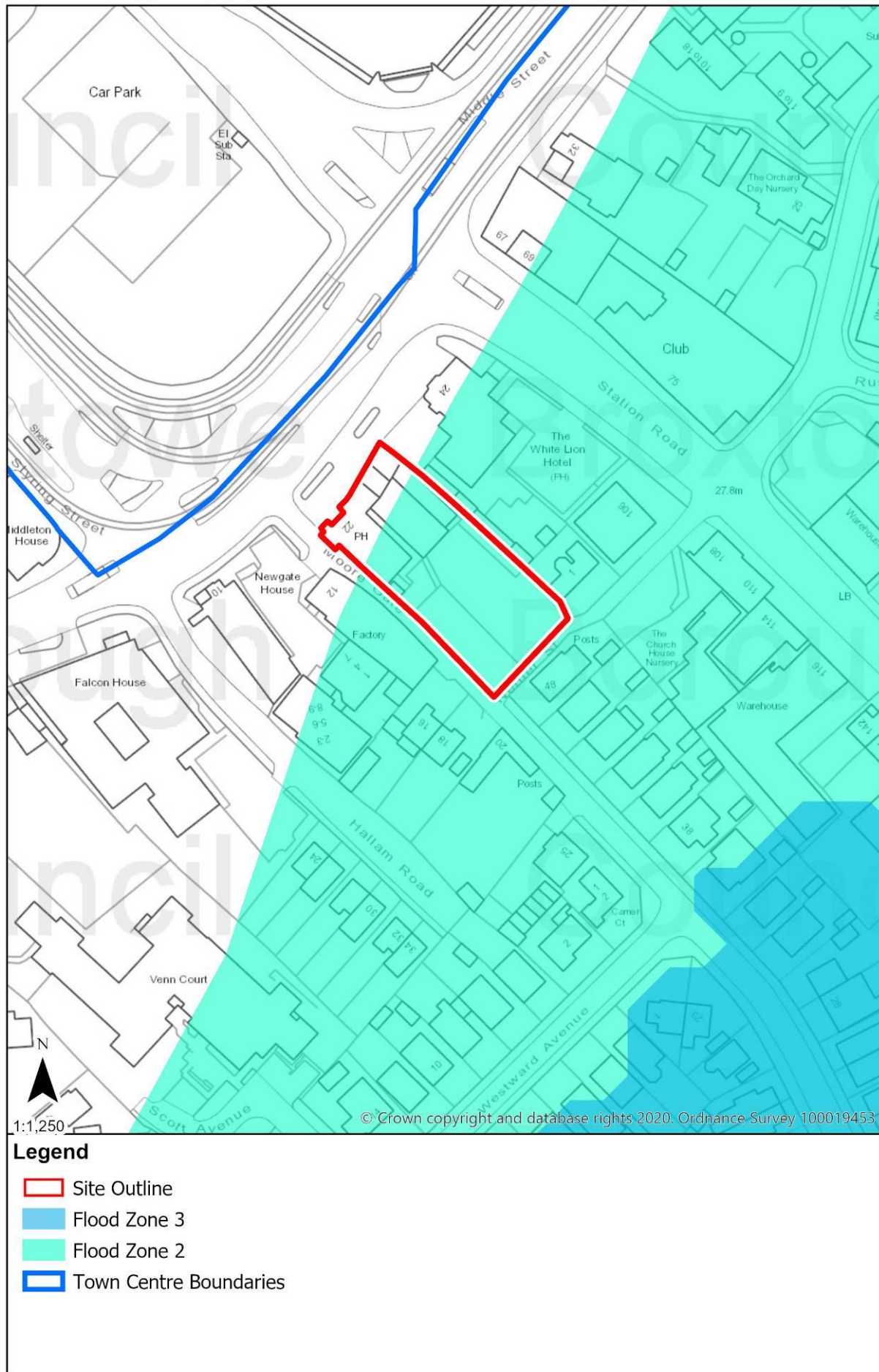
- 7.1 The benefits of the proposal are the enhanced facilities for users of the public house and potential increase in viability for a local business and retention of employees.
- 7.2 The negative impacts are the potential for an increase in noise and disturbance for the occupiers of nearby residential property.
- 7.3 On balance the enhancements to the existing facility, which is a social resource in the area, would outweigh the concerns raised in regard to noise and disturbance subject to the imposition of appropriate conditions in respect of hours and times of operation.

8 Conclusion

- 8.1 It is recommended that conditional planning permission be granted. The development accords with Policies 1 and 10 of the Aligned Core Strategy (2014), and Policies 1, 17 and 19 of the Broxtowe Part 2 Local Plan (2019).

<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 retained/carried out in accordance with the Site Location Plan, received by the Local Planning Authority on 27.05.20, proposed layouts JG/DM/13/038/10 received by the Local Planning Authority on 17.06.20, proposed elevations JG/DM/13/038/30 rev B received by

	<p>the Local Planning Authority on 23.06.20 and proposed block plan JG/DM/13/038/40 rev D received by the Local Planning Authority on 26.08.20.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
2.	<p>Any performance of live and recorded entertainment involving amplified music and/or speech or regulated entertainment shall only be permitted in the internal marquee area and shall be limited to a maximum of 3 sessions per calendar week. Such sessions shall only take place between 12.00 noon – 22.00 hours daily and each session shall be limited to a maximum duration of 3 hours, inclusive of any breaks, per session.</p> <p><i>Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
3.	<p>The external bar servery shall not be open for the serving of customers outside of the hours of 12.00 noon to 22.00 hours daily.</p> <p><i>Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The granting of planning permission and associated conditions does not pre-empt any formal action under Statutory Nuisance or Nuisance legislation being taken against the applicant by the Council.</p>
3.	<p>All doors and windows shall be maintained in good order and kept closed during events in order to minimise noise breakout.</p>



Photographs



Photo inside the enclosed marquee



View of the external marquee from the beer garden



View of the beer garden from the external marquee area. The rear and side elevation of 1 Nether Street can be seen to the left of the photo



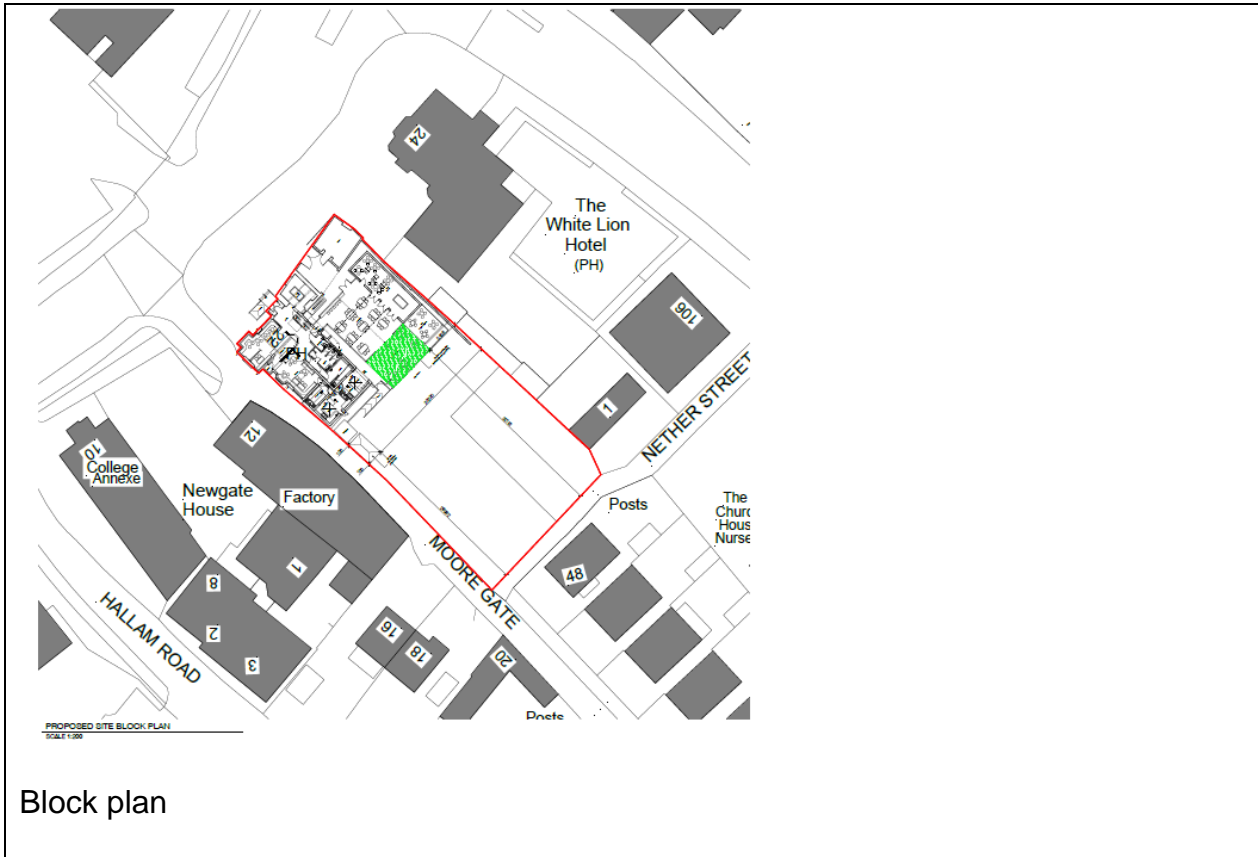
View of the external bar, to the left, the kitchen extension, centre, and the external marquee

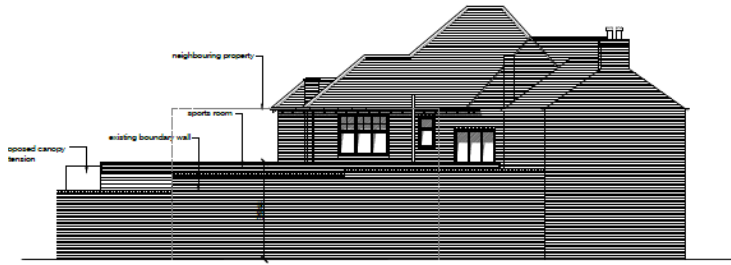


External bar with warehouse to Moore Gate in the background 16 and 18 Moore Gate



Plans (not to scale)





AS BUILT EAST ELEVATION
SCALE 1:100

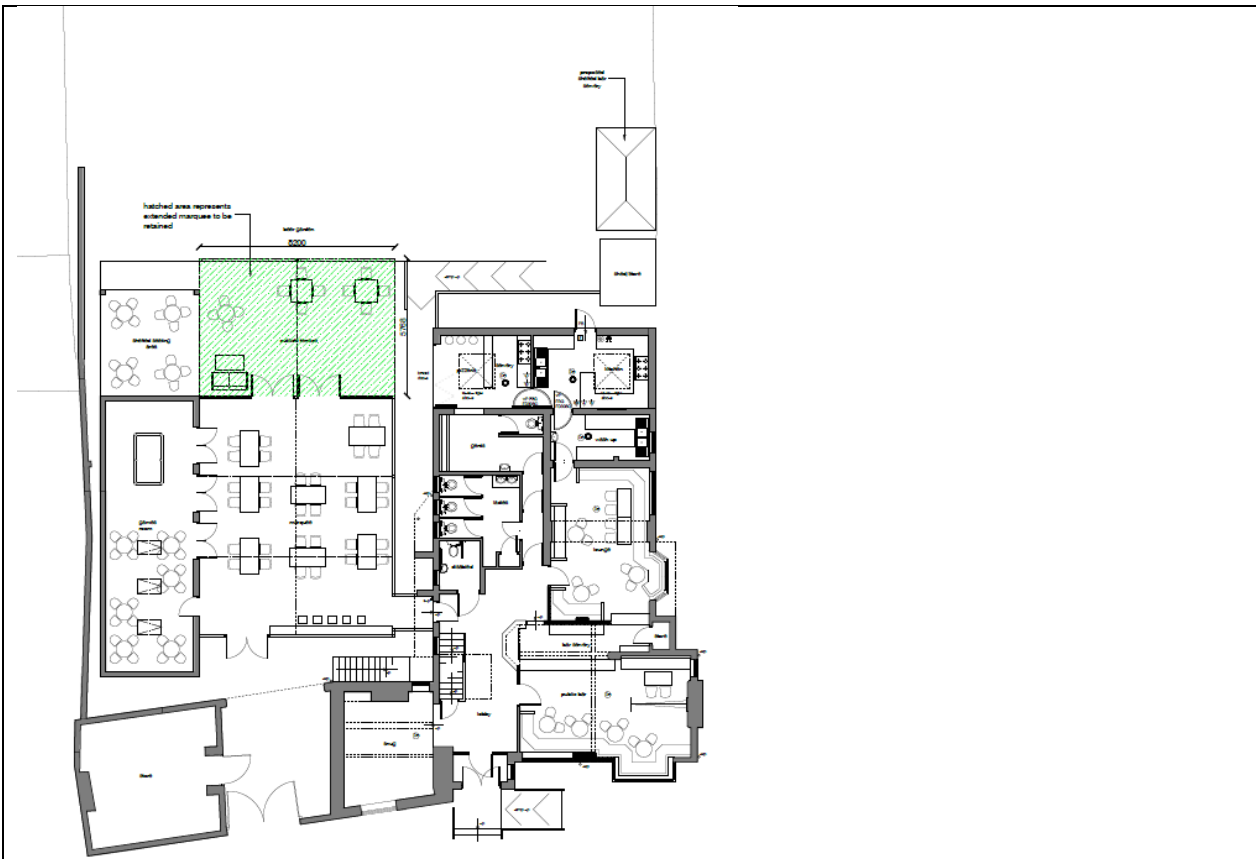


AS BUILT SOUTH ELEVATION
SCALE 1:100

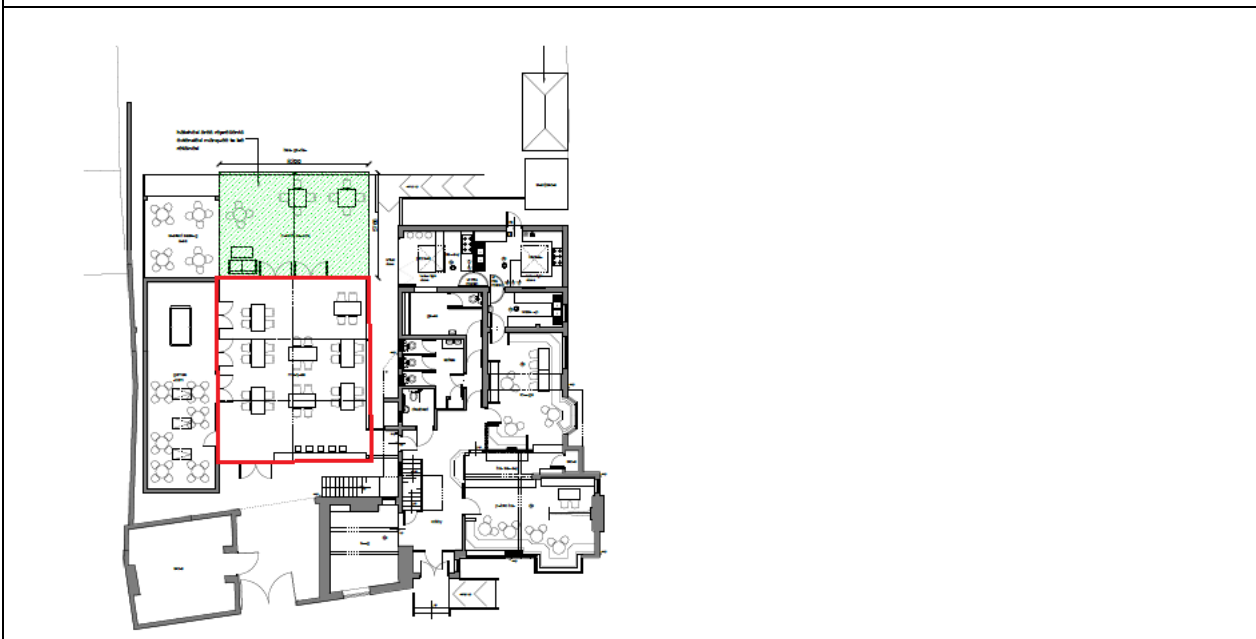


AS BUILT WEST ELEVATION
SCALE 1:100

As built elevations – main building



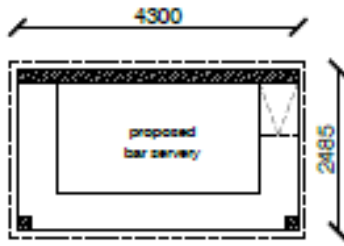
As built floor plan



Red line denotes extent of the internal (enclosed) marquee area

AS BUILT SHELTERED BAR SERVERY FLOOR PLAN

SCALE 1:50



AS BUILT SHELTERED BAR SERVERY ELEVATIONS

SCALE 1:100



Outdoor bar servery

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Report of the Chief Executive

APPLICATION NUMBER:	20/00283/OUT
LOCATION:	LAND TO THE REAR OF 13 RUTLAND AVENUE, TOTON, NOTTINGHAMSHIRE, NG9 6EP
PROPOSAL:	OUTLINE APPLICATION TO CONSTRUCT 2 DORMER BUNGALOWS, FOLLOWING DEMOLITION OF GARAGES (WITH SOME MATTERS RESERVED)

Councillor Fletcher has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 The application seeks outline planning permission to construct two dormer bungalows on the land to the rear of 13 Rutland Avenue. Details of access, and layout have been submitted as part of this application, with landscaping, scale and appearance reserved for future consideration (reserved matters). The existing garages on site will be demolished.
- 1.2 The main issues relate to whether the principle two dormer bungalows would be acceptable, if the development is acceptable in relation to access, layout and flood risk and whether there will be an unacceptable impact on neighbour amenity.
- 1.3 The benefits of the proposal would mean two additional homes within a sustainable, urban location which would be in accordance with policies contained within the development plan which is given significant weight. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

1 Details of the Application

1.1 The application seeks permission to construct two dormer bungalows. Details of access, and layout have been submitted as part of this application, with landscaping, scale and appearance reserved for future consideration (reserved matters). The existing garages on site will be demolished.

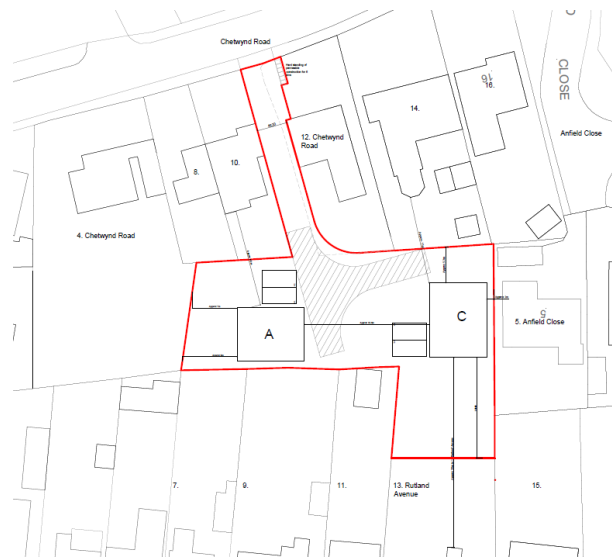
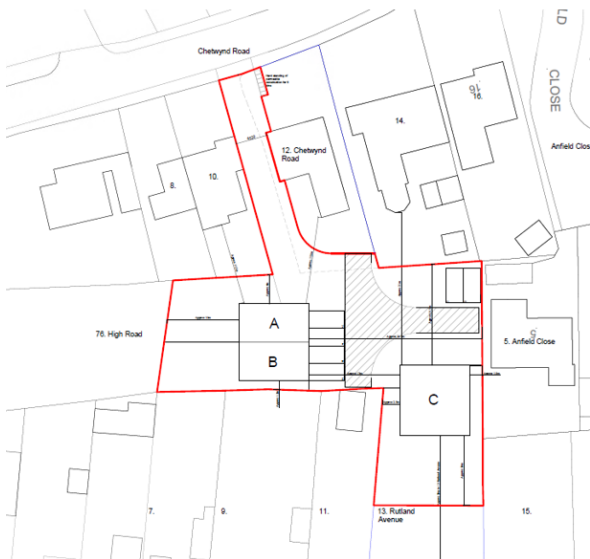
1.2 The access to the new dormer bungalows will be taken from Chetwynd Road and will be widened. A bin store with space for six bins will be positioned next to the entrance. Plot C will be approximately 1m from the boundary with no. 5 Anfield Close, approximately 5.3m from the boundary with no. 14 Chetwynd Road and approximately 28m from no. 13 Rutland Avenue. Plot A will be 14.3m from no. 10 Chetwynd Road. Each dormer bungalows will have two parking spaces.

1.3 During the course of the application, the plans were amended with the following changes:

- Reposition Plot C further to the north to align with no. 5 Anfield Close
- Removal of Plot B
- Turning head amended to new positioning of Plot A and B
- Plot A moved further to the south and increased in size
- Parking repositioned.

Original block plan as submitted:

Amended block plan:



2 Site and surroundings

2.1 The site contains eight garages in two rows of five and three. The garages are brick built with sloping/flat roofs. An outbuilding is positioned next to the row of three garages and two next to the boundary with no. 5 Anfield Road. The site forms part of the land belonging to 13 Rutland Avenue and access to the site is from Chetwynd Road. The site is a mixture of grass, vegetation, trees and

hardstanding. It is enclosed by hedges and fencing. The site is located in Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding.

2.2 The site lies within a predominantly residential area. There are a mixture of houses and bungalows that adjoin the site from Rutland Avenue and Chetwynd Road. Nos. 12 and 14 Chetwynd Road are bungalows with single storey rear extensions and nos. 8 and 10 Chetwynd Road are a pair of semi-detached houses. These dormer bungalows are positioned to the north of the site. No. 5 Anfield Close is a bungalow positioned to the east of the site. No. 13 Rutland Avenue is a bungalow positioned to the south of the site. No. 9 Rutland Avenue is a bungalow and nos. 7 and 11 are houses and they are all positioned to the south of the site.

3 Relevant Planning History

3.1 No site history.

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 1: Climate Change
- Policy 8: Housing Size, Mix and Choice
- 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 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity

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

- Section 4 – Decision-making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places

5 Consultations

5.1 **Council's Environmental Health Officer:** raises no objection subject to a condition requiring a contamination survey to be carried out. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. An advisory is recommended in respect of working hours, bonfires and asbestos.

- 5.2 **Council's Waste and Recycling Officer:** raises no objection and advises the requirements for bins.
- 5.3 **Nottinghamshire County Council as Highways Authority:** raise no objection subject to conditions in relation to the bin store, private driveway, dropped kerb, driveway/parking/turning areas, appropriate drainage and hard surfacing.
- 5.4 **Environment Agency:** the site is falls within Flood Zone 2 and therefore standing advice applies.
- 5.5 17 neighbouring properties were consulted and four site notices and amended site notices were displayed. 20 objections were received and can be summarised as follows:
- A pair of semi-detached houses will be overpowering and a bungalow would have less impact
 - Loss of privacy and negative impact on character of area from three storey houses and increase in ground level
 - Loss of enjoyment of garden
 - A three storey building so close to boundary would be undesirable
 - Loss of light
 - 45 degree rule should be considered
 - Bungalow extends for full length of fence
 - Unsympathetic to character of area and concerns with visibility of three storey houses from street scene
 - High density is out of character with surrounding area
 - High buildings would be an eye sore considering the site is largely enclosed by bungalows
 - All surface water run-off should be contained within the site
 - Concerns with drainage and flooding
 - Loss of trees and vegetation which contribute to wildlife and habitats
 - No provision for impacts on local wildlife
 - Buildings elevated due to requirements from flood risk assessment
 - Two bungalows would be more appropriate for the site and more in keeping with the surrounding area
 - Was assured that only two bungalows would be built by previous land owners
 - Bin store is an insufficient size and inadequate to protect amenity of surrounding neighbours. Could cause unnecessary smell and deleterious impact on Chetwynd Road.
 - Bin store next to residential garden is inappropriate
 - Bin store will impact on public health
 - Devalue property from bin store
 - Asbestos in garage roofs should be considered due to neighbours with health conditions
 - Scaffolding will tower over building
 - Increase in noise due to turning head
 - Loss of income due to loss of light to solar panels
 - Applicants responsible for informing neighbours of application should be expected to include more detail

- Noise and disturbance from construction works
- No mention of additional safety measures for safe movement of children along Chetwynd Road in relation to construction vehicles, skips and noise/dust
- Plans incorrectly show part of no. 4 Chetwynd Road's garden belonging to no. 76 High Road
- Bungalows on Chetwynd Road do not have rooms in the roof
- No consultation with developers before the initiation of the consultation period
- 10m length gardens are not big enough
- Concerns with security
- Increase in parking on Chetwynd Road which restricts passage of vehicles
- Construction vehicles and visitors parking has not been taken into consideration
- Two dwellings would better accommodate off-road parking
- Difficult access for emergency vehicles which could be compromised by nuisance parking blocking the entrance to the site
- Increase in traffic which has already increased from new shops and existing school
- Vehicle lights shining into property at night when accessing site.

6 Assessment

6.1 The main issues relate to whether the principle of two dormer bungalows would be acceptable, the impact on the surrounding area, parking and access, layout, and whether there will be an unacceptable impact on neighbour amenity. Landscape, scale and appearance are reserved matters and will be subject to a reserved matters application.

6.2 **Principle**

6.2.1 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a significant need to boost housing supply which sites such as this can help deliver. The provision of two bungalows is considered to be a benefit in terms of contributing to the provision of homes in the borough.

6.2.2 Whilst it is acknowledged there will be some impact on amenity and parking, it is considered this is outweighed by the provision of two additional dwellings. Whilst landscape, scale and appearance are reserved matters, it is considered the indicative plans demonstrates that two dwellings can be accommodated on site with adequate parking.

6.2.3 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional two dwellings within an existing settlement in a sustainable location, within a reasonable proximity to sustainable transport links (Toton Lane park and ride). The principle of the development is therefore considered to be acceptable.

6.3 **Flood Risk**

6.3.1 Policy 1 of the Part 2 Local Plan (2019) states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a

lower-risk area outside the Green Belt. A Sequential Test has also been submitted with the application which concludes that there are no similar, alternative sites available within a reasonable proximity located in zones with a lower probability of flooding.

- 6.3.2 The site is relatively flat and is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application. The Environment Agency were consulted on this application and did not provide comments due to the site being located within Flood Zone 2 and being subject to standing advice.
- 6.3.3 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. The FRA has addressed the probability of flooding, climate change, emergency access and egress, proposed floor levels, flood resilient construction and surface water drainage.
- 6.3.4 In regards to safe access and egress, the FRA states that this would be along the shared access onto Chetwynd Road and northwards to follow the rising ground levels along the B6003, Stapleford Lane. All households should sign up to the Environment Agency flood warning service.
- 6.3.5 The FRA acknowledges that surface water would accumulate in external areas during extreme rainfall events before finally draining into the surface water drainage systems. However, it goes on to state that the site is generally flat or gently sloping and would not tend to generate significant sheet runoff.
- 6.3.6 The FRA states that the Environment Agency guidance is for floor levels to be 300mm above the 100-year + climate change flood level. Therefore, for this site, the floor levels would be 29.63m to meet that requirement. This floor level, approximately 400mm above the existing site levels would also provide a margin of protection over the modelled 1000-year flood level. The floor levels will be conditioned.
- 6.3.7 The FRA has specified flood resilient construction methods that could be incorporated into the design of the dwellings. Some of these, although not limited to, are as follows: solid ground floors, cavity wall insulation with rigid insulation boards, damp-proof membrane up to 600mm above the floor level, internal walls to be brick or block construction and all services to be raised above potential flood levels.
- 6.3.8 To conclude, it is considered that flood risk matters have been addressed accordingly.

6.4 **Amenity and Layout**

- 6.4.1 It is evident from the responses received that there is a significant amount of concerns in relation to the number of dwellings and the potential size and scale. A number of the concerns raised detailed that the initial plans of a pair of semi-detached houses and a dormer bungalow represented an overdevelopment of the site which would have a significant impact on amenity. Some of the objections

acknowledged that it was accepted that the site is likely to be developed but that two bungalows would be more appropriate.

- 6.4.2 As shown in paragraph 1.3 of the 'Details of Application,' the plans have been amended to reduce the number of dwellings from three to two. The pair of semi-detached houses originally stated they would be two storeys with a room in the roof. The proposal now relates solely to two dormer bungalows. Apart from the changes already listed in paragraph 1.3, the main other change is the repositioning of Plot C to align with no. 5 Anfield Close.
- 6.4.3 It is considered that the block plan demonstrates that the proposal of two dormer bungalows can be accommodated on site. Whilst the scale, appearance and window placements would be subject to scrutiny under a reserved matters application, it is considered that the layout of the two dormer bungalows demonstrates that an acceptable level of amenity for future occupants can be provided with private rear gardens whilst still maintaining a sufficient distance from neighbouring properties.
- 6.4.4 Plot A will be a minimum of 25m from nos. 7 and 9 Rutland Avenue. Both nos. 7 and 9 benefit from sizeable rear gardens that it is considered a neighbourly relationship with this plot can be achieved. Furthermore, it is considered this is separation distance between two dwellings has been commonly accepted in the borough. No. 13 Rutland Avenue will be 28m from Plot C which is also considered a sizeable separation distance that a neighbourly relationship can be maintained. It is considered that Plot A and C will have an acceptable impact on the amenity of all other properties adjoining the site from Rutland Avenue.
- 6.4.5 Plot C will be approximately 2.4m from no. 5 Anfield Close and will extend approximately 1.6m beyond the rear elevation. It is considered this relationship is acceptable given that the new dwelling will be a dormer bungalow and no. 5 Anfield Close is also a bungalow. Plot C will be approximately 13m from no. 14 Chetwynd which is a bungalow. However, this is to the closest point and the property has been extended. To the main rear elevation of the bungalow the separation distance is approximately 21m. the main rear garden space for Plot C will be to the south of the site, therefore, it is considered this relationship is acceptable.
- 6.4.6 No. 12 Chetwynd Road is a bungalow and is positioned next to the site access. The access has been widened to 4.5m for part of the access (approximately 9m). The bin store is positioned within this widened access and there have been a number of concerns about its placement. Details in relation to the bin store would be submitted during the reserved matters application. In relation to the principle of the bin store being positioned close to the road, it is considered that a suitable design to enclose the bins to reduce their visibility would be acceptable that this wouldn't appear as a prominent feature in the street scene. Concerns have been raised in relation to the bin store potentially causing odours to nearby residents. However, it is considered that as this is to the front of gardens that are not usually used as amenity space and subject to the design enclosing the bins, this would not amount to a reason for refusal. The bin store is positioned close to the road to enable bin operatives to access these on collection day. Furthermore, the Waste and Recycling Officer has not raised any objections to the size of the bin

store or its positioning. There is also the possibility that bins may not be stored in here at all times subject to new occupants wanting to gain access to their bins in between collection times. Subject to the design of the bin store, it is considered the principle of this location is acceptable.

6.4.7 Plot A has been repositioned further away from no. 10 Chetwynd Road's rear boundary that the separation distance is 14.3m between the two dwellings. No. 10 is a semi-detached house and therefore it is unlikely there will be a significant level of overlooking to this property from Plot A. Whilst it is acknowledged that no. 10 has a small garden, the side elevation of Plot A will face north towards this garden and as this will be a dormer bungalow, it is considered a neighbourly relationship can be maintained.

6.4.8 It is considered that Plot A is a sufficient distance from all other properties on Chetwynd Road and Anfield Close that there will not be a significant impact on the amenity of these neighbouring occupants.

6.4.9 It is considered the layout of the plots are an acceptable size, shape and positioning and will not appear out of character with the area.

6.3.10 A number of concerns in relation to amenity have been raised within the representations received which will be addressed. Although scale will be assessed within a reserved matters stage, it is considered that a neighbourly relationship can be achieved that there would not be a significant loss of light to surrounding neighbours. Although the 45-degree rule can be a useful tool in assessing the impact on the loss of light from one property to another, this is not in Broxtowe's adopted policy and assessments for impact on neighbours will be made on a case by case basis. Whilst it is acknowledged there will be some increase in noise and disturbance from two additional dwellings with a turning head, it is considered this would not be significant enough to warrant a refusal.

6.4.11 To conclude, whilst appearance and scale form part of the reserved matters stage, it is considered the block plan demonstrates that a neighbourly relationship can be maintained with surrounding properties. It is considered the proposal of dormer bungalows are acceptable and along with the footprint and positioning in the plot, will respond to the character of the area.

6.5 Access and Parking

6.5.1 It is evident within the consultation responses that there is concern that the development does not include sufficient parking provision and that this will lead to increased demand for on-street parking which would be detrimental to the area. However, it is considered the amount of parking proposed (two spaces) per dormer bungalows is acceptable. The Highways Authority have not objected to the application subject to including conditions in relation to the bin store, private driveway, dropped kerb, driveway/parking/turning areas, appropriate drainage and hard surfacing. Due to a lack of objection from the Highways Authority and the sustainable location, it is considered the proposed plans have demonstrated that sufficient parking can be accommodated on site.

- 6.5.2 Whilst it is acknowledged that nos. 10 and 12 Chetwynd Road adjoin the site entrance, it is considered the traffic generated from two dormer bungalows in relation to that of eight garages would not be dissimilar. Concerns have been raised in relation to headlights shining into the windows of houses when entering the site. However, it is considered this would be comparable to the next door neighbours' car pulling onto a driveway that it wouldn't warrant refusal. Furthermore, this access serves eight garages.
- 6.5.3 Any illegal parking should be reported to the police. Although there may be construction vehicles parked close to the site and on the street for a period of time, this is to be expected and it is considered it would not warrant a refusal.
- 6.5.4 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development.
- 6.5.5 The site lies within an existing urban location within a reasonable proximity to Toton Lane park and ride. Whilst it is acknowledged there could be some increase in on-street parking as a result of this development, it is considered this would not pose a highway safety risk. Two car parking spaces have been provided per dormer bungalow and the Highways Authority have not raised any objection in relation to the development. Therefore, it is considered that the parking arrangement is acceptable for this site and would not warrant a refusal.
- 6.6 Other issues**
- 6.6.1 A number of concerns have been raised by residents which will be addressed within this section.
- 6.6.2 Although the trees on site may support wildlife, this is a private garden outside of the conservation area and there are no TPO's (Tree Preservation Orders) attached to them that they could be removed at any time. However, landscaping is a reserved matter and this can be addressed at a later stage. There is no requirement for this application to provide details on the impact of local wildlife.
- 6.6.3 Although the bungalows will be required to be raised above the ground level due to being situated in Flood Zone 2, it is considered that this can be designed appropriately to reflect an acceptable level of design and still maintain an acceptable level of amenity with surrounding neighbours. However, this will be addressed within a reserved matters application.
- 6.6.4 Devaluation of a property and loss of income is not a planning consideration.
- 6.6.5 A precommencement condition will be included in respect of submitting a contamination survey before works begin. An advisory in respect of asbestos, working hours and prohibiting bonfires will be included.

- 6.6.6 Due to the change in publicising applications in line with Covid-19, applicants are required to inform neighbours of the application. It is considered the publicising of this application has been done sufficiently. Four site notices have been displayed at the initial point of consultation and with amended plans as well as emailing neighbours who have commented. It is considered this is sufficient in notifying neighbours of the application. There is no requirement for developers to notify neighbours of the application before the consultation period.
- 6.6.7 A degree of noise and disturbance is expected from the construction process.
- 6.6.8 There is no requirement to provide additional safety measures for the management of construction vehicles, skips and noise/dust.
- 6.6.9 The block plan has been amended to correctly show no. 4 Chetwynd Road's garden.
- 6.6.10 It is considered two additional dwellings on this site would not pose a significant security risk.
- 6.6.11 Promises of development by previous land owners are not a planning consideration.

7 Planning Balance

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

8 Conclusion

- 8.1 To conclude, whilst it is acknowledged that landscaping, scale and appearance are reserved matters, it is considered that the layout and access arrangements for two dormer bungalows would be acceptable on this site without having an adverse effect on the amenity of the surrounding neighbours.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. <i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>

<p>2.</p>	<p>The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<p>3.</p>	<p>The outline permission relates to drawings:</p> <ul style="list-style-type: none"> • Site Location Plan (1:1250) received by the Local Planning Authority on 29 April 2020 and • Block Plan Rev F (2194/03) (1:1250) received by the Local Planning Authority on 25 August 2020. <p><i>Reason: For the avoidance of doubt.</i></p>
<p>4.</p>	<p>Before any development is commenced, detailed drawings and particulars showing the following (the ‘Reserved Matters’) shall be submitted to and approved by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) the scale and external appearance of the dwellings; b) the landscaping treatment of the site. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing in the interests of ensuring the details of the development are acceptable to the Local Planning Authority.</i></p>
<p>5.</p>	<p>a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <ul style="list-style-type: none"> (i) All necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and

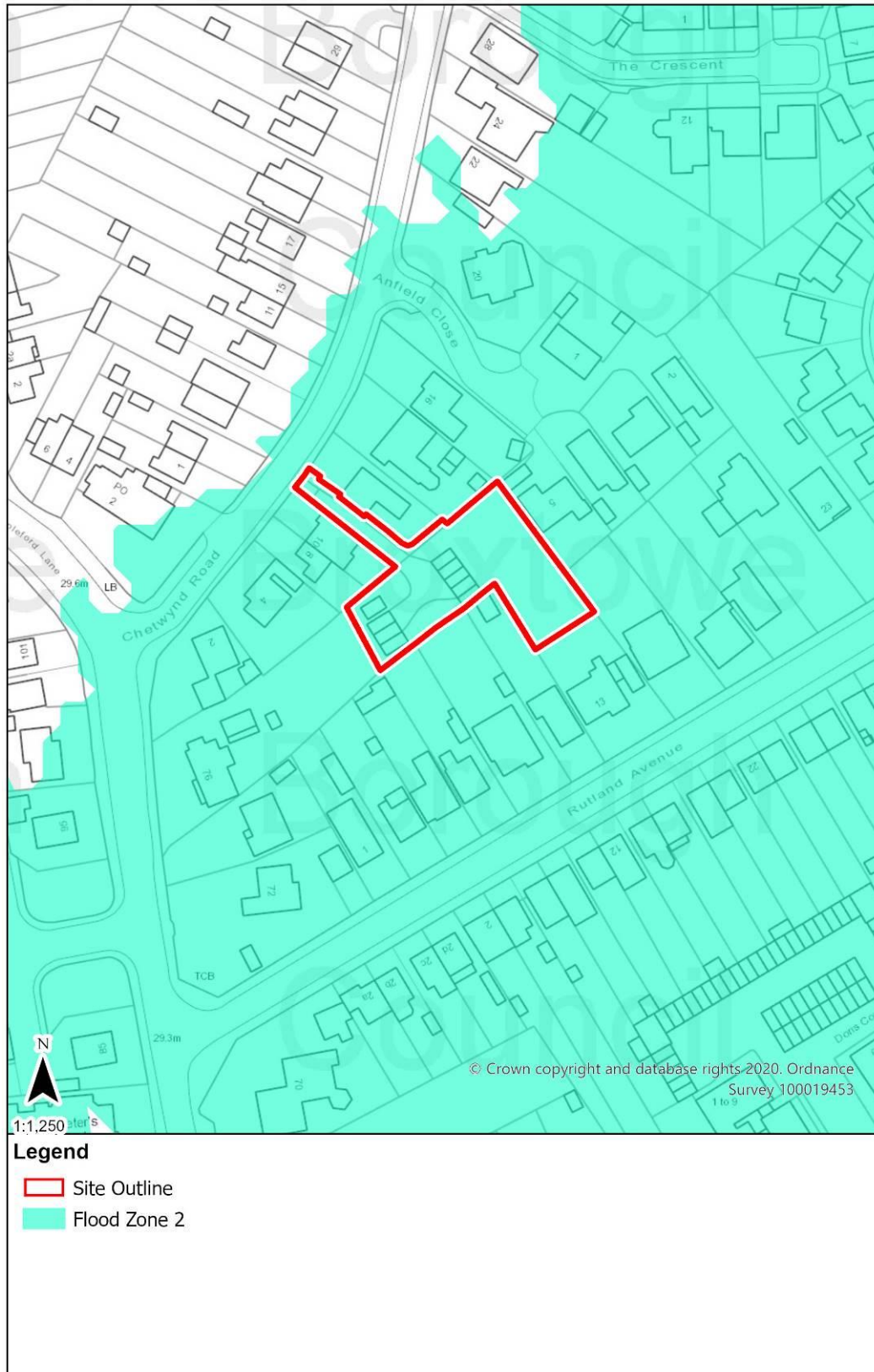
	<p>that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: No such details were specified with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy.</i></p>
<p>6.</p>	<p>Prior to the first occupation of the dwellings hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment Rev A prepared by TDI dated 12 August 2020. The finished floor levels shall be set no lower than 29.63m AOD. This mitigation measure shall be maintained and retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>The dwellings hereby approved shall not be first occupied until:</p> <ul style="list-style-type: none"> • the private shared driveway is constructed in accordance with the Block Plan 2194/03 Rev F; • the dropped vehicular footway crossing on Chetwynd Road has been widened and available for use; • the access drive is surfaced in a hard, bound material (not loose aggregate) for a minimum of 5.5m behind the highway boundary and designed to prevent the unregulated discharge of surface water onto the public highway and • the bin store as shown on Block Plan 2194/03 Rev F is constructed and made available for use. <p>The dropped vehicular footway crossing and bin store shall then be maintained in such form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policies 10 and 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>The detailed drawings and particulars required under condition 4(b) shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments (including the bin store); c. proposed hard surfacing treatment; d. planting, seeding/turfing of other soft landscape areas; and e. a timetable for implementation of the scheme.

	<p>The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
7.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by seeking positive amendments and working to determine it within the agreed determination timescale.</p>
2.	<p>The submitted plans relate to access and layout only and does not approve landscaping, scale or appearance.</p>
3.	<p>No waste shall be burnt on site at any time.</p>
4.	<p>The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.</p>
5.	<p>The development makes it necessary to construct a dropped kerb crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities</p>

<p>6.</p>	<p>In order to comply with the Control of Asbestos Regulations 2012, an assessment is required to determine whether the building has asbestos containing materials (ACMs). This must be carried out before any structural work on the building occurs. For properties or parts of properties needing upgrading, refurbishment or demolition, then a 'Refurbishment/ Demolition Survey' is required. Copies of reports relating to asbestos identification and management should be sent to the Environmental Health team.</p>
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Map

**The map does not show the correct rear garden boundary for no. 4 Chetwynd Road (please see block plan below)*



Photographs



Entrance to site (no. 12 Chetwynd Road to the left and no. 10 Chetwynd Road to the right)



No. 10 to the left and no. 12 to the right (facing north)



Proposed position of Plot A (facing west)



Proposed position of Plot C, side elevation of no. 5 Anfield Close

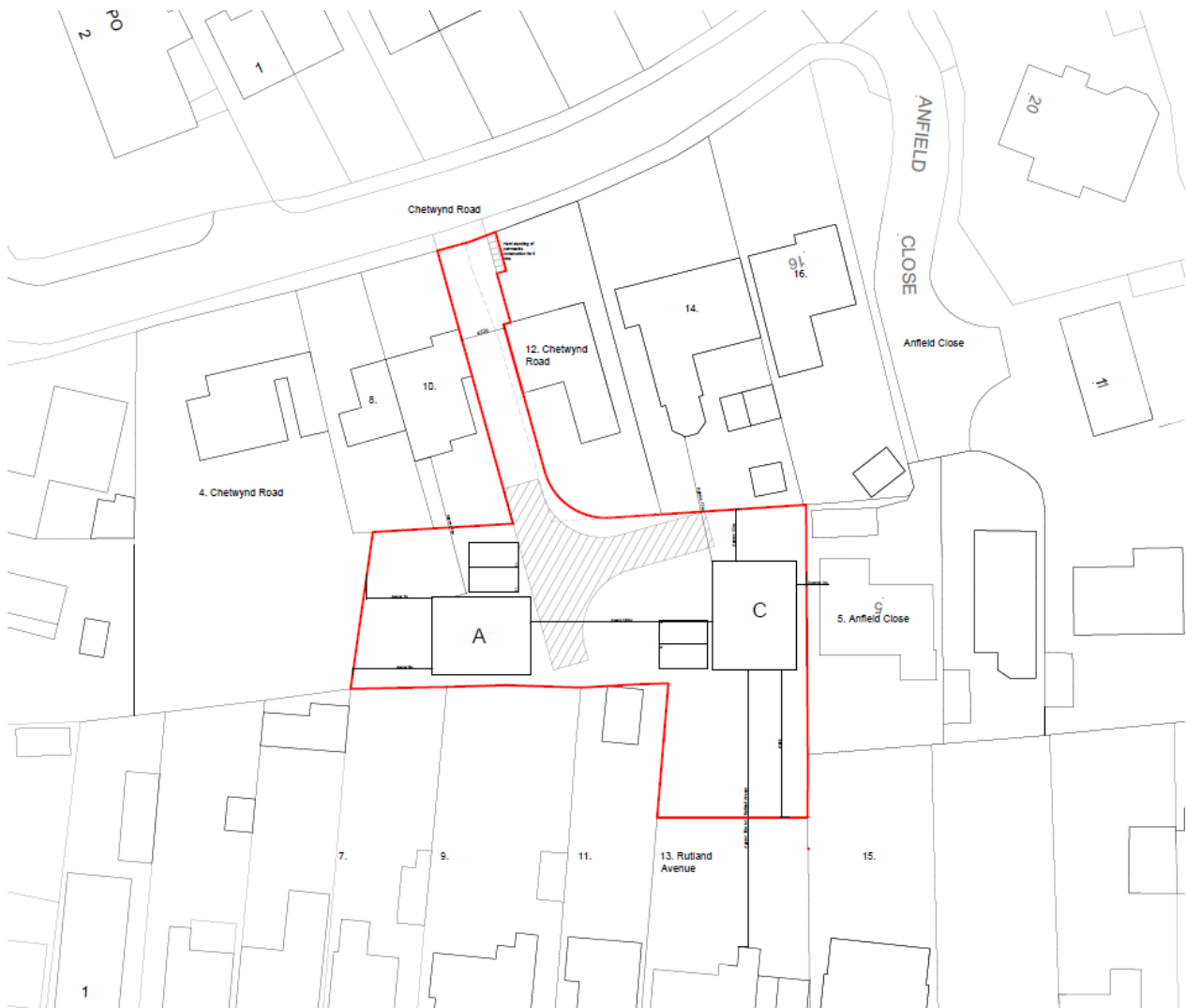


View of no. 13 Rutland Avenue facing south



View of garages facing west

Plan (not to scale)



Block Plan

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Report of the Chief Executive

APPLICATION NUMBER:	20/00180/FUL
LOCATION:	43 PIMLICO AVENUE, BRAMCOTE, NOTTINGHAMSHIRE, NG9 3JJ
PROPOSAL:	CONSTRUCT SINGLE/TWO STOREY SIDE/REAR AND FIRST FLOOR FRONT/SIDE EXTENSIONS, PARTIAL CONVERSION OF GARAGE TO LIVING ACOMMODATION, PITCHED ROOF OVER FRONT FLAT ROOF AND ERECT FENCE

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

1 Executive Summary

- 1.1 This application seeks permission to construct a single/two storey side/rear and first floor front/side extensions, the partial conversion of the garage to living accommodation, a pitched roof over the front flat roof and the erection of a fence.
- 1.2 At ground floor level, the extensions will serve a kitchen/living/dining area, garage, utility room, toilet, bathroom, cloak room, sitting room, dining room, living area and bathroom. At first floor level there will be six bedrooms (one with an en-suite) and two bathrooms.
- 1.3 During the course of the application, amendments were incorporated into the design which included the relocation of first floor window from the west (rear) elevation to the south (side) elevation in the north extension. A false window is now proposed in the original position of this window. A dormer window was included in the front elevation of the north extension. A lean-to roof was added to the front elevation of the extension to the south and the style of the porch roof was changed. Amendments were made to the fenestration.
- 1.4 The main issues relate to whether the principle of the extensions and alterations are acceptable, if there is an acceptable level of design and the impact on neighbour amenity.
- 1.5 The benefits of the proposal are that it would provide additional space to a family home which reflects an acceptable level of design and would not appear out of character with the surrounding area that would be in accordance with policies contained within the development plan which is given significant weight. There is some impact on neighbour amenity but this matter is considered to be outweighed by the benefits of the scheme.
- 1.6 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

Appendix 1

1 Details of the Application

- 1.1 This application seeks permission to construct a single/two storey side/rear and first floor front/side extensions, the partial conversion of the garage to living accommodation, a pitched roof over the front flat roof and the erection of a fence. The proposed two storey side/rear extension (to the north) will have a maximum height to eaves of 4.8m and maximum height to ridge of 6m. It will be set down from the main ridge by 1.2m and have a pitched roof. It will be set back 3.7m from the front elevation, project 4.5m to the north (side) and project 3m beyond the east (rear) elevation of the main house. It will be a total length of 6.5m. Windows and doors are proposed across the elevations. A false first window is proposed in the west (rear) elevation and a dormer in the front elevation.
- 1.2 The proposed first floor front/side extensions will project to the south (side) and front of the property and will have a mixture of pitched and lean-to roofs. They will have a maximum height to eaves and ridge that matches the main house. The smaller lean-to roof to the rear will have a height to eaves of 2.2m and height to ridge of 4.8m. There will be a mixture of windows, doors, roof lights and garage doors across the elevations. A lean-to roof will extend across the front elevation above the double garage doors. The extensions will not extend beyond the rear elevation of the main house and will have a maximum width of 5.8m and maximum length of 11.3m.
- 1.3 A porch roof is proposed which will have a height to eaves of 2.2m, a height to ridge of 3.5m and a supporting brick pillar.
- 1.4 At ground floor level, the extensions will serve a kitchen/living/dining area, garage, utility room, toilet, bathroom, cloak room, sitting room, dining room, living area and bathroom. At first floor level there will be six bedrooms (one with an ensuite) and two bathrooms. Bedrooms 4, 5 and 6 will have a vaulted ceiling.
- 1.5 During the course of the application, amendments were incorporated into the design which included the relocation of a first floor window from the west (rear) elevation to the south (side) elevation in the north extension. A false window is now proposed in the original position of this window. A dormer window was included in the front elevation of the north extension. A lean-to roof was added to the front elevation of the extension to the south and the style of the porch roof was changed. Amendments were made to the fenestration.

2 Site and surroundings

- 2.1 The application site comprises a detached house with gable roof with an attached flat roof double garage and flat canopy porch roof. The house is positioned in the corner of a cul-de-sac which adjoins the curtilage of seven other properties.
- 2.2 The driveway slopes down gradually from the main house and the rear garden slopes up gradually from the rear of the main house. The patio steps down from part of the rear garden.

2.3 The rear boundary consists of a hedge which is approximately 3.4m in height. A hedge approximately 2m in height extends across the boundary with no. 30. A 1.8 high fence and trees/vegetation extend across the boundary with no. 41.

2.4 No. 30 is a detached house positioned to the north and no. 41 is a bungalow positioned to the south. The properties adjoining the rear boundary of the application site are detached/semi-detached houses.

3 Relevant Planning History

3.1 An application for 23 detached bungalows and 71 detached houses (76/00546/FUL) was granted permission in November 1976.

3.2 An application for 25 houses and 62 bungalows (79/00384/FUL) was granted permission in June 1979.

3.3 An application to construct a ground floor extension and replace flat roof with pitched roof to garage (04/00526/FUL) was granted permission in July 2004 (not implemented).

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 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, Design and Amenity

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

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 12 – Achieving Well-designed Places

5 Consultations

5.1 **Environmental Health:** no objection subject to a pre-commencement condition requesting the submission of gas prevention measures due to the site being located within 250 metres of a historic landfill site.

5.2 10 neighbouring properties were consulted on the application and 11 representations were received, 6 objections and 5 observations which are summarised as follows:

- Imposing
- Loss of privacy and overlooking (especially from first floor window)
- Loss of light
- Sense of enclosure
- Extensions more imposing with loss of hedge
- Loss of openness and spaciousness
- Overpowering
- Potential 'right to light' issue
- Not in keeping with bungalows and four bedroom detached properties
- Footprint will overwhelm the property
- Pimlico Avenue was design to be open plan and these extensions will not be in keeping with this
- Increase in cars and loss of driveway from extension
- Concerns with on-street parking from construction vehicles
- Negative impact on environment and birds from loss of hedge
- Drainage is not shown on the plans
- Flooding in garden from drain blockages
- Concerns over removal of conifer hedge
- Devalue house
- Loss of view to Bramcote Ridge
- Were assured 42 years ago a bungalow would be built but a house was built instead
- Potential annexe arrangement from internal layout which could lead to an alternative future arrangement.

6 Assessment

6.1 The main issues relate to whether the principle of the extensions is acceptable, if there is an acceptable level of design and the impact on neighbour amenity.

6.2 Principle

6.2.1 Pimlico Avenue is a cul-de-sac formed of detached houses and bungalows. The properties to the west of the application site on Latimer Drive are detached and semi-detached houses. A number of properties have had permission for extensions on Pimlico Avenue, including no. 41 for a side and front extension and to raise the roof to provide first floor accommodation (19/00708/FUL) but this has not yet been built.

6.2.2 Whilst it is acknowledged the extensions are relatively large, the detached properties along Pimlico Avenue are sizeable with generous sized plots. Furthermore, it is considered the extensions will still be in proportion to the main house and will not significantly increase the footprint of the building as shown below (dark lines represent extensions).



6.2.3 It is considered the principle of a 2.5m high fence to replace the existing conifer hedge is acceptable given that it will retain a level of privacy for the properties that adjoin the rear of the application site.

6.2.4 To conclude, it is considered the extensions are in proportion to the main plot, the extension to the north is significantly set back from the main elevation and down from the main ridge, the first floor extensions to the front will not increase the footprint of the property and the two/single storey extension to the south will be partially obscured from the street scene. Whilst there will be some impact on neighbour amenity and the street scene, it is considered the plans have been designed and amended accordingly to overcome these concerns. The matters of design and neighbour amenity will be addressed below.

6.3 Amenity

6.3.1 The properties that are mostly impacted by the extensions and alterations are nos. 30 and 41 Pimlico Avenue and nos. 31 and 33 Latimer Drive.

6.3.2 During the course of the application, amendments were incorporated into the design which included the relocation of first floor window from west (rear) elevation to the south (side) elevation in the north extension. A false window is now proposed in the original position of this window. A dormer window was included in the front elevation of the north extension. A lean-to roof was added to the front elevation of the extension to the south and the style of the porch roof was changed. Amendments were made to the fenestration.

6.3.3 No. 30 is located to the north with the rear elevation angled slightly away from the application site. The extension will be approximately 3.5m at its closest point from the south west (side) elevation of no. 30 and as it extends to the rear, this separation distance will increase to approximately 7.8m. The ridge height of the extension is set down from the main house by 1.2m. No. 30 has a sizeable garden which extends to the north of the house. (see block plan in section 6.6.2). It is acknowledged there are windows in the south west (side) elevation of no. 30 that will experience some loss of light. However, it is considered the separation distance, set down ridge and the extension extending away from this neighbouring property will mean that a neighbourly relationship can still be maintained and that the loss of light to these windows would not amount to a refusal. A window is proposed in the north (side) elevation of the extension serving a stairwell. This will be conditioned to be obscurely glazed to ensure the level of overlooking to no. 30 is reduced. To conclude, it is considered there will not a detrimental impact on the amenity of this neighbouring property. Due to the separation distance with the extensions to the south of the property, it is considered there will be minimal impact on the amenity of this neighbour.



South (side) elevation of no. 30

South (side) elevation of no. 30 and rear elevation of application property to the right

6.3.4 No. 41 is a bungalow positioned to the south of the application property which has had approval for a side and front extension and to raise the roof to provide first floor accommodation (19/00708/FUL); however, this has not yet been constructed. A first floor window has been relocated from the west (rear) elevation to the south (side) elevation in the north extension. A false window is now proposed in the original position of this window. The first floor side window in the south elevation of the north extension will be 13.5m from the boundary with no. 41 and whilst it is acknowledged it will cause some level of overlooking, it is considered this is acceptable given the separation distance. In addition to this, the window is considered to have the least impact on an adjoining neighbour in this location due to the number of properties that adjoin the application site. The main bulk of the southern extensions will be to partly the side and front of no. 41. The single storey element to the rear will not extend beyond the rear elevation of the application property. The en-suite window in the southern elevation will be conditioned to be obscurely glazed. To conclude, it is considered the northern extension is a sufficient distance from no. 41 that it will not have a detrimental impact on this neighbour. The southern extensions will have some impact on the amenity of these occupants but as the bulk is mainly to the front and part of the side, it is considered a neighbourly relationship can still be maintained.



Rear elevation of application property elevations to the left, view facing south towards no. 41 of no. 41

North (side) and west (side)

6.3.5 Nos. 31 and 33 Latimer Drive are positioned to the west of the application property, both with east facing gardens. The northern extension will be a minimum of 14m from these two properties. The first floor window in the west elevation of the extension has been replaced with a false window and therefore there will be no windows directly overlooking these gardens. Whilst it is acknowledged the removal of the conifers will increase the visibility of the extension, it is considered the proposal of a 2.5m high fence will sufficiently mitigate this. It is considered there will not be a significant loss of light, overbearing impact or loss of amenity to these properties due to the separation distance and the set down ridge. To conclude, it is considered a neighbourly relationship will be maintained between these properties. Due to the separation distance with the extensions to the south of the property, it is considered there will be minimal impact on the amenity of these neighbours.



Application property roof
(taken from Latimer Drive garden)



Application property roof to the right
(taken from Latimer Drive garden)

- 6.3.6 It is considered the proposed extensions are a sufficient distance from all other properties that they will have minimal impact on their amenity.
- 6.3.7 It is considered the partial conversion of the garage to living accommodation is an acceptable change to the property that will have minimal impact on the amenity of surrounding neighbours.
- 6.3.8 The removal of the conifer trees to the rear of the site does not require consent and can be undertaken at any time. The proposal is to replace the conifer trees which are 3.4m in height with a 2.5m high fence. It is considered the fence will be a sufficient height to maintain privacy for adjoining properties but is not too tall that it will appear overbearing. Whilst it is acknowledged the extensions will be more visible following the removal of the conifer hedge, it is considered a 2.5m high fence is sufficient to mitigate some of this impact. To conclude, it is considered the fence is an acceptable height.
- 6.3.9 To conclude, it is acknowledged there will be some impact on the amenity of surrounding neighbours given the number of neighbours that adjoin the site. However, it is considered the extensions and alterations have been designed to mitigate the impact by setting down the ridge height of the north extension, lean-to roofs to the south to reduce the bulk of the extension by the boundary and building over the existing footprint to the front of the property. It is considered a neighbourly relationship can be maintained.

6.4 Design

- 6.4.1 The design of the extensions and alterations are considered to be appropriate and in keeping with the main house in terms of style and proportions.
- 6.4.2 The first floor front extension will have a hipped roof which is considered to be acceptable and reduce the massing of the extension. The lean-to roof above the garage doors breaks up the expanse of the front elevation and ties in with the porch roof which is considered to be a positive design feature. In addition to this, the windows and garage doors reflect an element of symmetry. The southern extensions to the rear will have lean-to roofs which are considered to be of an acceptable design. The southern extensions to the front do not increase the footprint of the property and to the rear they do not extend beyond the rear

elevation of the main house and therefore are considered to be in proportion to the main house. As the southern extensions extend to the rear they will be partially obscured from the public realm. To conclude, it is considered the southern extensions reflect an acceptable level of design.

- 6.4.3 The extension to the north will be set back from the front elevation and set down from the ridge and therefore will reflect a subservient appearance. The dormer to the front breaks up the shallow roof and is considered to be a positive design feature. Due to the positioning of the property in the corner of the cul-de-sac, the extension will not be highly visible in the street scene. It is considered the extension reflects an acceptable level of design and is in proportion to the size of the house and plot.
- 6.4.4 It is considered the fence reflects an acceptable level of design and the height will be comparable to the conifer hedge that it will not appear out of keeping with the surrounding area.
- 6.4.5 The application form states matching concrete tiles and bricks will be used to construct the extensions. As this isn't specified on the plans, this will be conditioned to ensure the extensions match the main house.
- 6.4.6 To conclude, it is considered the extensions reflect an acceptable level of design and whilst it is acknowledged they will increase the house from four to six bedrooms, it is considered they have been designed appropriately to mitigate their impact within the street scene. Furthermore, it is considered that the site will still maintain an element of openness and spaciousness that it will not appear out of keeping with the other properties on Pimlico Avenue.

6.5 Other issues

- 6.5.1 A number of concerns were raised in the representations received which will be addressed below.
- 6.5.2 Any noise and disturbance that is considered to be excessive should be reported to the Council's Environmental Health department.
- 6.5.3 The matter of 'right to light' is a legal matter and not a material planning consideration.
- 6.5.4 Whilst it is acknowledged there will be a loss of two car parking spaces from the partial conversion of the garage and increase in bedrooms, there will still be space on the driveway for three cars which is considered sufficient. Furthermore, this is a cul-de-sac with relatively low traffic that on-street parking could be supported and would unlikely pose a highway safety risk.
- 6.5.5 It is likely there may be some temporary on-street parking from construction vehicles.
- 6.5.6 The removal of the conifer hedge does not require consent and can be undertaken at any time. The environmental impact of the loss of this hedge would not warrant a refusal.

- 6.5.7 There is no requirement to show means of drainage on the plans. Any concerns in relation to flooding and drainage should be addressed with Building Regulations and Severn Trent Water Limited.
- 6.5.8 Devaluation of house price and a loss of view are not material planning considerations.
- 6.5.9 The extensions have internal access to the main house. Should there be an intention to subdivide the house at a later date, this would be subject to a planning application and would be assessed accordingly.
- 6.5.10 Only the matters proposed within this application can be dealt with and not concerns in regards house types when the estate was built a number of years ago.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide additional space to a family home which reflects an acceptable level of design and would not appear out of character with the surrounding area that would be in accordance with policies contained within the development plan which is given significant weight. There is some impact on neighbour amenity but this matter is considered to be outweighed by the benefits of the scheme.

8 Conclusion

- 8.1 To conclude, it is considered the extensions and alterations reflect an acceptable level of design that are in keeping with the main house. It is considered the extensions and alterations do not have an unacceptable impact on neighbour amenity and sufficient parking is still available to the front of the property.

<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 drawings:

	<p>Received by the Local Planning Authority on 11 June 2020:</p> <ul style="list-style-type: none"> • Proposed fence <p>Received by the Local Planning Authority on 16 June 2020:</p> <ul style="list-style-type: none"> • Proposed site plan (1:1250) <p>Received by the Local Planning Authority on 20 August 2020:</p> <ul style="list-style-type: none"> • Proposed first floor plan • Proposed elevations • Proposed ground floor plan • Proposed roof plan <p>Reason: For the avoidance of doubt.</p>
<p>3.</p>	<p>No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <ul style="list-style-type: none"> i) appropriate gas prevention measures have been completed in accordance with details approved in writing by the local planning authority; and ii) it has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full. <p><i>Reason: No such details were specified with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy.</i></p>
<p>4.</p>	<p>The first floor window in the north (side) elevation serving the stairwell and the first floor window in the south elevation serving the en-suite, in the proposed extensions hereby permitted shall be obscurely glazed to Pilkington level 4 or 5 and 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 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<p>The extensions and porch roof hereby approved shall be constructed using bricks and tiles to match the main house.</p>

	<i>Reason: To ensure a satisfactory standard of appearance is achieved and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
3.	No waste should be burnt on site at any time.

Map



Photos



West (rear) elevation



East (front) elevation



South (side) elevation of no. 30 and west (rear) elevation of main house to right



Rear/side boundary with no. 41

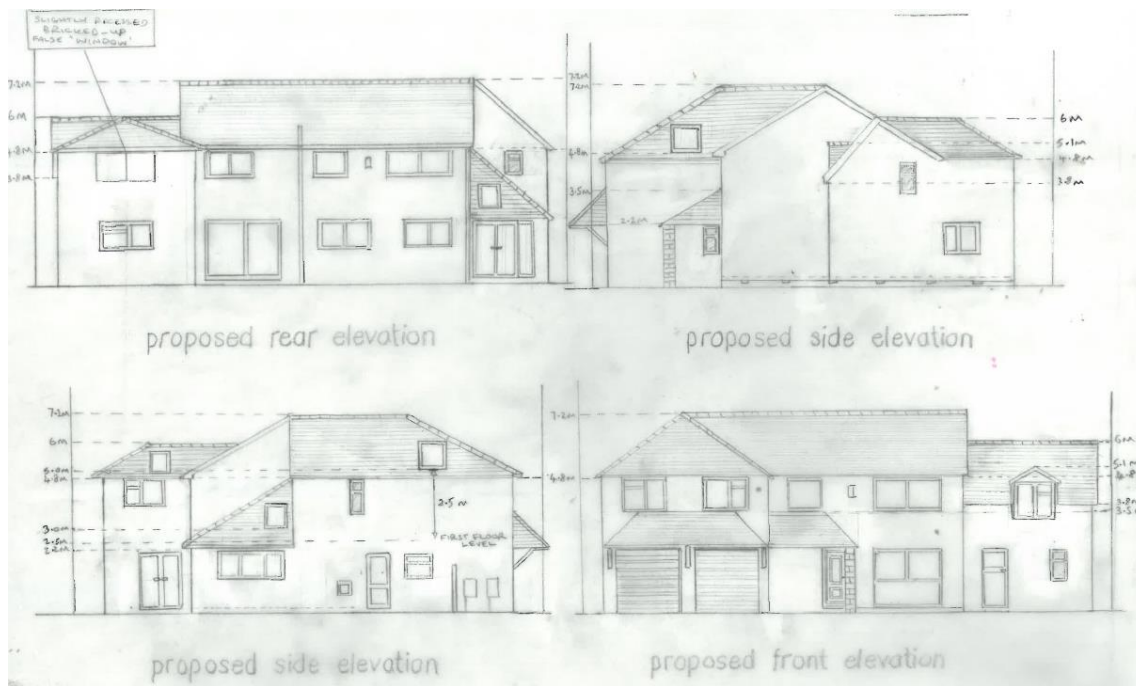


Rear conifer hedge

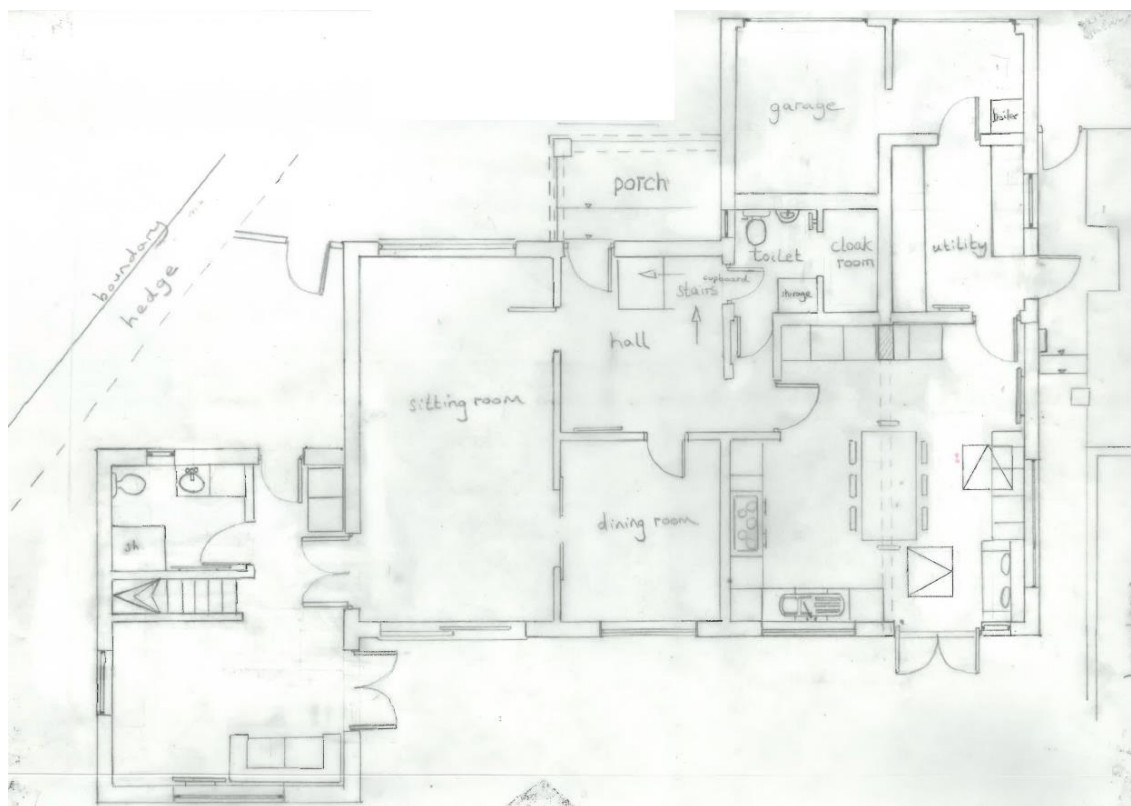


View of application house facing east (taken from Latimer Drive garden)

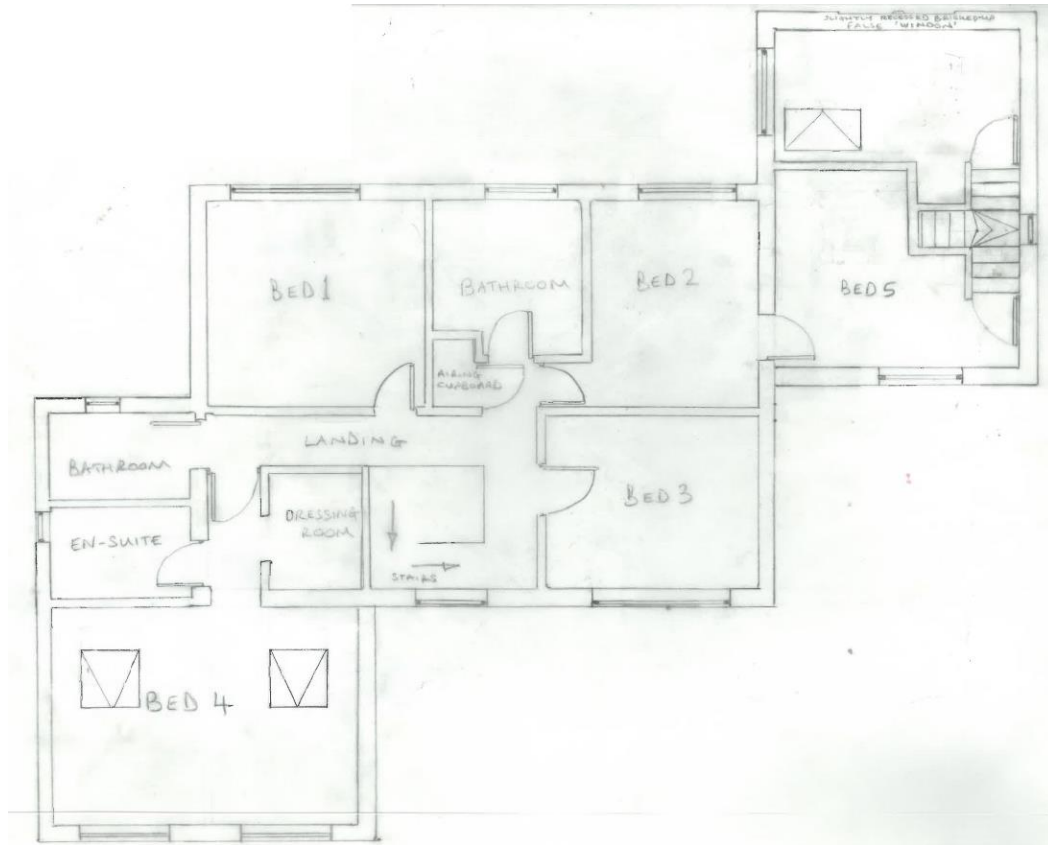
Plans (not to scale)



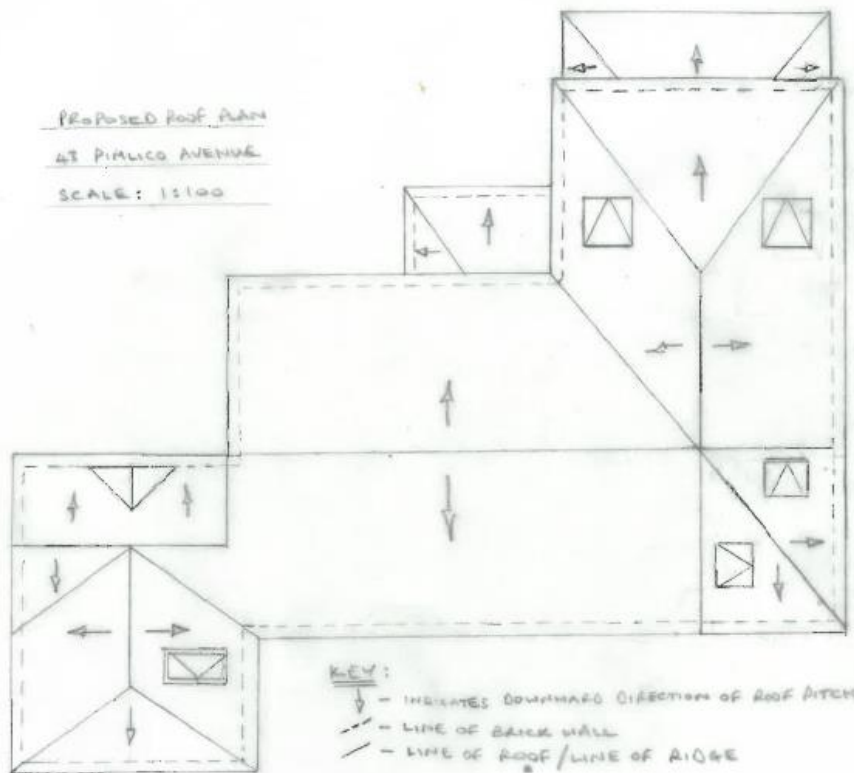
Proposed elevations



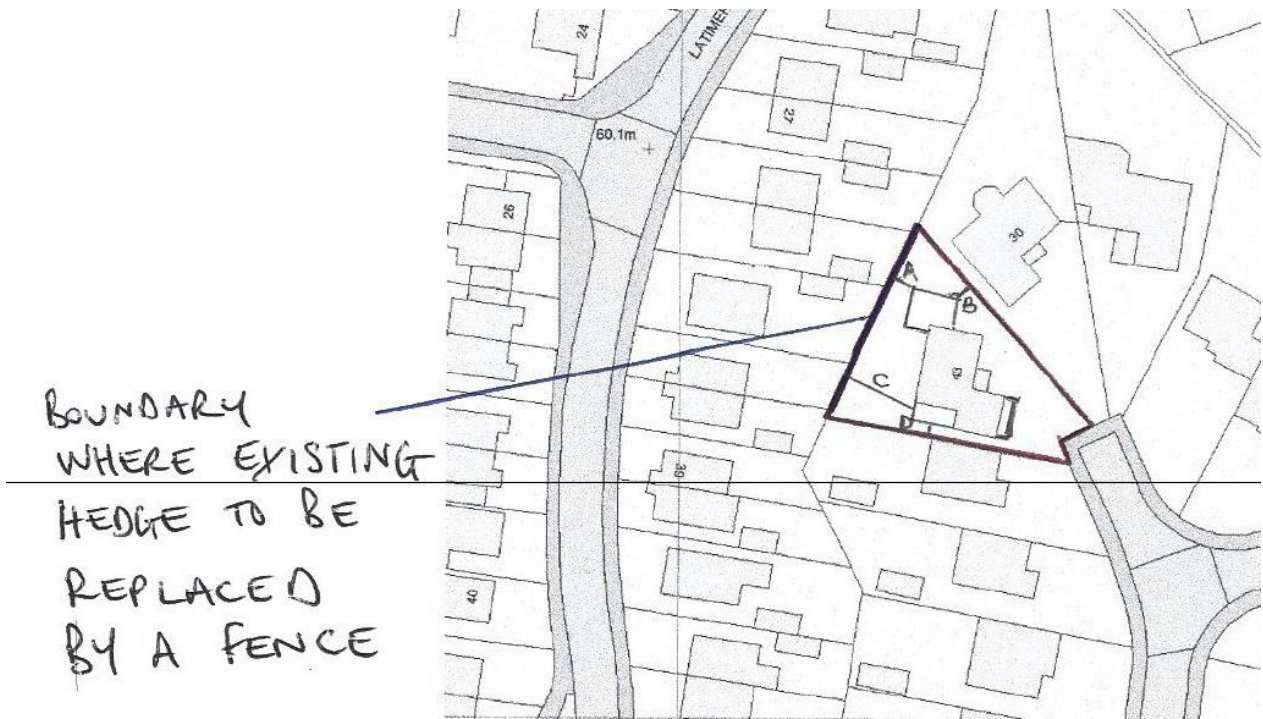
Proposed ground floor plan



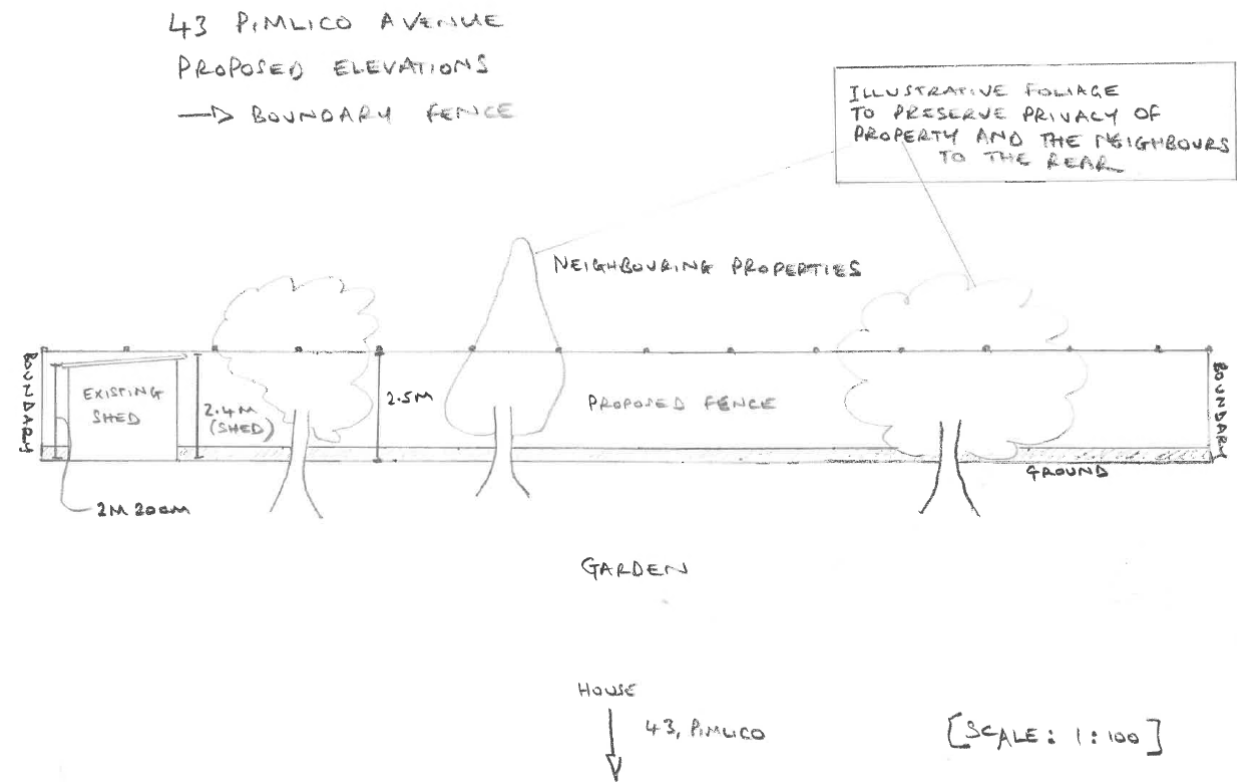
Proposed first floor plan



Proposed roof plan



Proposed site plan



Proposed fence

Report of the Chief Executive

APPLICATION NUMBER:	20/00269/FUL
LOCATION:	114 MOORGREEN NEWTHORPE NOTTINGHAMSHIRE
PROPOSAL:	RAISE ROOF TO CREATE ROOMS IN THE ROOFSpace INCLUDING REAR DORMER, ERECTION OF DOUBLE GARAGE AND CREATION OF NEW ACCESS

Councillor M Brown has requested this application be determined by Committee

1 Executive Summary

- 1.1 This application seeks permission to raise the roof of an existing single storey detached dwelling to create rooms in the roof space and the provision of a rear dormer window. A detached double garage is also proposed within the rear garden along with a new centrally located vehicular access with a driveway leading to the garage, with parking provision to the front of the property.
- 1.2 The application site is located within the Nottinghamshire Green Belt where Policy 8 of the Part 2 Local Plan states that applications for development in the Green Belt will be determined in accordance with the National Planning Policy Framework (NPPF). The policy also states that disproportionate additions to a building will be treated as those that, taken cumulatively, exceed 30% of the volume of the original building.
- 1.3 Due to the nature of works proposed to extend the existing property along with the provision of the detached garage, it is considered the proposal represents a disproportionate addition to the original dwelling, exceeding 30% of the volume of the original dwelling. Furthermore, it is considered that the proposal by virtue of the size, design and choice of materials fails to respect the proportions and character of the existing dwelling. As a result, the extension would be overly prominent in the street scene to the detriment to the character and appearance of the surrounding area and the setting of the nearby listed building.
- 1.4 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

Appendix 1

1 Details of the Application

- 1.1 This application seeks permission to raise the roof of an existing single storey detached dwelling to create rooms in the roof space and a rear dormer window. A detached double garage is proposed within the rear garden and a new centrally located vehicular access with a driveway leading to the garage is also proposed, with parking provision to the front of the property.

2 Site and Surroundings

- 2.1 The application site consists of a single storey detached dwelling with a driveway to the front and garden area to the rear. The only addition to the original design of the dwellings appears to be a upvc porch to the front.
- 2.2 Directly opposite the site there are open fields with Reuben Shaws Garden Centre situated further along Moorgreen. Directly adjacent the site to either side there are existing residential dwellings, with the dwelling directly to the south being a Grade II Listed Building. Directly to the rear there is an open paddock area with associated structure, with open fields located directly beyond.
- 2.3 The site is located within a predominantly residential area and within the Nottinghamshire Green Belt.

3 Relevant Planning History

- 3.1 There is no relevant planning history.

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 10: Design and Enhancing Local Identity
- Policy 11 – The Historic Environment

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

- Policy 8: Development in the Green Belt
- Policy 17: Policy 17 – Place-making, Design and Amenity
- Policy 23: Proposals affecting designated and non – designated heritage assets

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

- Section 2: Achieving Sustainable Development.
- Section 13: Protecting Green Belt Land
- Section 16: Conserving and Enhancing the Historic Environment

5 Consultations

- 5.1 **Conservation Advisor** – Objects to the proposal and advises the proposed alterations to the dwelling give no indication of the original building, the design and choice of materials are incongruent to its setting, both to the individual plot and its surroundings, does not take its lead from the existing dwelling in any way and does not consider the architectural approach taken to adapt this dwelling is appropriate for this plot.
- 5.2 4 neighbouring properties were consulted by the applicant/agent along with the posting of a site notice during the processing of the planning application, with no letters of objection having been received.

6 Assessment

- 6.1 The main issues for consideration are the impact upon the character of the Green Belt, the design of the proposal and impact upon visual amenity, impact upon residential amenity and highway safety.
- 6.2 **Design and Green Belt**
- 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 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 6.2.2 The application site is set back from the main road of Moorgreen and consists of a single storey detached dwelling. To the front there is a hedgerow with an access either side leading into a driveway, with a large garden located directly to the rear. The property has not been extended in the past apart from the provision of a upvc porch to the front. To either side of the application site there are residential dwellings, with number 110 Moorgreen, which is south, being an eighteenth century Grade II Listed former chapel which is now in residential use. This property is highly visible from viewing the application site from within the street scene of Moorgreen.
- 6.2.3 The design of the existing dwelling consists of an L – shaped hipped roof dwelling with a low eaves height and overall height of 5.1m. The application proposes to retain the low level eaves height of 2.3m and raise the roof to create an overall height of 6.075m creating a pitched roof with gable ends. A gable is also proposed to the front elevation along with new window openings at ground floor level and a glazed porch area. Roof lights are also proposed to the front and rear, along with the provision of a large centrally positioned dormer window to the rear. New window and door openings are also proposed to the rear. A detached pitched roof garage is also proposed within the north east corner of the rear garden, which will not be visible within the street scene of Moorgreen.

- 6.2.4 In terms of materials, the existing property consists of orange brickwork to the external elevations and clay tiles to the roof. Information provided on the submitted elevation indicates the use of smooth off white monocouche render to the external elevations and Marley Edgemere tiles. These materials are also proposed to be used for the external elevations and roof of the garage.
- 6.2.5 The Council's Conservation Advisor objects to the proposal in its entirety and advises "the existing dwelling is of good proportions, has a 1930-40s appearance, and does not detract from the setting of the Listed Building. Materials and fenestration are of its architectural style (only perhaps the porch being a later addition). It is an attractive dwelling situated on ribbon development, with Listed and Local Interest buildings in close proximity, circa 1900s onward. The proposed alterations to the dwelling give no indication of the original building. The design and choice of materials are incongruent to its setting, both to the individual plot and its surroundings, and does not take its lead from the existing dwelling in any way. I do not consider that the architectural approach taken to adapt this dwelling is appropriate for this plot". In view of the above, it is considered that the proposal by virtue of the size, design and choice of materials fails to respect the proportions and character of the existing dwelling. As a result, the extension would be overly prominent in the street scene to the detriment to the character and appearance of the surrounding area and the setting of the nearby listed building.
- 6.2.6 Policy 8 of the Part 2 Local Plan states that applications for development in the Green Belt will be determined in accordance with the National Planning Policy Framework (NPPF). Paragraph 89 of the NPPF identifies the extension or alteration of a building as appropriate development in the Green Belt, provided that it does not result in disproportionate additions over and above the size of the original building.
- 6.2.7 In terms of the additional volume being created, the provision of the proposed extension to the roof and the detached garage will lead to an overall addition to the property of approximately 60%. Policy 8 – Development in the Green Belt of the adopted Part 2 Local Plan 2019 states that disproportionate additions to a building will be treated as those that, taken cumulatively exceed 30% of the volume of the original building. This is further supported by section 13 – Protecting Green Belt Land of the National Planning Policy Framework 2019 (NPPF) which states that the extension or alteration of a building represents appropriate development providing that it does not result in disproportionate additions over and above the size of the original building. The application site is located within a visible location within the street scene of Moorgreen and the proposal will lead to disproportionate additions to the original dwelling. It is considered that the introduction of a raised roof to the existing dwelling would result in an inappropriate form of development in the Green Belt and would harm the openness of the Green Belt.

6.3 Residential Amenity

- 6.3.1 No objections have been received from neighbouring properties in respect of this application.

- 6.3.2 Directly to the north of the application site there is an existing two storey detached dwelling number 118 Moorgreen. The host dwelling is set behind the rear of the neighbouring property by approximately 5m. Along the existing boundary of the application site and the neighbouring property there is an existing 3 – 4m high hedgerow and a variety of trees within the curtilage of both the neighbouring property and the application site. Within the side elevation of the existing dwelling there are windows serving a living room and kitchen which are to be retained. Although a driveway is proposed along the boundary, there is one existing which extends to the rear elevation of the existing dwelling and due to the exiting boundary treatment which is to be retained it is not considered the proposal will give rise to any significant noise in terms of comings and goings of vehicles. Whilst the application proposes the raising of the roof, given the location of the property set back from the rear elevation of number 118 it is not considered the proposal will lead to any significant overbearing issues. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 118 Moorgreen.
- 6.3.3 To the south of the application site there is an existing residential dwelling number 110 Moorgreen. This property is set back from the rear elevation of the host dwelling by approximately 35m. Along the boundary there is an existing 3 – 4m high hedgerow, with a variety of trees located to the end of the garden within the curtilage of the application site. Whilst a dormer window is proposed within the rear elevation of the host dwelling serving an office, given the separation distance and provision of trees it is not considered the proposal will give rise to any overlooking issues. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 110 Moorgreen.
- 6.3.4 The impact upon all other neighbouring properties is considered acceptable.

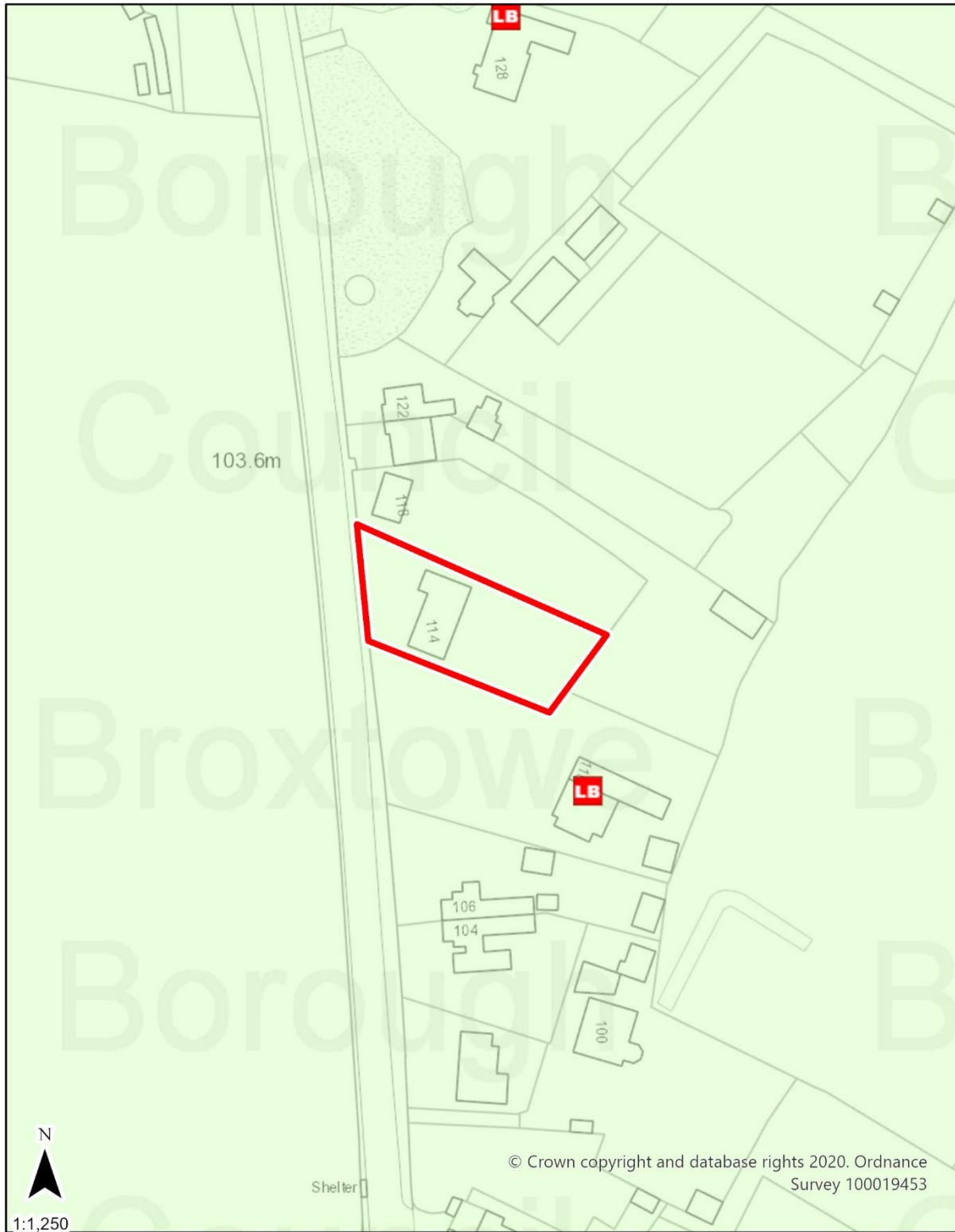
6.4 Highway Safety

- 6.4.1 The application site is currently served by 2 vehicular access points located adjacent the boundaries of numbers 118 and 110 Moorgreen, with a centrally located hedgerow. The application proposes the provision of a centrally located vehicular access point, with a driveway to the front and driveway located to the side of the existing dwelling leading to a detached garage to the rear of the garden. The driveway will provide the provision for the parking of 4 off street parking spaces along with space to allow vehicles to leave the site in a forward gear. It is considered there are no highway safety issues relating to this application.

7. Conclusion

- 7.1 It is considered that the proposal by virtue of the size, design and choice of materials fails to respect the proportions and character of the existing dwelling. As a result, the extension would be overly prominent in the street scene to the detriment to the character and appearance of the surrounding area and the setting of the nearby listed building. Furthermore, the proposal is also considered to represent a disproportionate extension to the original building, therefore representing inappropriate development that is harmful to the openness of the Green Belt.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons.	
1.	The proposal constitutes inappropriate development within the Green Belt as the proposed extension to the roof along with the proposed detached garage represent a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2019 and there are no other material considerations that justify treating this proposal as an exception.
2.	The proposal by virtue of the size, design and choice of materials fails to respect the proportions and character of the existing dwelling. As a result, the proposal would be overly prominent in the street scene to the detriment to the character and appearance of the surrounding area and the setting of the nearby listed building. Accordingly the proposal is contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 23 of the Part 2 Local Plan (2019).
NOTES TO APPLICANT	
1.	The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.



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Legend

-  Site Outline
-  Green Belt
-  Listed Building

Photographs

Front elevation with Grade II Listed Building
In the background



Rear elevation



Rear Boundary



Location of detached garage



Plans (not to scale)

Existing/Proposed Block Plan and Garage Details

Proposed Garage Floor Plan
Scale 1:50

Proposed Garage Elevations
Scale 1:100

Site Location Plan
Scale 1:1250

Existing Site Block Plan
Scale 1:200

Proposed Site Block Plan
Scale 1:200

PLANNING ISSUE

APR	APR 2020	EXPOSURE	A
APR	APR 2020	EXPOSURE	A
APR	APR 2020	EXPOSURE	A

Extensions & Alterations

114 Moorgrange
Newthorpe
NBS16 2FE

Mr P Main

Garage details & site block plans

APR 2020

LACEY & OWEN

CIAT

Existing Elevations/Floor Plans

Existing Ground Floor Plan
Scale 1:50

Existing Roof Plan
Scale 1:50

Existing Front Elevation
Scale 1:100 (West)

Existing Side Elevation
Scale 1:100 (North)

Existing Rear Elevation
Scale 1:100 (East)

Existing Side Elevation
Scale 1:100 (South)

PLANNING ISSUE

APR	APR 2020	EXPOSURE	A
APR	APR 2020	EXPOSURE	A
APR	APR 2020	EXPOSURE	A

Extensions & Alterations

114 Moorgrange
Newthorpe
NBS16 2FE

Mr P Main

details as existing

APR 2020

LACEY & OWEN

CIAT

Proposed Elevations/Floor Plans

The architectural drawings include:

- Proposed Ground Floor Plan (Scale 1:50):** Shows a layout with a Kitchen, Utility, Bedroom 3, Dining Room, and a central staircase.
- Proposed First Floor Plan (Scale 1:50):** Shows a layout with an Office, Bedroom 2, Bedroom 1, and a Garage.
- Proposed Front Elevation (Scale 1:100):** Shows the front facade with a gabled roof and large windows.
- Proposed Side Elevation (Scale 1:100):** Shows the side profile of the building.
- Proposed Rear Elevation (Scale 1:100):** Shows the rear facade with a gabled roof and windows.
- Proposed Side Elevation (Scale 1:100):** Shows the other side profile of the building.
- Proposed Roof Plan (Scale 1:100):** Shows the roof structure and gable layout.
- Proposed Section Through A-A (Scale 1:50):** Shows a cross-section of the building's roof and floor structure.

PLANNING ISSUE

No.	Issue	Response
1	1.1.1.1	See response to the response issues
2	1.1.1.2	See response to the response issues
3	1.1.1.3	See response to the response issues
4	1.1.1.4	See response to the response issues
5	1.1.1.5	See response to the response issues
6	1.1.1.6	See response to the response issues
7	1.1.1.7	See response to the response issues
8	1.1.1.8	See response to the response issues
9	1.1.1.9	See response to the response issues
10	1.1.1.10	See response to the response issues
11	1.1.1.11	See response to the response issues
12	1.1.1.12	See response to the response issues
13	1.1.1.13	See response to the response issues
14	1.1.1.14	See response to the response issues

Extensions & Alterations:
114 Moorgrange, Naas, Co. DU
NS16 2FE

Mr P. Moir
Details as proposed

114 Moorgrange, Naas, Co. DU
NS16 2FE

LACEY & OWEN
ARCHITECTS

114 Moorgrange, Naas, Co. DU
NS16 2FE
Tel: 01454 811111
Fax: 01454 811112
www.laceyandowen.ie

CIAT
Construction Industry Training Authority

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Report of the Chief Executive

APPLICATION NUMBER:	20/00346/FUL
LOCATION:	Rose Cottage, 53 Awsworth Lane, Cossall, Nottinghamshire, NG16 2SA
PROPOSAL:	Construct two storey front extension and porch

This application has been called to Planning Committee by Cllr L Ball.

1 Executive Summary

- 1.1 This application seeks permission to construct a two storey front extension, with an adjoining single storey front extension to form a porch. The proposed extension will replace an existing single storey extension and a garage will also be demolished as part of the proposal.
- 1.2 The application site is within the Nottinghamshire Green Belt. The original dwelling has been extended twice before, resulting in an 87% increase in the volume of the original dwelling. Despite the proposed extension replacing the existing single storey extension, the proposed extension will result in a further increase on the volume of the dwelling. Policy 8 of the Broxtowe Part 2 Local Plan (2019) states that any additions that result in a total increase above 30% of the volume of the original dwelling should be considered disproportionate and would therefore be inappropriate development in the Green Belt.
- 1.3 It is considered that no very special circumstances have been demonstrated by the applicant to treat the proposal as an exception to policy. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the National Planning Policy Framework (2019).
- 1.4 The proposed extensions are not considered to have an unacceptable impact on the amenity of any neighbouring properties.
- 1.5 Overall, it is considered that the proposal is not acceptable and that planning permission should be refused in line with the resolution set out in the appendix.

1 Details of the Application

- 1.1 This application seeks permission to construct a two storey, gabled roofed front extension and a small single storey front extension to create a porch at the dwelling. The proposed extension will replace the existing single storey front part of the dwelling and a garage will also be demolished as part of the proposal.

2 Site and surroundings

- 2.1 The application property is a two storey detached residential dwelling located in the Nottinghamshire Green Belt. The application property is set away from the main road, bordering open fields to the north, west and south, with farm buildings to the east of the site. The application site is largely flat and no vegetation of significance will be affected by the proposal. Access will also not be affected by the proposal.

3 Relevant Planning History

- 3.1 The application property has been extended on two previous occasions in line with planning permissions 79/00489/FUL and 05/00123/FUL. The volume of the extensions has resulted in an increase of 87% of the volume of the original dwelling.

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 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

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

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

- Section 13 – Protecting Green Belt Land

5 Consultations

5.1 **Council's Environmental Health Officer:**

No objection subject to condition.

5.2 **Rights of Way Officer:**

No objection.

5.3 One property adjoining the site has been consulted and a site notice was displayed. No responses were received.

6 Assessment

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

6.2 **Principle**

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

6.2.2 As set out in the Planning History section of this report, the original dwelling has been extended twice before, both extensions being two storey extensions. These additions have resulted in an increase of 87% above the volume of the original dwelling. The proposed addition includes a two storey extension and single storey extension to the front of the dwelling. The extensions will replace an existing single storey front part of the dwelling. Whilst the proposed extension will replace part of the existing dwelling, the element to be replaced has been calculated at circa 76m³, with the proposed addition being circa 107m³. The applicant has stated that a garage will be demolished as a result of the proposal. However, Policy 8 states that calculations of increases in volume will not include any existing outbuildings, and therefore the proposed demolition of the garage is not considered relevant to the assessment of the principle of development.

6.2.3 As the volume of the original dwelling has already been extended by circa 87% and the proposed extension will result in a further increase in the volume of the dwelling, the proposal is considered to result in a disproportionate addition to the original dwelling that would be inappropriate development in the Green Belt.

6.2.4 Whilst no very special circumstances have formally been put forward by the applicant, they have suggested that the proposal will improve the appearance of the property. However, it is considered that the existing dwelling does not have any significantly negative design features that are harmful to its appearance, and taking into account its position set back from the street scene, it is considered that the appearance of the existing dwelling is not harmful to the character of the area. It is therefore considered that very special circumstances have not been demonstrated that would outweigh the harm caused by the inappropriate development and therefore the principle of development in the Green Belt should not be supported.

6.3 Amenity

- 6.3.1 The proposed extension will be approximately 5.7m from the east boundary of the site adjoining Common Farm. The east boundary of the site is made up of reasonably large outbuildings associated with Common Farm, which will largely obscure the view of the proposed extensions from the neighbouring property. It is therefore considered that the proposal will not result in an unacceptable loss of amenity for the neighbouring property to the east.
- 6.3.2 There are no directly adjoining neighbouring properties to the north, west or south of the application property. The proposal will therefore have no impact on neighbouring amenity to these sides.
- 6.3.3 Overall, it is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring residents.

7 Planning Balance

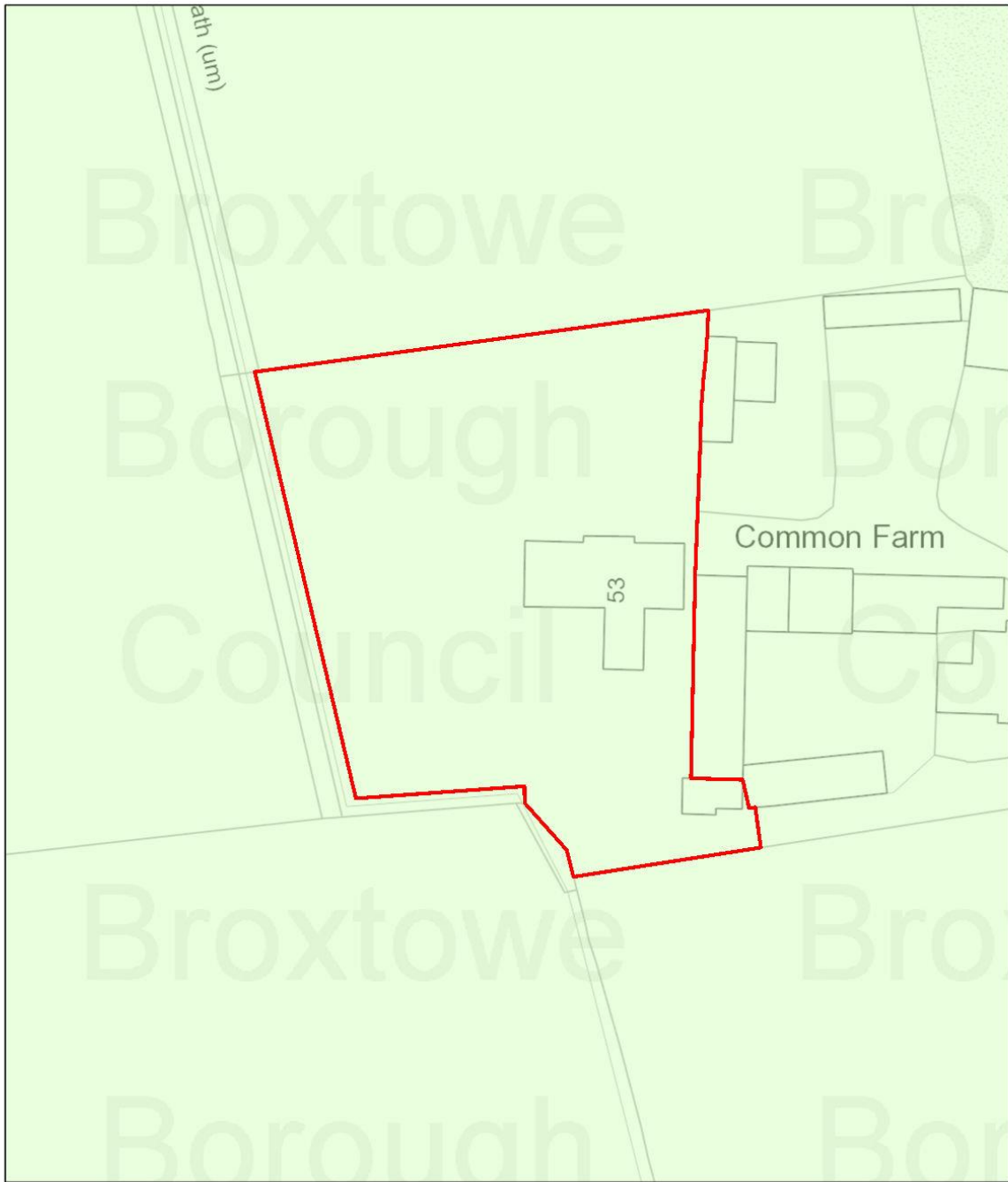
- 7.1 The proposed extensions will provide additional living space for the residents of the existing dwelling. However, the proposal, in addition to the existing extensions that have already been built at the property, represents a disproportionate addition to the original dwelling and is therefore inappropriate development that is harmful to the openness of the Green Belt. On balance, it is considered that the harm by virtue of the inappropriate development outweighs any benefits and the proposal is therefore not acceptable.

8 Conclusion



- 8.1 The proposal represents inappropriate development in the Green Belt. It is considered that no very special circumstances have been demonstrated, the benefit of which would outweigh the harm of the development to the openness of the Green Belt. It is therefore considered that the proposal is contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the NPPF, and therefore planning permission should be refused.

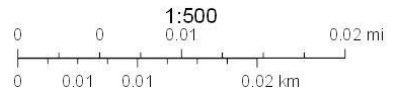
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reason:	
The site lies within the Nottinghamshire Green Belt where, in accordance with paragraph 143 of the NPPF, inappropriate development is by definition harmful and should not be approved except in very special circumstances. The proposed development does not meet any of the exceptions to inappropriate development as set out by paragraphs 145 and 146 of the NPPF. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the NPPF, and no very special circumstances have been demonstrated to treat the proposal as an exception to these policies.	
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.

Rose Cottage, 53 Awsworth Lane, Cossall



8/14/2020, 4:47:57 PM

-  INTERNAL: PCO Applications
-  Green Belt



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Ordnance Survey 100019453

Photographs



Front elevation



Rear elevation

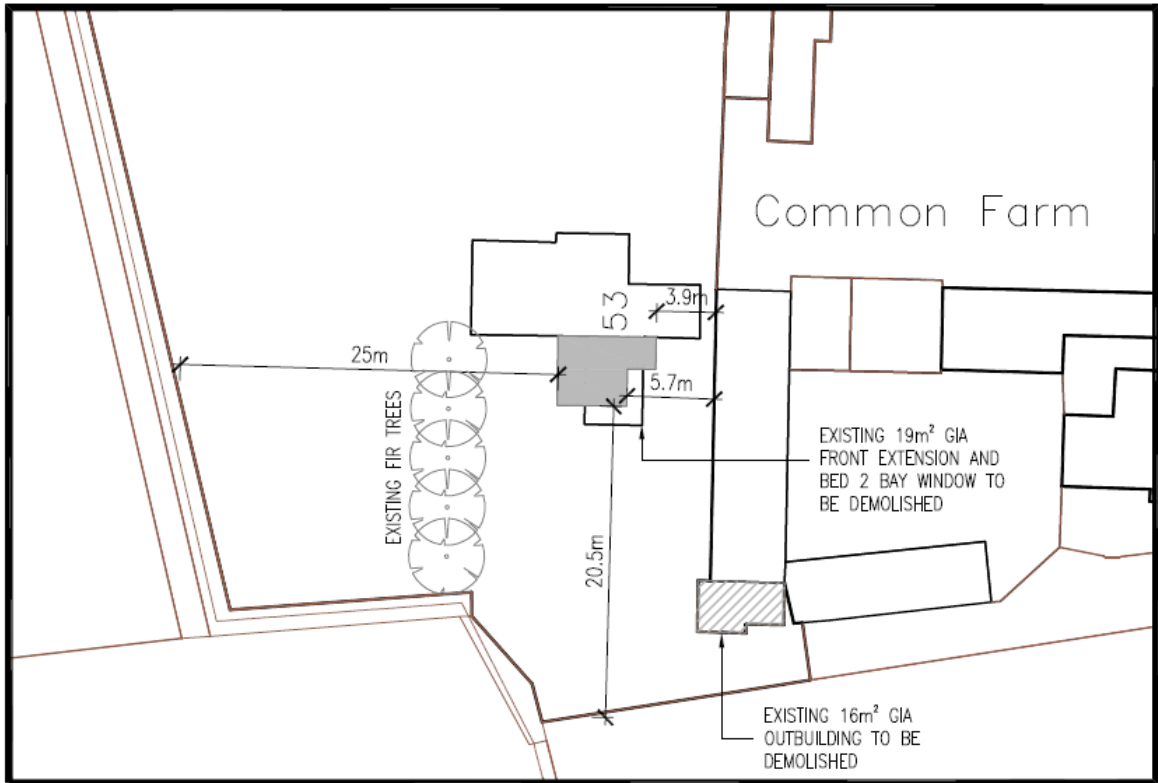


North boundary

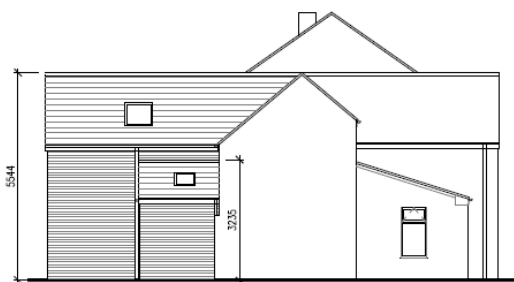


West boundary

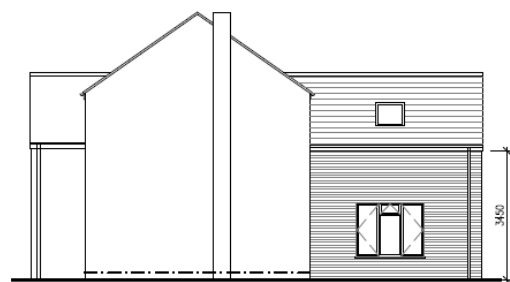
Plans (not to scale)



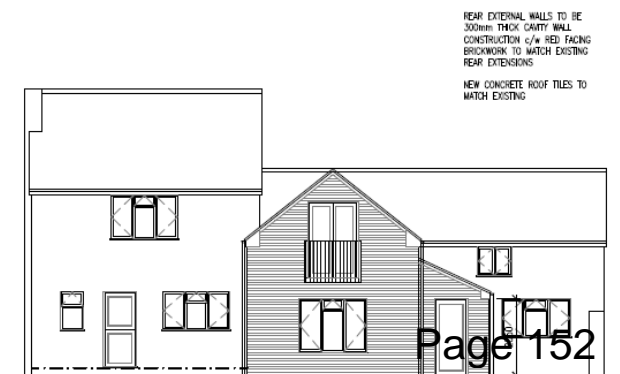
Site Plan



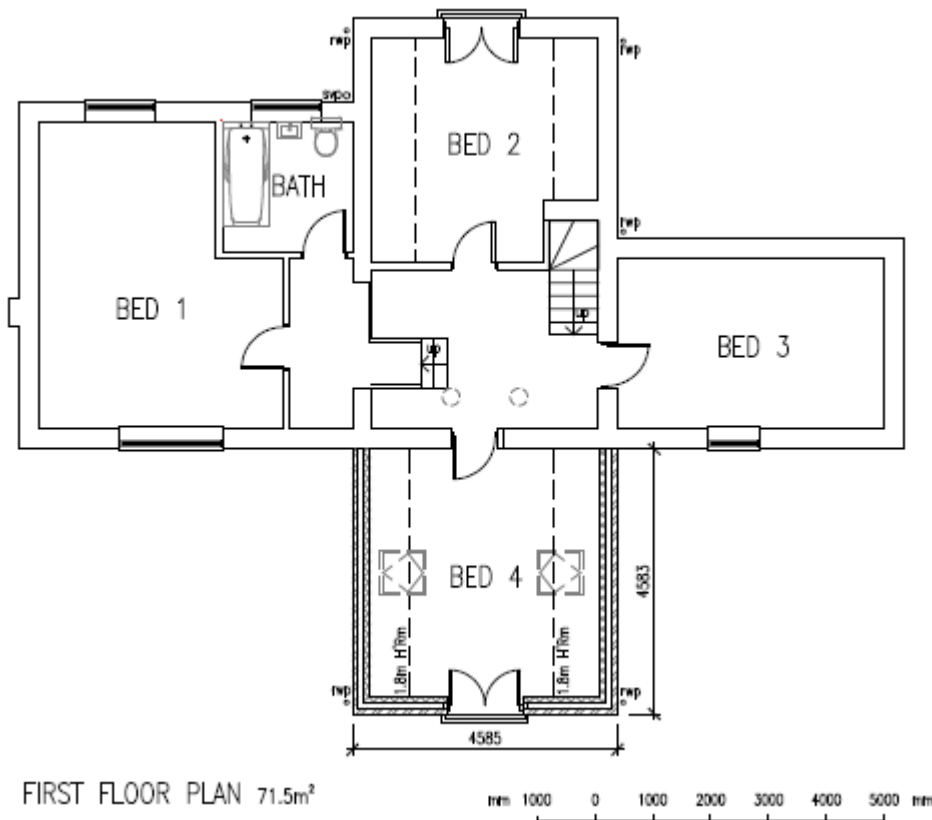
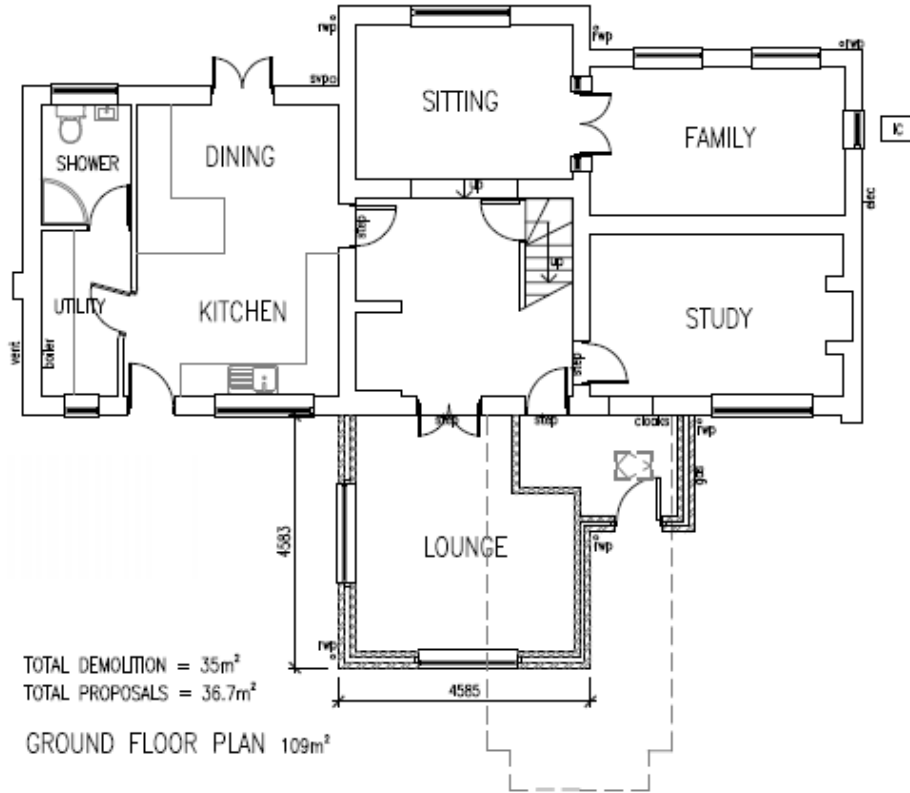
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	19/00583/MMA
LOCATION:	28 Queens Road East, Beeston NG9 2GS
PROPOSAL:	Minor Material Amendment to planning permission 17/00017/FUL to retain side extension as built, dormer alterations, revisions to windows and revisions to rear ground levels including retention of rear steps

ORIGINAL RECOMMENDATION BY OFFICER (REFUSE)

ORIGINAL DECISION REFUSED - REASON - The dormer is of poor design and unduly dominates the roof due to its size, flat roof and materials and it has a negative impact on the visual amenity of the occupants of neighbouring properties. It fails to make a positive contribution to the character and appearance of the area. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

DELEGATED DECISION

APPEAL DISMISSED

The application was refused permission because of the dormer's poor design and that it was considered to unduly dominate the roof due to its size, flat roof and materials which had a negative impact on the visual amenity of neighbouring properties and failed to make a positive contribution to the character and appearance of the area.

The Inspector considered the main issue was the effect that varying the conditions, to allow the retention of the development as built, would have on the character and appearance of the area.

The Inspector considered that there were many houses in the area with a dormer, so considered the principle of such a feature was not an issue. However, the Inspector noted that the dormer had a limited set back from the eaves and roof ridge in comparison with the approved dormer of the original planning application. Accordingly, the Inspector considered that the notable height results in a built form which dominates the roof slope (despite its rear facing position) and was clearly visible in-between the houses at the end of Pelham Crescent. The Inspector stated that as a result of the size and prominent elevated position of the dormer, it appears unduly dominant and conspicuous in the street.

In regards to materials, the use of white PVCu cladding was considered by the Inspector to exacerbate the prominence of the dormer. The Inspector confirmed that the use of such cladding was clearly in breach of the original planning condition (requiring matching materials), as the house was constructed of red brick and tiles. Even if the appellant altered the materials, as the dormer has an overtly bulky appearance and represents a visually discordant and disharmonious addition to the detriment of the character and appearance of the area, this would not be adequately mitigated by the use of alternative materials.

Further, the Inspector acknowledged the appellant's reasons behind the increase in the size of the rear dormer, compared with the approved scheme, such as to achieve acceptable levels of

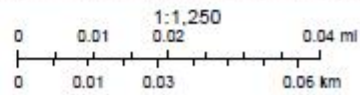
head height, but noted that this could not justify a structure that had such a harmful impact on the character and appearance of the host property and of the area.

Therefore, it was concluded that the amendments proposed to conditions 2 and 3 of the original permission to vary the scale and appearance of the dormer from that approved would unacceptably harm the character and appearance of the area.

28 Queens Road East



8/19/2020, 2:56:30 PM



-  Flood Zone 2
-  Flood Zone 3

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	19/00610/FUL
LOCATION:	232 Queens Road Beeston Nottinghamshire NG9 2BN
PROPOSAL:	Construct three storey side extension and convert existing house to create 7 apartments, rear dormer, first floor rear extension, demolish existing garage, external alterations, new vehicular and pedestrian access, 7 car parking spaces and bin and cycle stores (revised scheme)

ORIGINAL RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL BY COMMITTEE - The proposed development would be over-intensive with insufficient parking and the extension would not appear subservient to the existing building. A significant loss of neighbour amenity would result from the proposal. Accordingly, the proposal would be contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2019).

LEVEL OF DECISION: COMMITTEE

APPEAL DISMISSED

The Inspector dismissed the appeal due to the significant size and massing of the extension in a prominent location, the adverse visual impact of the undercroft and dormer window and the constrained car parking layout. It was concluded that the proposal would be excessive in scale for its site and unduly dominant in the street scene of Dagmar Grove and would detract from the prevailing character of traditional semi-detached and terrace dwellings.

Whilst the Inspector acknowledged the site was spacious and capable of being developed, it was concluded that the extension would be large in size, not subservient and although read as two dwellings from Queens Road, would appear as a single, substantial structure when viewed from Dagmar Grove. The Inspector recognised the depth of the extension was reduced from the 19/00272/FUL application but noted the extension extended beyond the building line with Dagmar Grove and the size and forward position would result in it appearing dominant and imposing on the street scene of Dagmar Grove and would harmfully enclose the open corner.

The Inspector concluded the rear dormer, although reduced in size from the 19/00272/FUL application, had an offset window which would appear discordant and would draw undue attention to its appearance. Furthermore, the Inspector concluded it would be a harmful addition to the existing building which would fail to respect its traditional character.

The Inspector concluded that due to the height of the undercroft roof, the void at ground floor would still be visible from the street scene from the vehicular entrance and the need for this to provide space for parking and necessary storage facilities for bins and cycles adds to the impression of the development being squeezed onto the site. The Inspector recognised that the parking arrangement was constrained and would lead to convoluted manoeuvres which contributed to concerns in relation to the overall scale of the development.

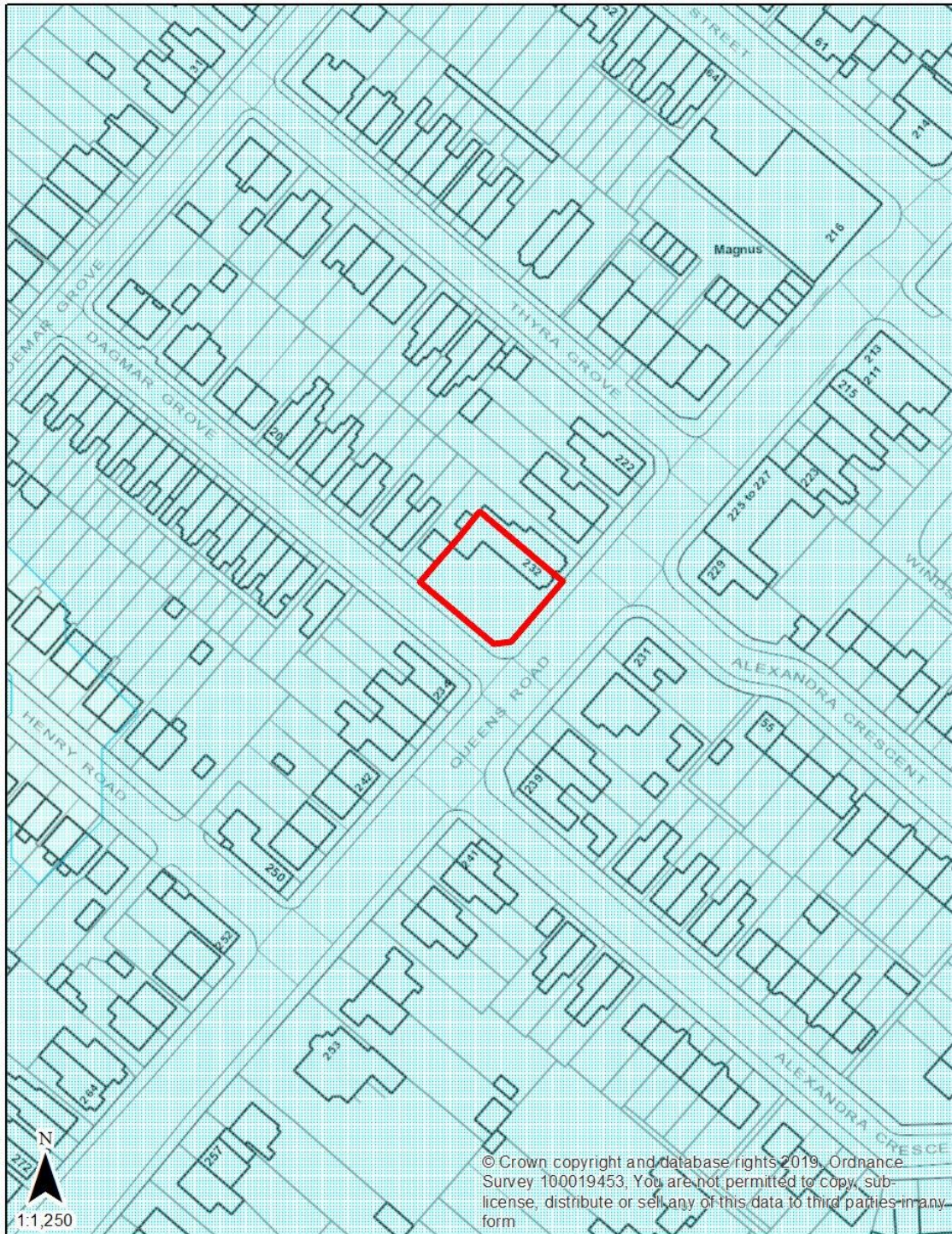
The Inspector acknowledged in relation to parking that the Highways Authority had not objected to the application but considered the parking arrangement may lead to an increase in on-street

parking. However, it was concluded that due to the sustainable location of the site (close to Beeston and Nottingham by bus and tram), this would not result in demonstrable harm to neighbouring occupants.

The Inspector concluded there would not be an unacceptable impact on neighbouring occupants in relation to noise and disturbance, outlook, overlooking or loss of privacy and that future occupants of the development would have a satisfactory level of light and outlook.

To conclude, the Inspector dismissed the appeal based on the harm caused to the character and appearance of the area in relation to the rear dormer, undercroft roof and massing of the extension. In respect of parking demand, it was concluded there was sufficient parking and the site was in a sustainable location but it was acknowledged that the parking layout was constrained due to the excessive scale of the proposal.

Map



Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2

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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
6 July 2020 TO 7 August 2020**

CONTENTS

Planning applications dealt with under Delegated Powers

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

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

**PLANNING APPLICATIONS DETERMINED BY
DEVELOPMENT CONTROL**

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr Richard Ling Richard Ling & Associates 20/00154/FUL
Site Address : 21 Barratt Lane Attenborough Nottinghamshire NG9 6AD
Proposal : **Construct detached dwelling with associated car parking, drive and vehicular access and construct boundary wall following the demolition of existing wall and outbuilding**
Decision : **Refusal**

Applicant : Miss Caroline Robinson 20/00179/FUL
Site Address : 3 Ferndale Close Attenborough Nottinghamshire NG9 6AQ
Proposal : **Construct single storey front/side extension and relocate the garage door**
Decision : **Conditional Permission**

Applicant : Mr & Mrs John James Nicol 20/00196/FUL
Site Address : 5 Brookland Drive Chilwell Nottinghamshire NG9 4BD
Proposal : **Construct pitched roof over existing single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Shailinder Jit Singh 20/00292/FUL
Site Address : 2 Kingsbridge Way Bramcote Nottinghamshire NG9 3LW
Proposal : **Construct two storey front extension, first floor front extension and single storey side extension**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr & Mrs Odams 20/00205/FUL
Site Address : 18 Awsworth Lane Cossall Nottinghamshire NG16 2RZ
Proposal : **Single storey front extension, roof above garage, alterations to existing roof to create hipped roof**
Decision : **Conditional Permission**

Applicant : Mr Alan Gerring 20/00241/FUL
Site Address : 278 Stapleford Road Trowell Nottinghamshire NG9 3QG
Proposal : **Construct two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Alan Thompson 20/00247/FUL
Site Address : Real Edge Ltd The Old School 2 Main Street Awsworth Nottinghamshire NG16 2QT
Proposal : **Retain partial change of use of the first floor from 2 flats to 1 flat and office space and retention of two rooflights.**
Decision : **Conditional Permission**

Applicant : Mr Russell Skellett Skellett Homes Ltd 20/00298/FUL
Site Address : Gardeners Inn Awsworth Lane Cossall Nottinghamshire NG16 2RZ
Proposal : **Construct 3 dwellings**
Decision : **Conditional Permission**

Applicant : Mrs L Mackie 20/00329/PNH
Site Address : 61 Park Hill Awsworth Nottinghamshire NG16 2RB
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres. with a maximum height of 4 metres (flat roof with lantern)**
Decision : **Refusal**

BEESTON CENTRAL WARD

Applicant : 20/00401/PNH
Site Address : 3 Pelham Crescent Beeston Nottinghamshire NG9 2ER
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.21 metres, and an eaves height of 2.9 metres**
Decision : **PNH Approval Not Required**

BEESTON NORTH WARD

Applicant : Mr & Mrs Sneddon 20/00337/FUL
Site Address : 17 Firs Avenue Beeston Nottinghamshire NG9 2QJ
Proposal : **Construct two storey side and rear extension and front porch**
Decision : **Conditional Permission**

Applicant : Mr C Burton 20/00407/PNH
Site Address : 22 Hetley Road Beeston Nottinghamshire NG9 2QL
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 3.0 metres and an eaves height of 3.0 metres**
Decision : **PNH Approval Not Required**

BEESTON RYLANDS WARD

Applicant : Miss Amanda Fitzpatrick 20/00245/FUL
Site Address : 19 Acaster Close Beeston Nottinghamshire NG9 1NF
Proposal : **Construct single storey side and rear extension and raised patio**
Decision : **Conditional Permission**

Applicant : Ms Nina Faresin 20/00259/FUL
Site Address : 54 Trent Road Beeston Nottinghamshire NG9 1LQ
Proposal : **Construct side extension and raised patio, extend hipped roof including front and rear dormers and install timber cladding**
Decision : **Conditional Permission**

Applicant : The Pearson Centre for Young People Contact (Wendy Kane) ... The Pearson Centre for Young People 20/00305/FUL
Site Address : 10 Ireland Avenue Beeston Nottinghamshire NG9 1JD
Proposal : **Construct two semi-detached houses with raised patios and parking**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant : Mr B Thompson 19/00181/FUL
Site Address : 75 Park Road Chilwell Nottinghamshire NG9 4DE
Proposal : **Construct single/two storey side and rear extension and new pitched roof over two front dormers**
Decision : **Conditional Permission**

Applicant : Mr HOSUNG JANG 20/00285/FUL
Site Address : 155 Wollaton Road Beeston NG9 2NQ
Proposal : **Construct two storey side and single storey front and rear extensions, including changing rear extension to flat roof and dropped kerb**
Decision : **Conditional Permission**

Applicant : Mr A Bray Murray Bray Solicitors 20/00361/ADV
Site Address : 50 Wollaton Road Beeston Nottinghamshire NG9 2NR
Proposal : **Display illuminated fascia sign**
Decision : **Conditional Permission**

BRAMCOTE WARD

Applicant : Mr Balvinder Mehat 20/00253/FUL
Site Address : 30 Beeston Fields Drive Beeston Nottinghamshire NG9 3DB
Proposal : **Construct first floor rear extension and enclosed rear staircase**
Decision : **Conditional Permission**

Applicant : Mr McBrian 20/00291/FUL
Site Address : 25 Park Road Bramcote Nottinghamshire NG9 3LA
Proposal : **Construct single storey rear extension and first floor side extension**
Decision : **Conditional Permission**

BRINSLEY WARD

Applicant : Mr R Clarke 20/00194/CLUE
Site Address : Gin Farm Hall Lane Brinsley Nottinghamshire NG16 5BJ
Proposal : **Certificate of existing use for storage (Class B8)**
Decision : **Approval - CLU**

CHILWELL WEST WARD

Applicant : Mr Chris Doidge 20/00309/FUL
Site Address : 76 Haddon Crescent Chilwell Nottinghamshire NG9 5JR
Proposal : **Construct two storey front extension, first floor side extension and rear single storey extension**
Decision : **Conditional Permission**

Applicant : Mr Gray 20/00317/FUL
Site Address : 1 Harlech Rise Chilwell Nottinghamshire NG9 5PD
Proposal : **Raise height of single storey garage, canopy and utility roof and convert garage to habitable room**
Decision : **Conditional Permission**

EASTWOOD HALL WARD

Applicant : Morrisons Morrisons WMS Morrisons Supermarkets PLC 20/00260/FUL
Site Address : Morrisons Kelham Way Eastwood Nottinghamshire NG16 3SG
Proposal : **Construct car wash valeting pod with cabin in car park**
Decision : **Conditional Permission**

Applicant : Ms Nicola Birkin-Holt 20/00320/FUL
Site Address : 42 Lower Beauvale Newthorpe Nottinghamshire NG16 3PU
Proposal : **Construct two storey side / rear and single storey rear extensions**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr Scott Knowles 20/00295/FUL
Site Address : 21 Newthorpe Common Newthorpe Nottinghamshire NG16 2BX
Proposal : **Construct two storey side and single storey rear extensions, rear dormers, porch and canopy to front**
Decision : **Conditional Permission**

Applicant : Mr Andy Hankin 20/00333/FUL
Site Address : 237A Nottingham Road Eastwood Nottinghamshire NG16 3GS
Proposal : **Erection of smoking shelter / canopy to public house**
Decision : **Conditional Permission**

Applicant : Mr S Verrall 20/00340/PNH
Site Address : 67 Raglan Street Eastwood Nottinghamshire NG16 3GU
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.2 metres, and an eaves height of 2.45 metres**
Decision : **PNH Approval Not Required**

EASTWOOD ST MARY'S WARD

Applicant : Raleigh (UK) Limited 19/00142/OUT
Site Address : 136 Church Street Eastwood Nottinghamshire NG16 3HT
Proposal : **Outline application with some matters reserved to construct up to 125 dwellings, the formation of an amended vehicular access into the site from Church Street, and the provision of new areas of open space, incorporating landscaping and storm water attenuation**
Decision : **Conditional Permission**

Applicant : Mr D Nelson 20/00218/FUL
Site Address : 18 Brookhill Leys Road Eastwood Nottinghamshire NG16 3HZ
Proposal : **Change of use from A1 to A4 micro pub house and side extension**
Decision : **Conditional Permission**

Applicant : Mr D Nelson 20/00236/ADV
Site Address : 18 Brookhill Leys Road Eastwood Nottinghamshire NG16 3HZ
Proposal : **Display fascia sign**
Decision : **Conditional Permission**

Applicant : Mr Ross Bhardwaj 8B Uk Limited 20/00367/DEM
Site Address : 42-44 Brookhill Leys Road Eastwood NG16 3HZ
Proposal : **Prior notification for demolition of existing industrial buildings, stand alone office building and two dwellings**
Decision : **Prior Approval Not Required**

GREASLEY WARD

Applicant : Mr Ian Grice 20/00297/FUL
Site Address : 104 Moorgreen Newthorpe Nottinghamshire NG16 2FE
Proposal : **Erection of a double garage**
Decision : **Refusal**

Applicant : Mrs Claire Bennett 20/00300/FUL
Site Address : 130 Main Street Newthorpe Nottinghamshire NG16 2DG
Proposal : **Erection of a Summerhouse**
Decision : **Conditional Permission**

Applicant : Miss Lori Berry 20/00316/FUL
Site Address : 23 Moorgreen Newthorpe Nottinghamshire NG16 2FD
Proposal : **Construct two storey front and side and single storey rear extension and loft conversion with 2 dormers and rear Juliet balconies (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Daniel Green 20/00322/PNH
Site Address : 36 Orchil Street Giltbrook Nottinghamshire NG16 2WS
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 2 metres, with a maximum height of 2.7 metres, and an eaves height of 2.5 metres**
Decision : **PNH Approval Not Required**

KIMBERLEY WARD

Applicant : Kerry Harris 20/00062/FUL
Site Address : 3 Westby Lane Babbington Village Kimberley NG16 2SS
Proposal : **Construct first floor and single storey rear extensions (revised scheme)**
Decision : **Withdrawn**

Applicant : Ms Elizabeth Ellis Hollywell Primary School 20/00069/FUL
Site Address : Hollywell Primary School Hardy Street Kimberley Nottinghamshire NG16 2JL
Proposal : **Construct footpaths and erect 900 mm and 2.4m high green powder coated fencing throughout the site. Demolish former caretaker's bungalow and construct car park. Construct lean-to structures to the ends of the link corridor along the south east elevation and erect canopy to cover the existing central courtyard area**
Decision : **Conditional Permission**

Applicant : Mr Ellershaw 20/00235/FUL
Site Address : 7 Drayman Court Kimberley Nottingham NG16 2TR
Proposal : **Construct extension to rear patio, retaining wall to create lower ground floor patio, 1 window and door to north east elevation, 3 conservation rooflights and replacement entrance doors**
Decision : **Conditional Permission**

Applicant : Mr A Parr 20/00284/FUL
Site Address : 2 Brewery Street Kimberley Nottinghamshire NG16 2JS
Proposal : **Construct rear and side single storey extension including link extension to converted garage and external alterations including glazed canopy (revised scheme)**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : MR IMRAN HUSSIAN 20/00311/FUL
Site Address : 139 Mornington Crescent Nuthall Nottinghamshire NG16 1QQ
Proposal : **Construct 2 storey side extension, single store rear extension, conversion of existing garage, construct new garage and front boundary wall**
Decision : **Conditional Permission**

Applicant : Mr Gary Rose 20/00335/FUL
Site Address : 11 Carters Wood Drive Nuthall Nottinghamshire NG16 1AS
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs M Stubbs 20/00357/PNH
Site Address : 15 Northolt Drive Nuthall Nottinghamshire NG16 1QX
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.50 metres, with a maximum height of 3.00 metres, and an eaves height of 2.30 metres**
Decision : **PNH Approval Not Required**

Applicant : Mrs L Burgon 20/00396/PNH
Site Address : 101 Nottingham Road Nuthall Nottinghamshire NG16 1DN
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 3.0 metres, and an eaves height of 3.0 metres**
Decision : **PNH Approval Not Required**

Applicant : Mrs Z Sulaiman-Zeb 20/00382/PNH
Site Address : 5 Oakland Way Strelley Nottinghamshire NG8 4JS
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.50 metres and an eaves height of 2.50 metres**
Decision : **PNH Approval Not Required**

STAPLEFORD NORTH WARD

Applicant : Mr & Mrs Victor Smedley High Terrace Limited 20/00126/FUL
Site Address : Mill Farm 62 Mill Road Stapleford Nottinghamshire NG9 8GD
Proposal : **Change of use of first floor of agricultural barn to 7 bed & breakfast rooms with managers accommodation, associated parking and internal/ external alterations (revised scheme)**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr Galappatty 20/00246/FUL
Site Address : 173 Nottingham Road Stapleford Nottinghamshire NG9 8BE
Proposal : **Construct front extension with dormer and Juliet balcony**
Decision : **Conditional Permission**

STAPLEFORD SOUTH WEST WARD

Applicant : Mrs ganka GEROVSKA 19/00241/FUL
Site Address : 1 The Mount Stapleford Nottingham NG9 7DT
Proposal : **Construct dropped kerb and lowering of part of adjacent grass mound**
Decision : **Withdrawn**

TOTON & CHILWELL MEADOWS WARD

Applicant : Alan Scarfe 20/00273/FUL
Site Address : 2A Rutland Avenue Toton Nottinghamshire NG9 6EP
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : C Johnson 20/00278/FUL
Site Address : 11 Adrian Close Toton Nottinghamshire NG9 6FL
Proposal : **Construct first floor side extension, single storey side and front extensions, partial garage conversion and reposition side boundary wall**
Decision : **Conditional Permission**

Applicant : Mr Mitra 20/00294/FUL
Site Address : 21 Epsom Road Toton Nottinghamshire NG9 6HQ
Proposal : **Construct single storey rear/side extension, infill to front creating a porch and external alterations (revised scheme)**
Decision : **Conditional Permission**

Applicant : Jacqueline Hirst 20/00314/FUL
Site Address : 47 Lonsdale Drive Toton Nottinghamshire NG9 6LS
Proposal : **Change of use of converted garage from residential (Class C3) to hair salon (Class A1)**
Decision : **Conditional Permission**

Applicant : Mr J Stevens 20/00344/PNH
Site Address : 45 Lonsdale Drive Toton Nottinghamshire NG9 6LS
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.339 metres, with a maximum height of 3 metres, and an eaves height of 2.3 metres**
Decision : **PNH Approval Not Required**

WATNALL & NUTHALL WEST WARD

Applicant : Mr R Chowdhury 19/00497/ROC
Site Address : 4 Nottingham Road Nuthall Nottinghamshire NG16 1DP
Proposal : **Variation of condition 8 (reference 99/00120/FUL) to allow a delivery service from the restaurant.**
Decision : **Refusal**

Applicant : Mr Jason Brooks 20/00225/FUL
Site Address : Land Adjacent To 96 Nottingham Road Kimberley Nottinghamshire NG16 2NA
Proposal : **Construct dwelling**
Decision : **Conditional Permission**

Applicant : Mr and Mrs Paul Winter 20/00304/FUL
Site Address : Chilton Beck Chilton Drive Watnall Nottinghamshire NG16 1HL
Proposal : **Conversion of existing detached building into separate dwelling, single storey front/side extension, erection of detached garage and ancillary works**
Decision : **Conditional Permission**

Applicant : Miss Harriet Dench 20/00310/FUL
Site Address : 19 Trough Road Watnall Nottinghamshire NG16 1HQ
Proposal : **Construct single storey side/rear extension, alterations to existing fenestration and render the dwelling.**
Decision : **Conditional Permission**
