



Tuesday, 1 December 2020

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 9 December 2020 via Microsoft Teams, commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors: D Bagshaw
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

A G E N D A

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 - 34)

The Committee is asked to confirm as a correct record the minutes of the meetings held on 4 November 2020 and 10 November 2020.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 20/00478/FUL (Pages 35 - 64)

Construct 78 bed residential care home with associated parking

Site of The Magpie, Toton Lane, Stapleford NG9 7JD

5.2 20/00538/FUL (Pages 65 - 98)

Construct three storey side extension, rear dormer, first floor rear extension and convert existing house to create 7 apartments, demolish garage, external alterations, new vehicular and pedestrian access, 6 car parking spaces and bin and cycle stores (revised scheme)

232 Queens Road, Beeston, Nottinghamshire, NG9 2BN

5.3 20/00585/FUL (Pages 99 - 110)

Change of use from agricultural land to mixed use agricultural and outdoor leisure/recreational use and erect two Polytunnels, two steel containers for tool storage and portacabin for community use.

Land at Greasley Castle Farm, 120 Church Road, Greasley, NG16 2AB

5.4 20/00707/FUL (Pages 111 - 118)

Construct first floor rear extension and balcony (revised scheme)

105 Nottingham Road Nuthall Nottinghamshire NG16 1DN

5.5 20/00657/ADV (Pages 119 - 128)

Display 3 illuminated external signs and vinyl screens to the internal face of the first floor glazing

The Arc Cinema, 2 Station Road, Beeston, NG9 2WJ

6. INFORMATION ITEMS

6.1 Delegated Decisions (Pages 129 - 138)

7. EXCLUSION OF PUBLIC AND PRESS

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

8. NON COMPLIANCE WITH COMMUNITY PROTECTION NOTICE DATED 18 MARCH 2020 (Pages 139 - 140)

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PLANNING COMMITTEE

WEDNESDAY, 4 NOVEMBER 2020

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
S J Carr (Ex-officio)
L A Ball BEM
T A Cullen
D Grindell
M Handley
R D MacRae
G Marshall
J W McGrath
P J Owen
D D Pringle
P D Simpson (Substitute)
R D Willimott

An apology for absence was received from Councillor R I Jackson.

28 DECLARATIONS OF INTEREST

Councillor S J Carr (Ex-Officio) declared a non-pecuniary interest on item 5.3 as Chair of Bramcote Bereavement Committee. Minute number 31.3 refers.

29 MINUTES

The minutes of the meeting held on 30 September 2020 were approved and confirmed as a correct record subject to the attendance list being updated to include Councillor G Marshall being present at the meeting.

30 NOTIFICATION OF LOBBYING

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

31 DEVELOPMENT CONTROL

31.1 APPLICATION NUMBER 20/00404/FUL

Construct 1.8m high close boarded fencing
1 Totland Road Bramcote Nottinghamshire NG9 3ER

This application sought planning permission for a 1.8 metre high fence. The dwelling had been recently extended (19/00329/FUL) and a 1.8 metre high fence had been constructed 1 metre into the site without planning permission, parallel with Totland

Road and enclosing the garden. It was proposed to move the fence to abut the pavement.

The application was brought to the Committee with a recommendation that planning permission be refused because the proposed fence would cause risk to pedestrians and road users by reducing visibility for drivers when entering or exiting the driveway. 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).

Councillors I L Tyler and D K Watts requested that the application be determined by the Planning Committee. The item was deferred from the meeting held on 30 September 2020 and the report remained unchanged.

There were no late items for this item.

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

- Highway safety
- Lamppost near fence would prevent a highway impact on cars reversing off the drive.

Members considered the recommendation and being put to the Committee, the original recommendation was voted against. Councillor D K Watts proposed, and was seconded by Councillor J W McGrath, to amend the recommendation to grant planning permission, the reason being the lamppost would mean cars would not reverse near the fence therefore there was no highway safety issue. On being put to the meeting, the recommendation was granted.

RESOLVED that planning permission be granted with the precise wording of the conditions to be delegated to the Interim Head of Planning and Economic Development in consultation with the Chair of the Planning Committee

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: 001, 002 and 003 received by the Local Planning Authority on 24 June 2020 and 405 received by the Local Planning Authority on 10 July 2020.

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.

Note to applicant

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

31.2 APPLICATION NUMBER: 20/00116/FUL

Hybrid application comprising: Full application for 132 dwellings, associated infrastructure, flood attenuation works, play area and open space. Outline application for up to 200 dwellings, local centre (retail, financial and professional services, restaurants/cafes, drinking establishments, hot food takeaways - Classes A1-A5), associated infrastructure, open space and flood attenuation works with means of access included (all other matters reserved).

Field Farm, Ilkeston Road, Stapleford NG9 8JJ

This application was deferred from the meeting on 30 September 2020 to enable further consideration of flooding, the hedgerow beside Ilkeston Road and parking for existing residents.

Members considered the late item for the application which was further clarification from the applicant's highways consultant regarding Highways England comments.

Ms Anita Davis, on behalf of the applicant and Mrs Christine Chapman, objecting, submitted statements that were read to the Committee prior to the general debate.

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

- Flooding
- Outstanding comments from Highways England
- Highways issues at Ilkeston Road and Hickings Lane
- Landscaping.

The Committee received legal advice.

Councillor P J Owen proposed a recorded vote this was seconded by Councillor D K Watts.

For	Against	Abstention
D Bagshaw	L A Ball BEM	
D Grindell	R D MacRae	
T A Cullen	P J Owen	
M Handley	D D Pringle	
J W McGrath	R D Willimott	
G Marshall	P D Simpson	
D K Watts		

RESOLVED that planning permission be granted in accordance with the recommendation to delegate authority to the Interim Head of Planning and Economic Development subject to:

- (i) the comments of Highways England being addressed;

- (ii) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990 to secure the provision of affordable housing on the site and to cover contributions towards: provision of education measures, off-site affordable housing, off-site highway works, maintenance of open space and integrated transport measures; and to ensure the provision and equipping of the play area/open space on site, and
- (iii) the following conditions:

CONDITIONS IN RESPECT OF OUTLINE ELEMENT:

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.
2. 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.
3. No development shall commence until a phasing plan for the whole outline site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.
4. No phase of development, including site clearance, shall be commenced until detailed drawings and particulars showing the following for that respective phase have been submitted to and approved in writing by the Local Planning Authority:
 - (a) the layout, scale, and external appearance of all buildings;
 - (b) the means of access and parking provision within the site;
 - (c) the particulars of the materials to be used in the facing of the external surfaces of all buildings;
 - (d) cross sections through the site showing the finished floor levels of the new buildings in relation to adjacent land and buildings (notwithstanding the levels shown for part of the site on 17031-PL15C Finish floor level site layout). These details shall be related to a known datum point;
 - (e) landscaping.

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

5. No development, including site clearance, shall be commenced in respect of any phase until a landscaping scheme for that respective phase of development has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall include the following details:
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development. No development in the respective phase of development shall commence until the agreed protection measures are in place;
 - (b) numbers, types, sizes and positions of proposed trees and shrubs;

- (c) proposed hard surfacing treatment including the public rights of way crossing the site and the proposed path through the TPO woodland;
- (d) planting, seeding/turfing of other soft landscape areas;
- (e) lighting details and
- (f) a timetable for implementation of the scheme.

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

6. No development, including site clearance, in respect of any individual phase shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:
 - (a) site access for construction vehicles
 - (b) the parking of vehicles of site operatives and visitors
 - (c) loading and unloading of plant and materials
 - (d) storage of plant and materials used in constructing the development
 - (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (f) wheel washing facilities
 - (g) measures to control the emission of dust and dirt during construction.
7. No development, including site clearance, in respect of any individual phase shall commence until bat and breeding bird surveys, including any proposed mitigation measures, have been completed and submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with the agreed details.
8. No development shall be commenced in respect of any individual phase until detailed drawings and particulars in relation to the respective phase showing parking and turning facilities, site road layout including access widths, gradients, surfacing, street lighting, visibility splays, drainage, any bridge over Boundary Brook, and a timetable for their provision have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
9. No development shall commence until a scheme for protecting the proposed dwellings from noise and vibration from the railway lines adjacent to the site has been submitted to and agreed in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Authority shall be completed before any affected dwelling is occupied unless an alternative period is agreed in writing by the Authority.

10. No development shall be commenced in respect of any individual phase 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:
- i) all appropriate measures for that building 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 for that building have been implemented in full.
11. No development above slab level shall be commenced in respect of any individual phase until a surface water drainage scheme for the respective phase, based on the Flood Risk Assessment and Drainage Strategy (dated 31 January 2020), has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage schemes should include the following:
- (a) detailed design (plans, network details, calculations) in support of any surface water drainage scheme, including details of any attenuation system, the outfall arrangements, pipe diameters and any flow rate limiters;
 - (b) Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods;
 - (c) horizontal and longitudinal cross sections through any proposed swales/attenuation ponds;
 - (d) a timetable for implementation; and
 - (e) details of the responsibility for the future maintenance and management of the surface water drainage systems.
- The respective schemes shall be implemented in accordance with the details to be agreed under (d) and thereafter maintained in accordance with the agreed details for the lifetime of the development.
12. No development shall take place within 100m of the railway until a Construction Method Statement (CMS) for works in this area has been submitted to and agreed in writing by the Local Planning Authority. The CMS shall be implemented in accordance with the agreed details.
13. No dwelling shall be occupied until details of the site boundary treatments and curtilage boundary treatments, including Armco or similar barriers adjacent the railway, for that respective phase of development have been submitted to and approved in writing by the Local Planning Authority: no dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details. No development on a subsequent phase shall commence until the approved site boundary treatment for the preceding phase has been completed in accordance with the agreed details.

14. Nothing shall be stored or placed in any area fenced in accordance with condition 5 (a) and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.
15. The local centre shall not be open to customers except between the hours of 07:00-22:00 on any day.
16. No deliveries or collections by commercial vehicles (excluding the delivery of newspapers, milk and sandwiches) shall be made to/from the local centre except between the hours of 07:00 - 22:00 on any day.
17. No fixed plant, machinery or equipment shall be installed within the site of the local centre until a noise report, including details of the acoustic specification of such fixed plant, machinery or equipment, has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the agreed details and thereafter maintained in the agreed form for the lifetime of the development. The rating level resulting from the use of any plant, machinery or equipment at the local centre shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest residential dwelling.
18. No ventilation and filtration equipment shall be installed at the local centre unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the commencement of the respective use. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.
19. The hereby permitted local centre shall have a total floor space not exceeding 500 square metres.
20. No single user shall occupy the local centre unless otherwise agreed in writing by the Local Planning Authority.

Conditions in Respect of Full Element

21. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
22. No development, including site clearance, shall commence until measures to protect the retained hedgerow beside Ilkeston Road and trees on site during construction have been submitted to and agreed in writing by the Local Planning Authority. No development shall commence until the agreed protection measures are in place.
23. No development, including site clearance, shall commence until precise details of breeding bird mitigation measures, based on the submitted Bird compensation and enhancement measures (11314/ZJ/20), and including

numbers and positions of bird boxes, have been submitted to and agreed in writing by the Local Planning Authority. The mitigation shall be completed in accordance with the agreed details.

24. No development, including site clearance, shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:
 - (a) site access for construction vehicles
 - (b) the parking of vehicles of site operatives and visitors
 - (c) loading and unloading of plant and materials
 - (d) storage of plant and materials used in constructing the development
 - (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (f) wheel washing facilities
 - (g) measures to control the emission of dust and dirt during construction.
25. No development above slab level shall commence until an application for a Traffic Regulation Order to control on-street parking along Ilkeston Road has been made.
26. No development above slab level shall commence until the surface water drainage scheme has been undertaken in accordance with the following drainage details received by the Local Planning Authority on 18.8.20:
 - Technical specifications for Hydro-Brake flow control FFSN-BSP-ZZ-X-DR-C (dated 7.8.20 and 8.7.20)
 - Phase 2 on site drainage layout (FFSN-BSP-ZZ-XX-DR-C-0140 Rev P01)
 - Microdrainage calculations (dated 6.8.20)
 - SUDS maintenance data sheet (reference 20156/SUDS/POND).The scheme shall be maintained and managed in accordance with the maintenance data sheet for the lifetime of the development.
27. No development above slab level shall commence until samples of materials to be used in facing the external surfaces of the dwellings and garages hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
28. No lighting related development shall commence until a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed and thereafter maintained in accordance with the agreed details.
29. No retaining wall on any plot or beside the brook shall be installed until details, including section drawings where necessary, have first been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the boundary treatment for the respective plot has been installed in accordance with the approved Boundary Treatment plan and any agreed retaining wall details. No

development on Phase 3 shall commence until the retaining wall beside the brook, site perimeter and open space/play area boundary treatments have been installed in accordance with the approved plans.

30. No building to be completed pursuant to this permission shall be occupied or brought into use until:
 - i) all appropriate measures for that building have been completed in accordance with details in the Geodyne report 'Remediation Method Statement' (ref D29176 V1.1, dated June 2017); and
 - ii) it has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures for that building have been implemented in full.
31. The glazing and ventilation for the dwellings adjacent to Ilkeston Road shall be installed in accordance with the specification details in the Environmental Noise Assessment report (ref. FFSN-BSP-ZZ-XX-RP-C-001-P01), dated February 2020 and thereafter maintained in accordance with the agreed details.
32. Trees referenced T1, T2 and T3 in the Phase 2: Daytime Bat Survey of Trees (11314/SD/20) shall not be removed unless and until a further bat survey, including any proposed mitigation measures, has been completed and submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with the agreed details.
33. Electric vehicle charging points shall be installed on the dwellings as indicated on the approved plans prior to the first occupation of such dwellings and thereafter retained and maintained for the lifetime of the development.
34. Prior to the first occupation of any dwelling constructed on the site:
 - i) the eastern site access on Ilkeston Road and associated back-to-back ghost island right turn lanes and pedestrian crossing points shall be completed in accordance with the approved plans;
 - ii) the shared cycleway/footpath to Coventry Lane shall be completed as detailed in Appendix H of the Transport Assessment, dated 27 March 2020, or such other details as may first be agreed in writing by the Local Planning Authority.
35. No dwelling shall be first occupied until its respective driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary, and drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
36. Dwellings 229 – 235 shall not be first occupied until details of the proposed arrangements for future management and maintenance of the private road serving these plots, including associated drainage, have been submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the

approved management and maintenance details, until such time that a private Management and Maintenance Company has been established.

Conditions in respect of whole scheme

37. The development hereby permitted shall be carried out in accordance with drawings numbered:

17031-PL01K Planning Layout; 17031-PL02 Site Location overall; 17031-PL02F Site Location Full; 17031-PL02O Site Location Outline; 17031-PL09A Proposed Street Scenes; 17031-PL04E Boundary treatment plan; 17031-PL05E Materials plan; 17031-PL06A Storey Height Plan; 17031-PL07D Parking plan; 17031-PL08E Character area plan; 17031-PL09D Refuse strategy plan; 17031-PL15C Finish floor level site layout; 17031-PL16 False Window Detail; 17031-PL17 Plot 161-163 Street Scene; 01K Landscape Concept Plan; 08C Indicative Landscape Boundary Sections; 17031-PL110C Overall site layout; 17031-PL111A Dimension layout; FFSN-BSP-ZZ-XX-DR-C-0215-08CP01 Phase 2 on site plot sections; FFSN-BSP-ZZ-XX-DR-C-0140-P01 Phase 2 on site drainage layout; 17031-300 Section; FFSN-BSP-ZZ-XX-DR-C-0105-P01 Phase 2 on site highway visibility splays; FFSN-BSP-ZZ-XX-DR-C-0106-P02 Phase 2 on site highway Tracking.

Woodland House Types:

17031-ASC-W-01A Ascot Elevations; 17031-ASC-W-02 Ascot floor plans; 17031-ASC-W-10 Ascot Elevations – plot 175; 17031-ASC-W-11 Ascot floor plans – plot 175; 17031-BEAU-W-01 Beaulieu Plans; 17031-BEAU-W-02A Beaulieu Elevations; 17031-BEAU-W-10A Beaulieu Elevations – plot 173; 17031-BEAU-W-11A Beaulieu floor plans – plot 173; 17031-CHAT-W-01A Chatsworth Plans; 17031-CHAT-W-02 Chatsworth Elevations; 17031-CHAT-W-10 Chatsworth Elevations – plot 134; 17031-CHAT-W-11 Chatsworth Plans – plot 134; 17031-CHELT-B-01 Cheltenham Elevations; 17031-CHELT-B-02 Cheltenham Plans; 17031-CHELT-W-03 Cheltenham Elevations - render; 17031-CHELT-W-04 Cheltenham Plans - render; 17031-GROV-W-01A Grosvenor Elevations; 17031-GROV-W-02 Grosvenor Plans; 17031-HAMP-W-01A Hampton Elevations; 17031-HAMP-W-02 Hampton Plans; 17031-LING-W-01 Lingfield Elevations; 17031-LING-W-02 Lingfield Plans; 17031-SAND-B-01 Sandown Plans; 17031-SAND-W-02 Sandown Elevations; 17031-WIND-W-01 Windsor Elevations; 17031-WIND-W-02A Windsor Plans; 17031-YORK-W-01 York Elevations; 17031-YORK-W-02 York Plans; 17031-GAR/10A Double garage - woodland elevations; 17031-GAR/08A Double garage - woodland plans; 17031-GAR/04A Single garage - woodland elevations; and 17031-GAR/03A Single garage - woodland plans.

Contemporary House Types:

17031-CHEL-C-01A Cheltenham Elevations; 17031-CHEL-C-02 Cheltenham Plans; 17031-CHEL-C-01rA Cheltenham Elevations - render; 17031-CHEL-W-04 Cheltenham plans - render; 17031-CHEST-C-01A Chester Elevations - render; 17031-CHEST-C-02 Chester Plans; 17031-CHEST-W-10 Chester Plans – plots 184-187; 17031-CHEST-W-11 Chester Elevations - plots 184-187; 17031-CHEST-W-12 Chester Plans – plots 188-191; 17031-CHEST-W-13 Chester Elevations – plots 188-191; 17031-SAND-C-01 Sandown Elevations; 17031-SAND-C-02 Sandown Plans; 17031-YO_CH-C-01B York/Cheltenham Plans; 17031-YO_CH-C-02B York/Cheltenham Elevations; 17031-YORK-C-

01B York Plans; 17031-YORK-C-02C York Elevations; and 17031-YORK-C-03C York Elevations – Cladding.

Boulevard House Types:

17031-ASC-B-01 Ascot Elevations; 17031-ASC-B-02A Ascot plans; 17031-BEAU-B-01 Beaulieu plans; 17031-BEAU-B-02A Beaulieu Elevations; 17031-BEAU-B-03A Beaulieu plans - plot 224; 17031-BEAU-B-04A Beaulieu Elevations - plot 224; 17031-CHAT-B-01 Chatsworth Plans; 17031-CHAT-B-02A Chatsworth Elevations; 17031-CHELT-B-01A Cheltenham Elevations (render); 17031-CHELT-B-02 Cheltenham Plans (render); 17031-CHELT-B-03A Cheltenham Elevations; 17031-CHELT-B-04 Cheltenham Plans; 17031-DALE-B-01A Dale Elevations; 17031-DALE-B-02 Dale Plans; 17031-HAMP-B-01 Hampton Elevations; 17031-HAMP-B-02A Hampton Plans; 17031-HAMP-B-010A Hampton Elevations – plot 127; 17031-HAMP-B-11A Hampton Plans – plot 127; 17031-HAMP-B-03A Hampton Elevations - render; 17031-HAMP-B-04 Hampton Plans - render; 17031-HER-B-01A Hereford Elevations; 17031-HER-B-02 Hereford Plans; 17031-LING-B-01A Lingfield Elevations; 17031-LING-B-02A Lingfield Plans; 17031-LING-B-03A Lingfield Elevations - render; 17031-LING-B-04 Lingfield Plans - render; 17031-SAN-B-01 Sandown Plans; 17031-SAN-B-02A Sandown Elevations; 17031-STRA-B-01A Stratford Elevations; 17031-STRA-B-02 Stratford Plans; 17031-WINCH-B-01A Winchester Elevations; 17031-WINCH-B-02 Winchester Plans; 17031-WIN-B-01A Windsor Plans; 17031-WIN-B-02A Windsor Elevations; 17031-YORK-B-01A York Elevations; 17031-YORK-B-02 York Plans; 17031-GAR/02A Single garage - boulevard elevations; and 17031-GAR/01A Single garage - boulevard plans.

- 38. No development on any plot within 30m of the TPO woodland, including site clearance, shall commence until a TPO Woodland management scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed path through the woodland. The woodland shall be managed in accordance with the scheme for the lifetime of the development.**
- 39. No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:**
- a) Materials, plant and machinery storage locations**
 - b) Measures for dealing with Himalyan balsam**
 - c) Timetable and proposed clearance method of excavated soils/materials from area formerly occupied by farmhouse and barn**
 - d) Proposed working practices to minimise harm to wildlife and trees**
 - e) Construction lighting proposals**
- The development shall be constructed in accordance with the agreed CEMP.**
- 40. No works, including site clearance, shall take place on Boundary Brook unless and until water vole and reptile surveys have been carried out, submitted to and agreed in writing by the Local Planning Authority. Any**

works to the brook shall be in accordance with any recommended mitigation measures identified in the surveys.

41. No works on any phase of development shall take place on any path proposed by Boundary Brook unless and until a management plan for the trees/vegetation beside the brook has been submitted to and agreed in writing by the Local Planning Authority. Any works to the vegetation shall be in accordance with the approved details.
42. The development hereby permitted shall be carried out in accordance with the recommendations of the Flood Risk Assessment & Drainage Strategy dated 31 January 2020 and the finished floor levels of any dwellings located in the area at risk from surface water flooding, as shown on Figure 2.1 (page 5), shall be raised 150mm above existing ground levels.
43. 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.
44. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays.
45. The approved landscaping for each phase of development shall be carried out not later than the first planting season following the substantial completion of each respective phase or first occupation of the building(s) within the respective phase, whichever is the sooner, and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.
46. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall take place until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and agreed in writing by the Local Planning Authority. Any required remediation shall be undertaken in accordance with the agreed details and it shall be certified to the satisfaction of the Local Planning Authority that the additional remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

REASONS:

1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
3. To secure an orderly form of development.
4. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of ecology and railway safety and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of highway safety, to minimise disturbance to neighbour amenity 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).
7. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of safeguarding bats and breeding birds, in accordance with the aims of the NPPF and Policy 31 of the Broxtowe Part 2 Local Plan (2019).
8. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences in the interests of highway safety to ensure satisfactory access and parking arrangements are provided on the site 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).
9. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, to protect residents from excessive transport noise and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

10. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences 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 Broxtowe Part 2 Local Plan (2019).
11. To prevent an increase in flood risk, to improve and protect water quality, to improve habitat and amenity and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014) and the NPPF.
12. To safeguard the operations of the railway and in accordance with the aims of the NPPF.
13. In the interests of residential amenity, railway safety and 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).
14. To ensure the retained trees, including the TPO woodland, are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
15. 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).
16. 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).
17. 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).
18. To suppress and disperse odour created from food preparation operations, in order to protect nearby residents from excessive odour, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).
19. In accordance with the terms of the application and to ensure it does not harm the vitality and viability of nearby centres, in accordance with the aims of Policy 13 of the Broxtowe Part 2 Local Plan (2019).
20. In the interests of highway safety, to restrict the possibility of articulated vehicles using the residential roads 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).
21. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
22. No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of biodiversity and in accordance with the aims of the NPPF, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
23. No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of biodiversity and in accordance with the aims of the NPPF Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

24. No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity 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).
25. In the interests of highway safety to ensure access and egress to and from the site is not hindered by parked vehicles and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).
26. To prevent an increase in flood risk, to improve and protect water quality, to improve habitat and amenity, to protect the brook from pollution and in accordance with the aims of the NPPF and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
27. No such details were submitted and in the interests of the appearance of the development, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).
28. No such details were submitted and in the interests of safeguarding habitat for bats, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).
29. In the interests of residential amenity and 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).
30. In the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
31. To protect future occupiers from excessive road traffic noise and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
32. In the interests of safeguarding habitat for bats, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).
33. To ensure environmental measures are incorporated within the scheme, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014).
34. In the interests of highway safety to ensure satisfactory access for the proposed residents, to mitigate the impact of the development on the highway network and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 14 of the Broxtowe Aligned Core Strategy (2014).
35. In the interests of highway safety to ensure satisfactory parking for the proposed residents 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).
36. In the interests of highway safety to ensure that the road infrastructure is maintained to an appropriate standard 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).
37. To ensure that the development hereby approved is carried out in accordance with the approved plans and details.

38. To ensure the woodland is managed and enhanced, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
39. To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
40. In the interests of ensuring due regard is given to the potential presence of water vole and reptiles in the brook and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF
41. In the interests of ensuring the trees beside the brook are appropriately managed in the interests of safeguarding habitat and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF
42. To ensure mitigation takes place to reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe local plan (2019).
43. To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
44. To protect nearby occupants from excessive construction noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
45. To ensure the development presents a more pleasant appearance in the locality, to ensure the landscaping takes place in a timely fashion 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).
46. To ensure any unknown contamination encountered during development is appropriately dealt with to prevent pollution of the environment and to render the site free from risk to human health and in accordance with the aims of Policy 19 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. This permission has been granted contemporaneously with an agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3. In order to carry out off-site works, 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. The applicant is advised to contact the County Council Highways Team for details on hdc.south@nottsc.gov.uk
4. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any

highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

- a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
 - b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.
5. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/the owner or occupier of the land.
 6. The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the developer by Via East Midlands at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.
 7. Any highway trees damaged/removed as a consequence of the off-site works along Ilkeston Road will need to be replaced. You are therefore required to contact Via East Midlands Forestry Officer on 0115 804 2100 to establish where the replacement trees should be located, and to determine their species.
 8. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
 9. In relation to Condition 5, the Local Planning Authority expects landscape buffers to be detailed beside Boundary Brook and Stapleford Hill Woodland and additional scrub planting beside the railway.
 10. The 'no build zone' associated with the high wall should be taken into account with reserved matters layouts.
 11. Severn Trent Water advise that there may be sewers on site that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to,

directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals.

12. The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email: assetprotectionline@networkrail.co.uk
13. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@Broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
14. Whilst the description of the application refers to the local centre being for uses within Classes A1-A5, due to changes to the Town and Country Planning (Use Classes Order), which came into effect on 1 September 2020, the use of the centre will be for those within Class E, drinking establishments and hot food takeaways (sui generis) and will thereafter be limited to the permitted changes within these Classes.

31.3 APPLICATION NUMBER 20/00352/OUT

Outline application to construct residential development with all matters reserved except for the formation of vehicular access from Coventry Lane
Land Adjacent and North West of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire

This application sought planning permission to construct up to 190 dwellings to the west of Coventry Lane with all matters reserved except the formation of a vehicular access (from Coventry Lane) This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.

The application was brought to the Committee as the Council is a joint landowner of part of the site and because of the size of the proposed development.

Members considered the late items for the application which included a correction to the report at paragraph 1.2 regarding land ownership, receipt of amended plans (site location plan, parameters plan and concept plan) which excluded the furniture business land at the northern end of Sidings Lane and reduce the site area, amendments to conditions following the receipt of the amended site location plan and to include reference to phasing and other wording amendments and confirmation from the applicant that they will pay £3000,000 as a bus service contribution as part of the S106 Agreement.

Mr Peter James (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:

- Request for S106 funding to include filters for Cookies Pond (Ilkeston Road) as result of extra traffic to area and pollutant particles.

- Vehicle access on way into site could be a concern.
- Flooding.

RESOLVED that the Interim Head of Planning and Economic Development be granted delegated authority to grant planning permission subject to:

(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of affordable housing on site, education, health, off-site highway works and integrated transport measures contributions

(ii) 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.
2. 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.
3. The outline permission relates to drawings:
 - 2019-613-00 received by the Local Planning Authority on 5 June 2020
 - CLBR-BSP-ZZ-XX-DR-D-0003 Rev P03 and CLBR-BSP-ZZ-XX-DR-D-0001 Rev P04 received by the Local Planning Authority on 12 October 2020
4. Before any site clearance or development is commenced, detailed drawings and particulars showing the following (the 'Reserved Matters') shall be submitted to and approved by the Local Planning Authority:
 - (a) the layout, scale, and external appearance of all buildings;
 - (b) roads and parking provision details within the site;
 - (c) the particulars of the materials to be used in the facing of the external surfaces of all buildings;
 - (d) cross sections through the site showing the finished floor levels of the new dwellings in relation to adjacent land and buildings. These details shall be related to a known datum point; and
 - (e) landscaping treatment of the site

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

5. The detailed drawings and particulars required under condition 4 (e) shall include the following details:
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development. No

- development shall commence until the agreed protection measures are in place;
- (b) numbers, types, sizes and positions of proposed trees and shrubs;
- (c) proposed hard surfacing treatment (including pathways);
- (d) planting, seeding/ turfing of other soft landscape areas including surrounding SUDs features;
- (e) details of the site boundary treatments and curtilage boundary treatments; and
- (f) a timetable for implementation of the scheme

The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

6. No development, including site clearance, shall commence until a detailed surface water drainage scheme based on the Flood Risk Assessment dated 22 May 2020 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include:

- detailed design (plans, network details and calculations) in support of a surface water drainage scheme, including details on all attenuation systems, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; and
- evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

The development shall be constructed in accordance with the agreed details and maintained as such for the lifetime of the development.

7. No development, including site clearance, shall commence until a scheme for protecting the proposed dwellings from noise from railway lines, road traffic and plant noise from the crematorium adjacent to the proposed development has been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Authority shall be completed before any affected dwelling is occupied unless an alternative period is agreed in writing by the Authority.

8. No development, including site clearance, shall commence until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority.

- (a) The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report

shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

- (b) No building to be erected pursuant to this permission shall be occupied or brought into use until:
 - (i) all necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and
 - (ii) it has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.
9. No development, including site clearance, shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:
- (1) a site investigation scheme, based on the preliminary risk assessment report (Geodyne Phase I Geo-Environmental Desk Study & Preliminary Coal Mining Risk Assessment Report dated 28 January 2020) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - (2) the results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
 - (3) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be constructed in accordance with these details. Any changes to the agreed will require written consent of the Local Planning Authority.

10. No development, including site clearance, shall commence until detailed drawings, particulars and evidence has been provided in relation to:
- parking and turning facilities, access widths, gradients, surfacing, street lighting and furniture, structures, visibility splays, drainage, and public transport route; and
 - an application to reduce the speed limit along Coventry Lane to 40mph has been made, in accordance with the indicative details shown on drawing CLBR-BSP-ZZ-XX-DR-D-0003 REV P03.

All details shall comply with Nottinghamshire County Councils Highway Design and Parking Guides and shall be implemented as approved.

11. No development, including site clearance, shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, a detailed remediation scheme to protect the development from the effects of such land instability shall be submitted to and approved in writing by the Local Planning Authority. Following approval, the remedial works shall be implemented in full accordance with the approved details.
12. No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:
 - a) pipes over 200mm in diameter capped off at night to prevent animals entering
 - b) netting and cutting tools not to be left in the works area where they might entangle or injure animals
 - c) No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal
 - d) construction lighting proposals
 - e) materials, plant and machinery storage locations
 - f) proposed working practices to minimise harm to wildlife and trees.

The development shall be constructed in accordance with the agreed CEMP.

13. No development, including site clearance, shall commence until a Reasonable Avoidance Measures Statement (RAMS) is produced and subsequently approved in writing by the Local Planning Authority. The statement shall include a methodology to prevent any harm to amphibians which may be present on site.
14. No development, including site clearance, shall commence until the following have been carried out:
 - bat surveys (include a transect survey and an internal survey on Building 1);
 - breeding bird survey;
 - reptile survey;
 - water vole/otter pre-commencement checks;

The above shall be submitted to and agreed in writing by the Local Planning Authority and any required mitigation to be carried out in accordance with the agreed details.

15. No development, including site clearance, shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:

- (a) the parking of vehicles of site operatives and visitors;**
 - (b) loading and unloading of plant and materials;**
 - (c) storage of plant and materials used in constructing the development;**
 - (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - (e) wheel washing facilities; and**
 - (f) measures to control the emission of dust and dirt during construction.**
- 16. 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.**
- 17. No development shall take place within 100m of the railway until a Construction Method Statement (CMS) for works in this area has been submitted to and agreed in writing by the Local Planning Authority. The CMS shall be implemented in accordance with the agreed details.**
- 18. No buildings pursuant to this permission shall be first occupied until:**
 - the off-site highway works as shown for indicative purposes on drawing CLBR-BSP-ZZ-XX-DR-D-0003 Rev P03, and CLBR-BSP-ZZ-XX-DR-D-0001 Rev P04 have been provided;**
 - respective driveways have been surfaced in a hard bound material (not loose gravel) for a minimum distance of 5.5m from the back edge of the public highway, and which are drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development; and**
 - all footpaths and cycle ways within the site are constructed with the provision to prevent the unregulated discharge of surface water from the footpaths and cycle ways to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the lifetime of the development.**
- 19. No building pursuant to this permission shall be first occupied until a verification report demonstrating the completion of works set out in the approved remediation strategy as set out in condition 9. The effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have**

been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

20. No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted without the 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 controlled waters. The development shall be carried out in accordance with the approval details.
21. No dwelling shall be occupied until details of the site boundary treatments and curtilage boundary treatments, have been submitted to and approved in writing by the Local Planning Authority: no dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details.
22. Prior to the occupation of the dwellings hereby approved, details of a private management company for managing the on-site open space and a detailed landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (including the acoustic fencing), shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas (including the acoustic fencing) shall be maintained and retained for the lifetime of the development in accordance with the approved plan.
23. 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.
24. Nothing shall be stored or placed in any area fenced in accordance with condition 5 (a) and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.
25. The development hereby permitted shall be carried out in accordance with the recommendations of the Flood Risk Assessment & Drainage Strategy dated 22 May 2020 and the finished floor levels of any dwellings shall be raised 150mm above existing ground levels.

REASONS

1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014)
5. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of ecology and railway safety and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. To prevent an increase in flood risk, to improve and protect water quality, have sufficient surface water management and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019), the Broxtowe Aligned Core Strategy (2014) and the NPPF.
7. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, to protect residents from excessive transport noise 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).
8. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences 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 Broxtowe Part 2 Local Plan (2019).
9. To ensure that the development does not contribute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
10. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences in the interests of highway safety to ensure satisfactory access and parking arrangements are provided on the site and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).
11. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

12. Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
13. To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
14. In accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
15. No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity 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).
16. Full details were not 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 Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
17. To safeguard the operations of the railway and in accordance with the aims of the NPPF.
18. No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).
19. To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
20. To protect groundwater from contamination and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
21. In the interests of residential amenity, railway safety and 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).
22. To ensure the site is suitably landscaped and this, and the acoustic fencing, is maintained for the life of the development 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).
23. To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).
24. To ensure the retained trees, including the TPO woodland, are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.
25. To ensure mitigation takes place to reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

NOTES TO THE 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. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3. The submitted plans are for indicative purposes only, except in relation to access and this decision does not approve the landscaping or any other matters.
4. In order to carry out off-site works, 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. The applicant is advised to contact the County Council Highways team for details on hdc.south@nottsccl.gov.uk
5. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.
 - a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
 - b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.
6. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
7. The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the

developer by Via East Midlands at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.

8. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9. The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email: assetprotectionline@networkrail.co.uk
10. Excavated materials that are recovered via a treatment operation can be re-used on-site under the Development Industry Code of Practice. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. You should refer to the Environment Agency's Position statement on the Definition of Waste: Development Industry Code of Practice and <https://www.gov.uk/government/organisations/environment-agency>
11. Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011

12. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

31.4 APPLICATION NUMBER 20/00180/FUL

Construct single/two storey extensions, partial conversion of garage to living accommodation, pitched roof over front flat roof and construct garden wall.

43 Pimlico Avenue, Bramcote, Nottinghamshire NG9 3JJ

The application was first brought before the Planning Committee on 9 September 2020 with a recommendation for approval. Members deferred making a decision on the application due to concerns regarding the impact of the two storey rear extension on neighbour amenity, the development being overbearing and over intensive for the area.

There was a single late item comprised of a neighbour raising no objection to the development.

Mr Elliot Caulton (applicant) submitted a formal written representation that was read to members of the Committee.

The Committee debated the application and the following comments were amongst those noted:

- Recognition for the dialogue undertaken by the applicants

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 drawings:**

Received by the Local Planning Authority on 16 June 2020:

- **Proposed site plan (1:1250)**

Received by the Local Planning Authority on 25 September 2020:

- **Proposed first floor plan**
- **Proposed elevations**
- **Proposed ground floor plan**
- **Proposed roof plan**
- **Proposed boundary wall plan**

Received by the Local Planning Authority on 28 September 2020:

- **Site Plan**

3. **No building to be completed pursuant to this permission shall be occupied or brought into use until:**
 - i) **all appropriate measures have been completed in accordance with the Gas Prevention Measures plan received by the Local Planning Authority on 25 August 2020**
 - ii) **it has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full.**
4. **The extensions and porch roof hereby approved shall be constructed using bricks and tiles to match the main house.**

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. 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.
4. 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).

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.

32 **INFORMATION ITEMS**

32.1 **APPEAL DECISIONS**

The Committee noted the appeal decisions.

33 **DELEGATED DECISIONS**

The Committee noted the delegated decisions.

PLANNING COMMITTEE
TUESDAY, 10 NOVEMBER 2020

Present: Councillor D K Watts, Chair

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

An apology for absence was received from Councillor D D Pringle.

37 **DECLARATIONS OF INTEREST**

Councillors McGrath and MacRae both declared a non-pecuniary interest on item number 4.2, as they had both been involved in a charity auction at the Magpie Public House minute 41 refers.

38 **NOTIFICATION OF LOBBYING**

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

39 **DEVELOPMENT CONTROL**

39.1 **APPLICATION NUMBER 20/00058/REM**

Construct retirement and specialist care community comprising 31 x 2 bed bungalows, 33 assisted care units (1 and 2 bed) and 36 x 1 bed flats together with specialist care/ancillary communal facilities (reserved matters relating to planning permission reference 14/00677/OUT)
Bramcote Hills Golf Club, Thoresby Road, Bramcote, NG9 3EP

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

Mr Stephen Austin (objector) submitted a formal written statement that was read to the members of the Committee.

Members considered the late items which included four representations from residents and a letter from Darren Henry MP.

Members debated the application. Comments made included:

- Overbearing
- Not low level development, contrary to Inspector's decision on outline application
- Impact on residential amenity
- Site not suitable for this development
- Flooding impact
- Benefit of retirement home.

It was requested by Councillor D K Watts and seconded by Councillor J W McGrath that there be a recorded vote.

For	Against	Abstention
	D Bagshaw	L A Ball BEM
	D Grindell	M Handley
	T A Cullen	
	R I Jackson	
	R D MacRae	
	J W McGrath	
	G Marshall	
	P J Owen	
	D K Watts	
	R Willimott	
	J M Owen	

RESOLVED that the reserved matters be refused.

RESOLVED that the wording of the refusal be delegated to the Head of Planning and Economic Development in consultation with the Chair of the Planning Committee and Head of Legal Services.

Reason

The development, by virtue of its scale and prominence, would adversely affect the amenity of local residents, contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019) and the National Planning Policy Framework (2019).

39.2 APPLICATION NUMBER 20/00478/FUL

**Construct 78 bed residential care home with associated parking
Site of The Magpie, Toton Lane, Stapleford NG9 7JD**

This application sought planning permission for the erection of a 78 bed residential care home and had been brought before the Committee at the request of Councillor J W McGrath.

There were no late items for this application.

Mr Keith Wharmby (objector) submitted a formal written statement that was read out to members of the Committee, Councillor D Grindell addressed the Committee as Ward member.

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

- Overbearing for area
- Concern with traffic access
- Inadequate parking on the site

A proposal to defer the application to seek additional parking spaces on the site was put to the Committee by Councillor D Grindell and seconded by Councillor R MacRae. On voting, the amendment was carried.

RESOLVED that the application be deferred.

Reason

To seek additional car parking spaces and to allow a highways response to the consultation.

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Report of the Chief Executive

APPLICATION NUMBER:	20/00478/FUL
LOCATION:	Site of The Magpie, Toton Lane, Stapleford NG9 7JD
PROPOSAL:	Construct 78 bed residential care home with associated parking

1 Executive Summary

- 1.1 The application was first brought before Planning Committee 10 November 2020 with a recommendation for approval (original committee report attached as an appendix). Members resolved to defer making a decision on the application following concerns with the amount of parking to be provided, and the size of the building.
- 1.2 The application is being returned to committee following the receipt of an amended layout and additional information.
- 1.3 The layout which was originally presented to committee in November saw a total of 18 off street parking spaces. Members were concerned that the lack of parking spaces would have the potential to result in an increase in on-street parking, to the detriment of the local area. Amended plans received now show an additional 10 parking spaces making a total of 28, and this has been achieved by providing parallel parking along the access drive, following an increase in its' width, and relocation of cycle store and bin store (with a slight reduction in the size of the bin store).
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

1 Details of the Application

- 1.1 A three storey purpose built 78 bed residential care home facility (the third storey being accommodated in the roof, which is hipped in design) arranged around a central enclosed courtyard garden, providing private secure space for the intended residents is proposed. Soft landscaping is proposed around the building and to the area between the access and the common boundary with 193 Toton Lane. The building would have the main entrance to the south west corner, adjacent to the vehicle access. A path is proposed parallel to Darkey Lane, giving the residents access to the landscaped gardens. The ground floor layout shows a communal café, for use by visitors and a hairdressers and cinema, for the residents. The kitchen and communal dining space is also located on this floor. A lounge is located on each floor. All 78 bedrooms will have an en-suite.
- 1.2 The existing vehicular access, off Toton Lane, will be retained. As originally submitted, 18 vehicle parking spaces are to be provided, as well as 6 covered and secure cycle spaces. An amended layout now shows 28 parking spaces and this has been achieved by relocating the cycle store, reducing the size of the bin store area, and introducing parking spaces along the access drive to the south elevation. There is no reduction in the amount of bed spaces (78). A bin storage area is proposed to be located adjacent to the east boundary. The existing timber fences to Darkey Lane and to the common boundaries with neighbouring properties are proposed to be retained, as is the low Bulwell stone wall to the frontage.
- 1.3 The applicant wishes to draw the attention to information contained within the Transport Statement, submitted as part of the original planning application, which has recently been revised to reflect the increased number of parking spaces. The Transport Statement states that based on their experience of other care homes that they operate, a newly built similar sized care home in Silverdale, near Wilford, which has 83 bed spaces, has 22 car parking spaces and the car park currently operates with spare capacity. They find that the majority of staff working in the care home live locally, use public transport or are likely to get lifts from family members, due to the expense of owning a car. The applicant typically finds that there are very few visitors during the week, with most visits being at the weekend, the busiest time being Saturday afternoon, and therefore not in typical 'rush' hour. Typically, two families are visiting the facility at any one time. Staff shifts are typically as follows:

Early shift – 0700 hrs to 1400 hrs

Late shift – 1400 hrs to 2000 hrs

Night shift – 2000 hrs to 0700 hrs

The applicant acknowledges that there may sometimes be an overlap during shift changes, however the shift change times are typically outside 'rush hour' and school drop off / pick up times. The busiest times in terms of parking are around lunchtime, i.e. between 12 noon and 3pm.

2 Relevant Policies and Guidance

- 2.1 The relevant policies have previously been set out in the original committee report, attached as an appendix.

3 Re-consultations

- 3.1 **County Council as Highways Authority:** The Highways Authority are satisfied that all outstanding issues with regard to the parking to serve the site for use by visitors and staff have been resolved. The recommendation for a condition to require the applicant to enter into a TRO (Traffic Regulation Order) is no longer considered necessary. Will require a bin collection point to be provided within 15m of the public highway, in order to ensure safe storage and convenient collection for Waste and Recycling teams. Other conditions in regard to completion and surfacing of the access drive and parking / turning areas prior to occupation / first use are recommended.

4 Assessment

- 4.1 The amended layout now shows 28 car parking spaces and this has been achieved by relocating the cycle store, reducing the size of the bin store, and introducing parking spaces along the access drive. This sees an increase of 10 spaces.
- 4.2 The Highway Authority are now satisfied that amount of parking to be provided within the site is at an appropriate level for a care facility of this size (28 parking spaces), that the layout of the site is acceptable in terms of vehicle movements, and that there is no longer a requirement for the applicant to enter in to a TRO. An additional condition is recommended, which requires a bin collection point to be provided within 15m of the public highway, in order to ensure that refuse vehicles have safe and convenient access to the bins.

5 Conclusion

- 5.1 The proposed development, as amended is acceptable and would not have an unacceptable impact on highway safety or parking conditions in the wider area and as such it is recommended that planning permission be granted, subject to conditions and the prior signing of a Section 106 Agreement.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan and drawings numbered 2621(08)201 rev C, 2621(08)301 rev B, 2621(08)902, 2621(08)E02 rev A, and 2621(08)S02 rev A, received by the Local Planning Authority on 23.07.20, drawing numbered 2621(08)E01 rev B received by the Local Planning Authority on 07.08.20, drawing number ADC2521-DR-001-P1, Technical note and Travel Plan Statement received by the Local Planning Authority on 15.10.20, drawing number 2621(08) G01 rev G, ADC2521-DR-051-P2, ADC2521-DR-052-P2 received by the Local Planning Authority on 13.11.20. Drawings numbered 2621(08)101 rev D, 2621(08)901 rev B, and 2621(08)S01 rev B received by the Local Planning Authority on 18.11.20.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks and tiles to be used in all elevations 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.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>The development shall not 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 contamination or other identified problems. The building shall not be occupied or brought into use until all</p>

	<p>necessary measures have been implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No above ground works shall be commenced until details of the proposed bin storage area and cycle store have been submitted to and approved in writing by the Local Planning Authority. The stores shall be installed in accordance with the approved details, prior to the first use of the building, and retained for the lifetime of the development.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
6.	<p>The residential care home shall not be brought into use until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed trees and shrubs (b) proposed hard surfacing treatment (c) proposed lighting details (d) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>The building shall not be occupied until details of ventilation and filtration equipment, required to suppress and disperse odour created from food preparation on the premises, have been submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to first use of the premises, and shall be effectively operated and maintained for the lifetime of the development.</p> <p><i>Reason: In the interest of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local</i></p>

	<i>Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
8.	<p>The building shall not be occupied or otherwise be brought into use until the noise mitigation measures as detailed in section 4 of the Noise Assessment report, reference 13016.01 v1 dated June 20, have been implemented. The measures shall thereafter be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of future residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>The building shall not be occupied or otherwise be brought into use until the access drive, parking and turning areas have been surfaced in a bound material and constructed with provision to prevent the unregulated discharge of surface water from the access on to the public highway, and shall be retained as such for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10.	<p>The building shall not be occupied or otherwise brought into use until the parking and turning area (which shall be clearly delineated); the electric vehicle charging points; and visibility splays have been installed / completed in accordance with the approved plans. The visibility splays shall thereafter be kept free of all obstructions for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The building shall not be occupied or otherwise brought into use until details of a bin collection point within 15m of the public highway have first been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(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</p>

	<p>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 Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
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 should also be no bonfires on site at any time.
4.	The applicant is advised to contact the Food and Occupational Safety Section of Broxtowe Borough Council on 0115 9173435 to ensure that the premises complies with current Food Safety requirements.
5.	<p>The development makes it necessary to amend and reinstate the vehicular 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:</p> <p>http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>



Legend
 Site Outline

Photographs



The Magpie PH, following closure and prior to demolition



Existing access from Toton Lane, 193 can be seen to the right



Access onto the site



View along Darkey Lane, toward Toton Lane, with boundary to the site on the left



14 Darkey Lane, to the north of the site



View across the site from Darkey Lane



The rear elevations of 193, 195 and 197 Toton Lane

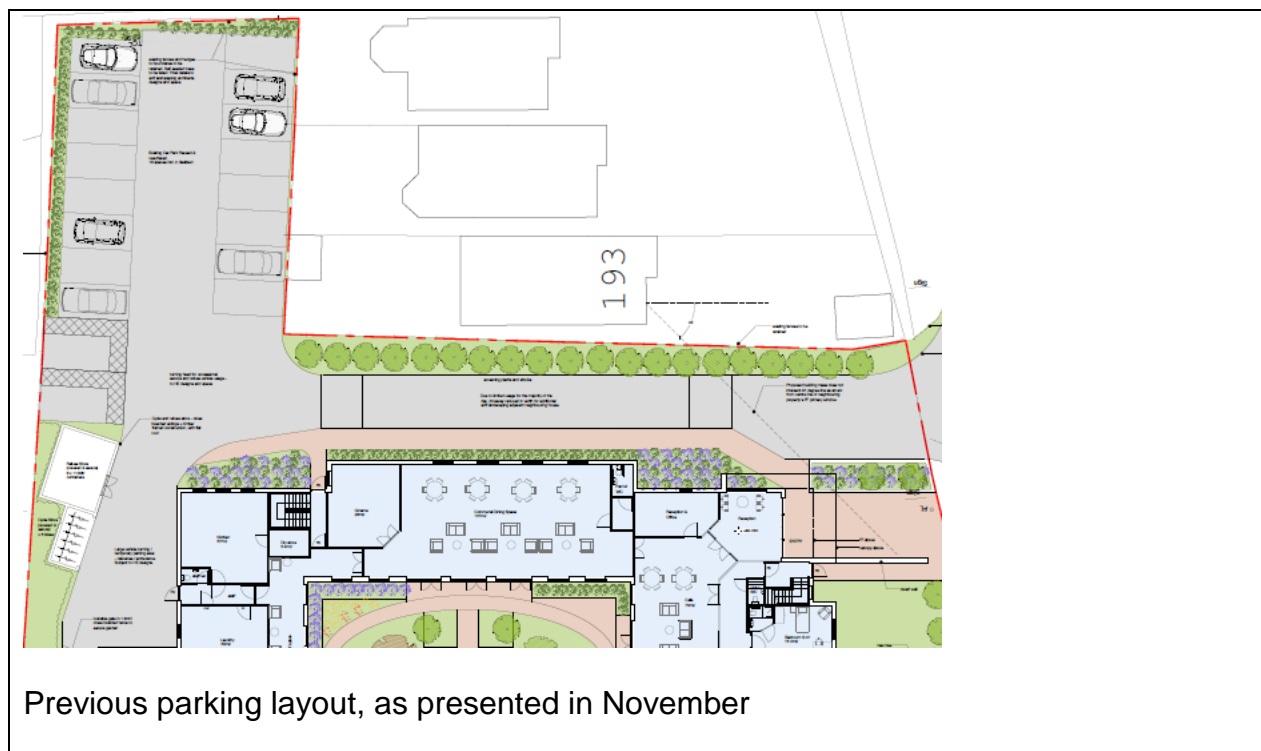


Rear boundary (east) to common boundary with dwellings on Brunswick Drive

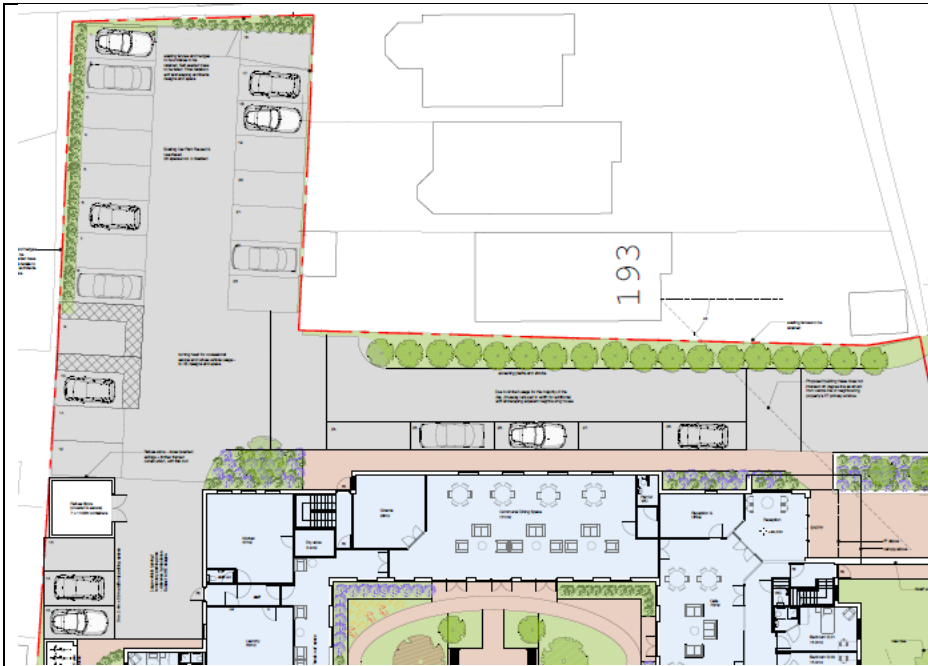


Piece of land between 193 – 197 Toton Lane and 7 and 9 Brunswick Drive, which will be allocated for parking

Revised layout (not to scale)



Previous parking layout, as presented in November



Amended parking layout. Additional parking along the access, and to the side of the bin store

Report of the Chief Executive

APPLICATION NUMBER:	20/00478/FUL
LOCATION:	Site of The Magpie, Toton Lane, Stapleford NG9 7JD
PROPOSAL:	Construct 78 bed residential care home with associated parking

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

1 Executive Summary

- 1.1 The application seeks planning permission for the erection of a 78 bed residential care home on the site of the former Magpie Public House, now demolished, located to the east side of Toton Lane.
- 1.2 The main issues relate to whether the principle of the provision of the residential accommodation would be acceptable, whether the design and layout of the proposed development would be harmful to the character and appearance of the street scene, whether the use would result in an unacceptable impact on highway safety and whether there will be an unacceptable impact on neighbour amenity.
- 1.3 The benefits of the proposal are that it would return the site back into residential use, contributing to the provision of a mix of accommodation for the local community, would provide opportunities for employment in the local area, and would be in accordance with policies contained within the development plan. This is given significant weight. The building would be close to residential properties and thereby have an impact on the amenities of the occupiers of neighbouring properties, however for the reasons set out in the report, this is 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, and to the prior signing of a Section 106 Agreement.

APPENDIX

1 Details of the Application

- 1.1 A three storey purpose built 78 bed residential care home facility (the third storey being accommodated in the roof, which is hipped in design) arranged around a central enclosed courtyard garden, providing private secure space for the intended residents is proposed. Soft landscaping is proposed around the building and to the area between the access and the common boundary with 193 Toton Lane. The building would have the main entrance to the south west corner, adjacent to the vehicle access. A path is proposed parallel to Darkey Lane, giving the residents access to the landscaped gardens. The ground floor layout shows a communal café, for use by visitors and a hairdressers and cinema, for the residents. The kitchen and communal dining space is also located on this floor. A lounge is located on each floor. All 78 bedrooms will have an en-suite.
- 1.2 The existing vehicular access, off Toton Lane, will be retained. 18 vehicle parking spaces are to be provided, as well as 6 covered and secure cycle spaces. A bin storage area is proposed to be located adjacent to the east boundary. The existing timber fences to Darkey Lane and to the common boundaries with neighbouring properties are proposed to be retained, as is the low Bulwell stone wall to the frontage.

2 Site and surroundings

- 2.1 The site is to the south east of the junction with Darkey Lane, and was formerly occupied by a two storey building used as a public house, which had single storey extensions to the front and side. A detached brick built coach house was to the rear. All buildings on the site have now been demolished, and the site left clear. Vehicular access is from Toton Lane, adjacent to no. 193. Part of the site extends to the rear of 193, 195 and 197 Toton Lane. The site is currently enclosed by close boarded timber fencing along Darkey Lane elevation, and between the site and neighbouring plots. There is a low Bulwell stone wall to the Toton Lane elevation, and there are areas of hedging, grass and small trees to this elevation. There are self-set trees and shrubbery along the boundaries to the car park areas.
- 2.2 Whilst Toton Lane at this point is a busy road linking the A52 with Stapleford town centre, the immediate area is predominantly residential in character, with the exception of a fuel filling station and convenience store, to the north side of the junction.
- 2.3 To the south of the site there are two storey dwellings, these being 193, 195, 197 and 199 Toton Lane. 193 is the dwelling immediately adjacent to the south boundary, and has its side elevation facing the site which contains a small window, serving a landing, at first floor level. The site boundary forms the common boundary to the rear gardens of 193, 195 and 197, and forms the common boundary with the side of the rear garden of 199.
- 2.4 The east boundary of the site shares the common boundary with rear gardens of 7, 9, 11 and 15 Brunswick Drive. 7 and 9 are two storey detached dwellings, and

11 and 15 are detached bungalows, the rear elevations of which face the site. 14 Darkey Lane, to the north east, is side on to the site. This is a detached bungalow.

2.5 To the north of the site, and on the opposite side of Darkey Lane, are nos. 1, 5, 7, 9 and 11. These are all two storey dwellings. To the west of no. 1 is the filling station/ shop, which is at an angle to the road, facing the junction. It has in and out accesses to Darkey Lane and to Toton Lane.

2.6 To the west of the site, and on the opposite side of Toton Lane, are 196, 198, 200, 202, and 204. These are all two storey and are set back from the highway.

3 Relevant Planning History

3.1 There have been several planning applications submitted and granted planning permission which relate to the use of the site as a public house. Demolition of the public house and associated outbuildings was granted in 2019, and these were demolished shortly after. Planning reference 19/00268/FUL.

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 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 19: Developer Contributions

4.2 **Part 2 Local Plan 2019:**

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

- 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 24: The Health and Wellbeing Impacts of Development
- 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 12 – Achieving well-designed places.

5 Consultations

- 5.1 **County Council as Local Lead Flooding Authority:** General recommendations in respect of: the development not to increase risk of flood to existing properties or put the development at risk; surface water discharge should consider infiltration as the priority; SUDS should be considered where feasible; and where a development proposes to alter an ordinary watercourse in a manner that would have a detrimental effect on the flow of water, this must first be discussed with the Flood Risk Management Team at NCC.
- 5.2 **County Council Planning Policy:** No objections, subject to a financial contribution of £5000 towards improvements to bus stop infrastructure, which can be secured by a Section 106 Agreement.
- 5.3 **County Council as Highway Authority:** Would require a visibility splay, confirmation of width of access and a swept path to demonstrate vehicles such as an ambulance can turn within the site, to be submitted and agreed. Considers the amount of car parking spaces to be on the low side and as such, details of staffing levels and a travel plan would be required in order to assess whether the ratio of parking spaces is acceptable. Details of the access, swept path and parking levels / travel plan have been submitted and additional comments from the Highway Authority received. There are still concerns in regard to the parking provision and whether this is sufficient, however as a compromise and in order to minimise any potential for vehicles to be dispersed onto the public highway, require the developer to apply for a Traffic Regulation Order in respect of restrictions on Darkey Lane. Also note that the bin store should be located within 15m of the public highway should the development be served by the Local Authority Waste and Recycling team.
- 5.4 **Council's Waste and Recycling Officer:** Developer to agree trade waste contract with the authority and a bin store constructed to enable communal trade bins to be accommodated, which should be within 10m of the collection point (adopted highway). The road would need to be wide enough to accommodate a refuse vehicle, assuming the road would be adopted, however access over private land can be agreed between the authority and the developer.
- 5.5 **Council's Environmental Health Officer:** No objections, subject to conditions in respect of: submission of a contaminated land report; installation of noise mitigation measures; details of ventilation and filtration equipment; and hours of work during construction. Notes to applicant in regard to burning of waste on site and to registration of premises in respect of food safety requirements.
- 5.6 **Council's Tree Officer:** No objections. None of the trees on site are the subject of or worthy of a Tree Preservation Order. Recommends removal of self-set trees on the Darkey Lane boundary as these are or have the potential to cause problems such as damage to existing telegraph pole, and removal of self-set trees to the east boundary. The hedges to the boundaries can be cut back to form a neat hedge but will require regular maintenance.
- 5.7 **Council's Parks and Environment Officer:** Given the nature of the proposal, there is no requirement for a financial contribution towards the provision of or

maintenance of off-site public open space. The landscaping as proposed is acceptable in principle subject to details in respect of species and plant sizes, to be agreed.

- 5.8 **Nottinghamshire Wildlife Trust:** Support the details as set out in the Ecology and Protected Species Report (IEL Inspired Ecology, 2019) in principle, however, it is recommended that the report be reviewed and updated should work have not taken place after 12 months. Recommend that the hedgerows and trees should be retained where possible as they provide the potential for nesting bird species. Any clearance of vegetation should take place outside of the active nesting season, and if taking place during breeding season, a search for nests should first be undertaken. Welcome enhancements in regard to nest boxes. Welcome the recommendation to install two bat roost units 'in the renovated buildings' (It should be noted that no buildings remain on site). Also welcome the plans for biodiversity enhancements on and around the development site.
- 5.9 **NHS Nottingham and Nottinghamshire CCG:** As the facility will have an impact on the resources for existing health care providers (GP surgeries) in the area, a financial contribution of £16,906.50 is requested, to be secured by way of a Section 106 Agreement.
- 5.10 **NHS University NHS Trust:** Consider that the development would generate the need for additional services at the NUH, for example, accident and emergency services, acute care etc. A financial contribution of £30,280.00 is requested, to be secured by way of a Section 106 Agreement.
- 5.11 **Cadent:** Identify that there is apparatus in the vicinity of the site, which may be affected by the development. The agent has been made aware.
- 5.12 **Stapleford Town Council:** Concerned in regard to the lack of parking on the site and potential impact on surrounding streets. Toton Lane is a busy road leading down to the A52 Bardills Island, and any parking on this road will cause significant hazards for other road users.
- 5.13 21 properties either adjoining or opposite the site were consulted by the applicant due to Coronavirus, three site notices were displayed and a press advert was published. Three responses were received, one with observations and two objections:

Observation:

- Reservations regarding traffic – with 78 beds / staff etc., consideration should be given to the installation of proper traffic lights at the junctions of New Eaton Road and Darkey Lane, as getting out of these junctions is difficult, with a lot of accidents there in the past 2 to 3 years, and to traffic calming measures, with traffic speeds at well over 30mph, it may only be a matter of time before there is a fatality.

Objections:

- Insufficient parking (only 16 spaces) for a 78 bed facility. Already a parking issue on the surrounding streets due to the secondary school nearby. Also, where will staff members park at shift change times, if spaces already occupied.

Whilst there is the potential to park at the Toton tram park and ride, it is unlikely to be utilised

- Construction traffic will have a detrimental impact on neighbouring properties and traffic flow for a considerable period
- Perhaps the size of the building can be reduced so as to increase the amount of parking available on site.

6 Assessment

6.1 The main issues for consideration are the principle, design and layout of the development, impact on neighbours, and impact on the public highway.

6.2 **Principle**

6.2.1 The predominant character of the area is residential, and the site has not been allocated for any specific purpose in the Part 2 Local Plan. As the proposed use as a care home, by its nature, is a residential use, then the principle of the development is acceptable, subject to the matters below.

6.3 **Design and Layout, including Bin Storage**

6.3.1 Whilst it is acknowledged that the proposed development would have a significantly larger footprint than the now demolished public house, the scale of the proposed building, at three storeys (the third storey within the hipped roof), is comparable with the height of the existing two storey dwellings adjacent to the site. The main elevations to Toton Lane and to Darkey Lane will provide an active frontage, with windows to all floors overlooking the street. The building is of a traditional design, having a hipped tiled roof and of brick to the elevations. Details of materials are to be agreed prior to the commencement of the development, and this will be secured by condition. It is considered that the scale and design of the development is acceptable.

6.3.2 The layout of the site, which sees the building positioned toward the northern boundary and utilisation of the existing access off Toton Lane, is considered to make best use of the site and allows for a separation of the development from the adjacent properties. The internal courtyard provides for a safe, private area of outdoor space for the residents, and other landscaped areas are to be provided to the north, east and west boundaries of the site. The layout plan indicates that the existing hedges and shrubs on these boundaries will be retained. Notwithstanding this, details of landscaping would be secured by condition, to ensure that the development presents an acceptable appearance within the street scene.

6.3.3 A parking area is proposed to the area to the rear of 193, 195 and 197 Toton Lane, and 7 and 9 Brunswick Drive. A bin storage area and a covered secure cycle shelter are proposed to the rear of 11 and 15 Brunswick Drive. Details of these will be secured by condition. The bin storage area would need to be able to accommodate the requirements set out by the Waste and Recycling Officer.

6.4 Amenity

- 6.4.1 The proposed building has been designed such that it is set off all common boundaries. The main entrance has been sited toward the front of the building, facing Toton Lane. The side elevation of 193 Toton Lane is, at the closest point, 9.9m away, with the vehicular access separating the building from the boundary. The rear elevations of 193, 195 and 197 Toton Lane and 7 and 9 Brunswick Drive would overlook the parking area, as would 199 Toton Lane. The rear elevations of 11 and 15 Brunswick Drive would look toward the bin and cycle store and the east elevation of the building. The building reduces in height on this elevation to a single storey. A distance of 22.5m is between the rear elevations of 11 and 15 to the two storey eastern elevation, with a minimum of 5.3m between the single storey element and the common boundary. 14 Darkey Lane is side on to the site, and is separated from the common boundary by a drive. It is considered that the design and layout of the development would not have a significant impact on the amenities of the occupiers of the properties directly adjacent to the site in respect of loss of light, outlook or privacy. The use, being residential, is considered to be compatible with the surrounding area.
- 6.4.2 Nos. 1, 5, 7, 9 and 11 Darkey Lane, which are to the north of and opposite the site, would be no closer than 21.9m to the proposed building, and due to the presence of the road between, it is considered that this relationship is acceptable and would not have a significant impact on the amenities of the occupiers of these properties.
- 6.4.3 Similarly, as there would be a minimum distance of 29m between the closest point of the west elevation and dwellings to the west on the opposite side of Toton Lane, and due to the presence of the road between, it is considered that the relationship between the proposed development and these dwellings is acceptable.
- 6.4.4 A condition in regard to hours of work during the construction phase, recommended by the Environmental Health team, would safeguard the amenities of the occupiers of nearby property.
- 6.4.5 In regard to the future occupants of the care home, each room is of an acceptable size and have access to natural light and to an outlook. The facility would provide communal areas such as lounges and dining areas, and a café which visitors would have access to. The occupiers would also have access to the private courtyard and other external areas. It is considered that the amenities provided for the occupiers of the facility are acceptable.
- 6.4.6 A condition requiring a contaminated land survey to be submitted, and for the implementation of the measures set out in the noise report, will be imposed and would safeguard the future health and wellbeing of the occupants.

6.5 Access and Impact on Highway Safety

- 6.5.1 The existing vehicular access off Toton Lane will be retained, and the principle of this is acceptable. 18 parking spaces, which include two accessible spaces, are to be provided for use by staff and visitors. A turning area / delivery space is also proposed between the bin store and the kitchen area. Information has been submitted which demonstrates that the turning area / delivery space is of a

satisfactory standard to enable larger vehicles such as refuse vehicles and ambulances to safely enter and exit the site in a forward gear. It is considered that the ratio of parking provision to staffing levels is acceptable, as outlined in the Travel Plan, as the location of the care home is accessible by a range of sustainable means of travel including by walking, cycling, and by public transport (the tram terminus is close by). The proposed care home would not have a significant impact on highway safety or result in an unacceptable increase in demand for on-street parking spaces. It is noted that the previous use of the site, as a public house, would have generated high levels of vehicle movements, throughout the day, and as such is considered to be comparable to the proposed use, in terms of traffic generation. The County Council as Highway Authority have not recommended any improvements or changes to the highway network, such as the provision of traffic calming measures or to the installation of new traffic lights at the Darkey Lane / New Eaton Road junctions, but have requested that the developer submit an application for a Traffic Regulation Order to control on-street parking along Darkey Lane. This will be secured by condition.

6.6 Developer Contributions

- 6.6.1 The NPPF requires planning obligations to be necessary, directly related and fairly and reasonably related in scale and kind to the development. There is no requirement for a financial contribution toward education or to open space.
- 6.6.2 A contribution of £19,906.50 has been requested by NHS CCG to go toward the finance of resources for local health services (GP surgeries etc), and a contribution of £30,280.00 toward the provision of additional services at NHS NUH Trust. Whilst the contribution toward local services is deemed to be a justifiable request which will be secured by the prior signing of a Section 106 Agreement, the contribution requested by the NHS NUH Trust is considered not to be justified, since the development is required in order to meet a housing need figure included in the Development Plan, which has been consulted upon with relevant health providers at the time of production, and which was subject to Public Examination.
- 6.6.3 £5,000 towards improvements to bus stop infrastructure is sought by the County Council and this contribution is considered to meet the tests of the NPPF.

6.7 Other Matters

- 6.7.1 A request was made to the applicant to consider the provision of a publically accessible defibrillator within the site, as there was previously one located outside the pub prior to its demolition. The applicant is amenable to this, and the provision of the defibrillator would be arranged outside of the planning process.
- 6.7.2 Air Quality – As the proposed building would be in excess of 1000 square metres in floorspace, there is a requirement for the development to provide Electric Vehicle charging points within the site. The Transport Technical Note, submitted as part of the application, states that a total of four parking spaces would be provided with Electric Vehicle charging points, and infrastructure be installed for a further four parking spaces to have EVC's installed at a later date, should demand arise.

- 6.7.3 A Health Impact Assessment has been submitted. Out of the 25 points on the checklist, 17 would result in a positive health impact and 8 are neutral. It is considered that the development would, overall, have a positive impact on health for the future users and occupants of the facility and the upon the local area.

7 **Planning Balance**

- 7.1 The benefits of the proposal are the re-use and development of a currently unsightly site and the provision of specialist residential accommodation for the wider community. The proposed development would also generate a number of employment opportunities.
- 7.2 The negative impacts are the potential impact on the amenities of neighbouring occupiers.
- 7.3 On balance, the proposal to develop the site for a residential use to the benefit of the community and the re-use of the site outweighs the potential impact on the amenities of the occupiers of nearby property.

8 **Conclusion**

- 8.1 For the reasons set out above, and subject to the conditions set out below, the proposed development accords with Broxtowe Aligned Core Strategy Policies 2, 8, 10 and 19, Broxtowe Part 2 Local Plan Policies 15, 17 and 32, and the relevant sections of the NPPF.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that the Interim Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure appropriate contributions and</p> <p>(ii) the following conditions:</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan and drawings numbered: 2621(08)201 rev C, 2621(08)301 rev B, 2621(08)901 rev A,</p>

	<p>2621(08)902, 2621(08)E02 rev A, 2621(08)S01 rev A and 2621(08)S02 rev A, received by the Local Planning Authority on 23.07.20, drawings numbered: 2621(08)101 rev C and 2621(08)E01 rev B received by the Local Planning Authority on 07.08.20, and drawing number 2621(08) G01 rev F, ADC2521-DR-001-P1, ADC2521-DR-051-P1, ADC2521-DR-052-P1, Technical note and Travel Plan Statement received by the Local Planning Authority on 15.10.20.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks and tiles to be used in all elevations 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.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>The development shall not 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 contamination or other identified problems. The building shall not be occupied or brought into use until all necessary measures have been implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No above ground works shall be commenced until details of the proposed bin storage area and cycle store have been submitted to and approved in writing by the Local Planning Authority. The stores shall be installed in accordance with the approved details, prior to the first use of the building, and retained for the lifetime of the development.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>

6.	<p>No development above slab level shall commence until an application for a Traffic Regulation Order to control on-street parking along Darkey Lane has been made.</p> <p><i>Reason: In the interests of highway safety to ensure access and egress at the junction of Darkey Lane and Toton Lane is not hindered by parked vehicles and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<p>The residential care home shall not be brought into use until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed trees and shrubs (b) proposed hard surfacing treatment (c) proposed lighting details (d) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The building shall not be occupied until details of ventilation and filtration equipment, required to suppress and disperse odour created from food preparation on the premises, have been submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to first use of the premises, and shall be effectively operated and maintained for the lifetime of the development.</p> <p><i>Reason: In the interest of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>The building shall not be occupied or otherwise be brought into use until the noise mitigation measures as detailed in section 4 of the Noise Assessment report, reference 13016.01 v1 dated June 20, have been implemented. The measures shall thereafter be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of future residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>

10.	<p>The building shall not be occupied or otherwise brought into use until the parking and turning area, and the electric vehicle charging points have been installed / completed in accordance with the approved details.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(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 Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
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 should also be no bonfires on site at any time.
4.	The applicant is advised to contact the Food and Occupational Safety Section of Broxtowe Borough Council on 0115 9173435 to ensure that the premises complies with current Food Safety requirements.



Legend

Site Outline

Photographs



The Magpie PH, following closure and prior to demolition



Existing access from Toton Lane, 193 can be seen to the right



Access onto the site



View along Darkey Lane, toward Toton Lane, with boundary to the site on the left



14 Darkey Lane, to the north of the site



View across the site from Darkey Lane



The rear elevations of 193, 195 and 197 Toton Lane



Rear boundary (east) to common boundary with dwellings on Brunswick Drive



Piece of land between 193 – 197 Toton Lane and 7 and 9 Brunswick Drive, which will be allocated for parking

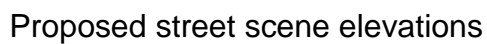
Plans (not to scale)



Proposed elevations



Proposed ground floor and block plan



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Report of the Chief Executive

APPLICATION NUMBER:	20/00538/FUL
LOCATION:	232 Queens Road, Beeston, Nottinghamshire, NG9 2BN
PROPOSAL:	Construct three storey side extension, rear dormer, first floor rear extension and convert existing house to create 7 apartments, demolish garage, external alterations, new vehicular and pedestrian access, 6 car parking spaces and bin and cycle stores (revised scheme)

Councillors P Lally and L A Lally have requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 The application seeks planning permission to construct a three storey side extension and to convert the existing house to create seven, self-contained apartments which are not HMO's (House in Multiple Occupancy). A three storey, partially glazed link with a pitched and flat roof will connect the main property and extension. The existing garage will be demolished and the existing two storey rear extension will be increased in width by 2m. It will project at single storey a further 3m to the north west. Three flat roof dormers will be constructed in the rear roof slopes. A vehicular and pedestrian access will be created and provision for six car parking spaces and a cycle store will be included.
- 1.2 The main property is a traditional style, three storey, semi-detached property on a corner plot. It has ground and first floor bay windows and an attached flat roof single storey rear extension and garage projecting to the side. The roof slopes down to the rear from three storeys to two storeys and has a two storey rear projecting element with mono-pitched roof.
- 1.3 This is a revised application following the refusal of an application (19/00610/FUL) for seven apartments at Planning Committee in December 2019. An application (19/00272/FUL) for nine apartments was refused at Planning Committee in July 2019 (see relevant planning history).
- 1.4 With regard to the possibility of refusing the application, the National Planning Practice Guidance (NPPG) gives advice on the types of behaviour that may give rise to a substantive award (of costs) against the Local Planning Authority which includes:

‘Persisting in objection to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.’

- 1.5 The applicant has amended the scheme in line with the Inspectors comments stated within the 19/00610/FUL appeal decision at appendix 2, therefore, it is considered the scheme is acceptable and should be approved.
- 1.6 The main issues relate to whether the principle of converting and extending the property to create seven apartments would be acceptable, if the development is acceptable in terms of flood risk, parking issues and whether there will be an unacceptable impact on neighbour amenity.
- 1.7 The benefits of the proposal would mean six additional homes within a sustainable, urban location with access to regular sustainable transport links 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 and available parking but these matters are considered to be outweighed by the benefits of the scheme.

APPENDIX 1

1 Details of the Application

1.1 The application seeks planning permission to construct a three storey side extension and to convert the existing house to create seven, self-contained apartments which are not HMO's (House in Multiple Occupancy). A three storey, partially glazed link with a pitched and flat roof will connect the main property and extension. The existing garage will be demolished and the existing two storey rear extension will be increased in width by 2m. It will project at single storey a further 3m to the north west. Three flat roof dormers will be constructed in the rear roof slopes. A vehicular and pedestrian access will be created and provision for six car parking spaces and a cycle store will be included.

1.2 The main differences between this application and the previously refused application (19/00610/FUL) are as follows:

- Two additional rear dormers
- Dormer in rear roof slope of main house reduced in size
- Reduction in width of building so it doesn't project beyond the front elevation of no. 6 Dagmar Grove
- Insertion of a ground and first floor window in the south west (side) elevation
- Reduction in size of single storey rear extension (serving duplex 3)
- Removal of over-sailing roof to the rear
- Internal configuration amended
- Reduction in parking spaces from 7 to 6
- Bin and cycle store repositioned.

19/00610/FUL Refused scheme



20/00538/FUL Proposed scheme



20/00538/FUL Proposed scheme



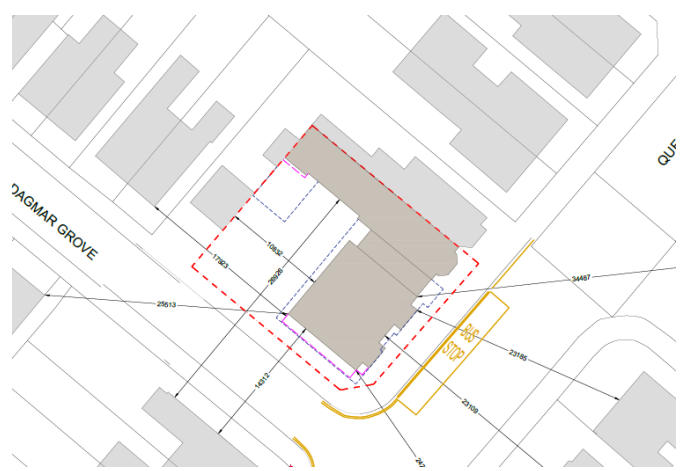
Proposed Front Elevation - Queens Road
Scale 1:100 @ A1



Proposed Side Elevation
Scale 1:100 @ A1



Proposed Side Elevation - Dagma Grove
Scale 1:100 @ A1



Block Plan

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apartment will have a kitchen/living/dining area and bathrooms and/or en-suites. Six parking spaces are proposed to the rear of the three storey extension (accessed from Dagmar Grove). The cycle store will be within the lobby area and the bin store will be positioned next to the south west (side) elevation of the building with Dagmar Grove.

1.3 The Inspector specifically outlines the reasons in dismissing the 19/00610/FUL appeal were based on the character and appearance in relation to the following points:

- the side of the extension projects beyond the front elevation of the properties along Dagmar Grove
- the rear cantilevered roof and
- the rear dormer in the main roof slope.

1.4 The Inspector considered the 19/00610/FUL appeal was acceptable in relation to neighbours' living conditions, outlook and privacy, noise and disturbance, parking and standard of accommodation (future occupants). The Inspector did not determine that any other factors that would deem the application unacceptable other than those set out in section 1.3 above.

2 Site and surroundings

2.1 The site contains a three storey, semi-detached house with rear extensions positioned on a corner plot. The house is constructed from red brick and grey clay tiles. A two storey extension with mono-pitched roof extends to the rear and adjoins a small single storey flat roof extension and a flat roof garage. There is parking for two cars on site (one space in garage) which is accessed from Dagmar Grove. The site is enclosed by a 2m high fence to the south west which extends across part of the north west boundary. The north west boundary is enclosed by the garage on site and adjoining garage belonging to no. 230. No. 230's garden extends in an L-shape to the north west of the site and two outbuildings in this garden are positioned along the boundary with the site. A 2m high rendered wall and curved top fence extends across the south east boundary of the site (beside Queens Road).

2.2 The main house adjoins no. 230 to the north east which is relatively similar in style and scale. No. 6 Dagmar Grove is positioned to the north west of the site and is a semi-detached house with a first floor blank south east (side) elevation with a garden that projects to the north east. No. 234 is a three storey end terrace property positioned on a corner plot to the south west. Nos. 231 and 233 are detached properties positioned to the south east.

2.3 The site lies within a predominantly residential area with some commercial units. The site is within walking distance of Beeston town centre with a regular tram service. A bus stop is positioned directly to the north east of the site on Queens Road, served by a regular bus service. The site is within a reasonable proximity to Beeston train station. The site is relatively flat and is located within Flood Zone 3 which is land with a high probability (between 1 in 100 or greater) of river flooding.

3 Relevant Planning History

- 3.1 An application for a garage and shower room (77/00444/FUL) was granted permission in July 1977.
- 3.2 An application for a three storey side extension and to convert the existing house to create nine apartments with a first floor garage extension, dormers, external alterations, new vehicular and pedestrian access, 6 car parking spaces and cycle store (19/00272/FUL) was refused permission in July 2019 for the following reason: *“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 Policies H4, H7 and T11 of the Broxtowe Local Plan (2004), Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018).”* This was dismissed at appeal based on the unacceptable impact on the character and appearance of the area.
- 3.3 An application for a three storey side extension and to convert the existing house to create seven apartments with a rear dormer, first floor extension, demolition of the garage, external alterations, new vehicular and pedestrian access, seven car parking spaces and bin and cycle stores (19/00610/FUL) was refused permission in December 2019 for the following reason: *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).*
- 3.4 The 19/00610/FUL application was dismissed at appeal. The Inspector concluded that due to the significant size and massing of the extension in a prominent location, the adverse visual impact of the undercroft element, dormer window and the constrained car parking layout that the appeal should be dismissed. 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. The particular causes for concern that the Inspector refers to is the side of the extension projecting beyond the front elevation of the properties along Dagmar Grove, the rear cantilevered roof and the rear dormer in the main roof slope. The Inspector determined that the scheme did not result in harm to the living conditions of neighbouring occupants (including no. 230 or any overlooking/ loss of privacy to any neighbours), did not result in an increase in on-street parking demand to such an extent to demonstrably harm living conditions of neighbouring occupants

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 20: Air Quality

4.2 Part 2 Local Plan

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 2 – Achieving Sustainable Development
- 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
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

5 Consultations

5.1 **Council's Environmental Health Officer:** raises no objection subject to a condition requiring implementation of noise mitigation measures prior to development commencing. An advisory in respect of working hours and prohibiting burning waste on site are advised.

5.2 **Council's Waste and Recycling Officer:** raises no objection and advises bin requirements.

5.3 **Environment Agency (EA):** Initially objected due to the Flood Risk Assessment (FRA) not complying with planning practice guidance.

The FRA was amended in accordance with the EA's comments and they now raise no objection to the scheme subject to the following conditions: They have advised that the finished floor level of the proposed extension (and bedroom within Apartment 2) should be set no lower than 27.52m AOD (Above Ordnance Datum). The remaining ground floor within the existing building should be set no lower than 26.92m AOD (all as stated in section 2.5.2 of the amended FRA dated November 2020). Flood resilience measures to be implemented on all ground floors to a height no lower than 27.82m AOD as stated within 6.1.2 of the FRA.

Advisories in respect of the building owner/occupants registering for flood warning service and incorporating flood resistant and resilience measures.

5.4 **Nottinghamshire County Council as Highways Authority:** no objection subject to conditions relating to the dropped vehicular footway being appropriately constructed and amended for the access, the parking area is surfaced with a hard, bound material and bays clearly delineated and the cycle parking is available for use before the development is occupied. The spaces are sufficient to serve the site and space 01 has a 0.5m separation distance with the wall to allow drivers to exit their vehicle.

5.5 62 properties (neighbours and those who commented on the previous application) were consulted and a site notice was displayed. 28 objections and 1 observation were received and can be summarised as follows:

- Noise and disturbance and from visitors
- No proposals to minimise construction disturbance
- Reduction in daylight and sunlight
- No mention of sound proofing walls
- Overdevelopment
- Out of proportion with corner plot
- Overshadows and dominates original building
- Not subservient
- Does not integrate with surroundings
- Out of keeping with Victorian style house
- Minimal changes to design
- Artists impression shows a spacious site which is misleading and is further supported by the apartment sizes against national space standards
- Walls would be better than fencing
- Insufficient parking which will impact on Dagmar Grove and surrounding roads
- Traffic and pedestrian generation
- Unable to park outside home
- Parking spaces are too tight
- Skylink is the only bus service on Queens Road
- Cars will block pavements
- Potential increase in accidents from traffic and parking
- Students have cars
- Loss of trees and replacement with buildings and concrete surfaces
- Removal of trees results in negative impact on biodiversity
- Increase in air pollution
- A full landscaping scheme should be submitted
- Devalue property
- Too many HMO's in Beeston already
- Economic benefits to the developer
- Increase in infection from multiple increased occupancy in one building
- Will not benefit public transport as this service will likely reduce with pandemic
- Minimal changes to previous application
- No significant change to grant permission

- Questions where vehicles access the site and will road/path access to Dagmar Grove remain
- Doesn't comply with policies
- Unacceptable as adjoins a semi-detached family home
- Not everyone will have facilities to provide comments due to pandemic
- Broxtowe already has a five-year housing land supply
- Potentially up to 22 people residing in the building
- Knock on effect for Broxtowe from the Article 4 direction in place to restrict student houses in Nottingham
- Impact on existing drains
- Increase in flooding
- Increase in surface water run-off
- Does not meet building for life criteria
- Refuse vehicles struggle to access roads
- Reduce quality of life for existing residents
- Loss of community from students
- Short-term tenants will not invest in area
- Applicant should not be allowed to submit multiple applications.

6 Assessment

6.1 The main issues for consideration are whether the proposed development is acceptable in flood risk terms, represents an acceptable design and layout, has sufficient parking, has an acceptable relationship with neighbouring properties and provides an acceptable standard of amenity for future occupants.

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 need to boost housing supply which sites such as this can help deliver. The provision of seven apartments is considered to be a benefit in terms of the provision of homes.

6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Queens Road is characterised by varying styles and sizes of properties including houses and flats. This development would add to the housing mix and it is considered that the character of the area would not be harmed to an extent which would justify refusing planning permission.

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 six residential units within an existing settlement in a highly sustainable location, close to Beeston town centre and public transport links. It is considered the proposed apartments will not have an adverse effect on neighbour amenity and amendments to the design mean the massing, scale and appearance are considered to be acceptable (as detailed below). The principle of the development is therefore considered to be acceptable.

6.3 Flood Risk

- 6.3.1 The site lies within Flood Zone 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment has been submitted with the application. Paragraphs 155 – 158 of the NPPF state that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. All plans should apply a sequential, risk-based approach to the location of development in order to steer new development to areas with the lowest risk of flooding.
- 6.3.2 Within Beeston there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Some of these sites may bring forward the opportunity to provide housing in areas of substantial need. Sequentially, it is considered the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Therefore, when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.
- 6.3.3 The Environment Agency has raised no objection subject to the finished floor level of the proposed extension (and bedroom within Apartment 2) being set no lower than 27.52m AOD (Above Ordnance Datum). The remaining ground floor within the existing building should be set no lower than 26.92m AOD (all as stated in section 2.5.2 of the amended FRA dated November 2020). Flood resilience measures to be implemented on all ground floors to a height no lower than 27.82m AOD as stated within 6.1.2 of the FRA. An advisory will be recommended in regards to the building owner/occupants registering to receive flood warning alerts and the information in respect of incorporating flood resistant and resilience measures has been shared with the applicant.
- 6.3.4 To conclude, within Beeston there are substantial areas which are within Flood Zone 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. A failure to permit residential development on sites such as this which are protected by good quality flood defences, and have a site specific FRA demonstrating the development is acceptable on flood risk grounds, will lead to alternative locations being required in less sustainable locations, including the Green Belt. Subject to a suitable condition, it is considered that the development would be compliant with the requirements of the NPPF in relation to flood risk.

6.4 Amenity, Design and Layout

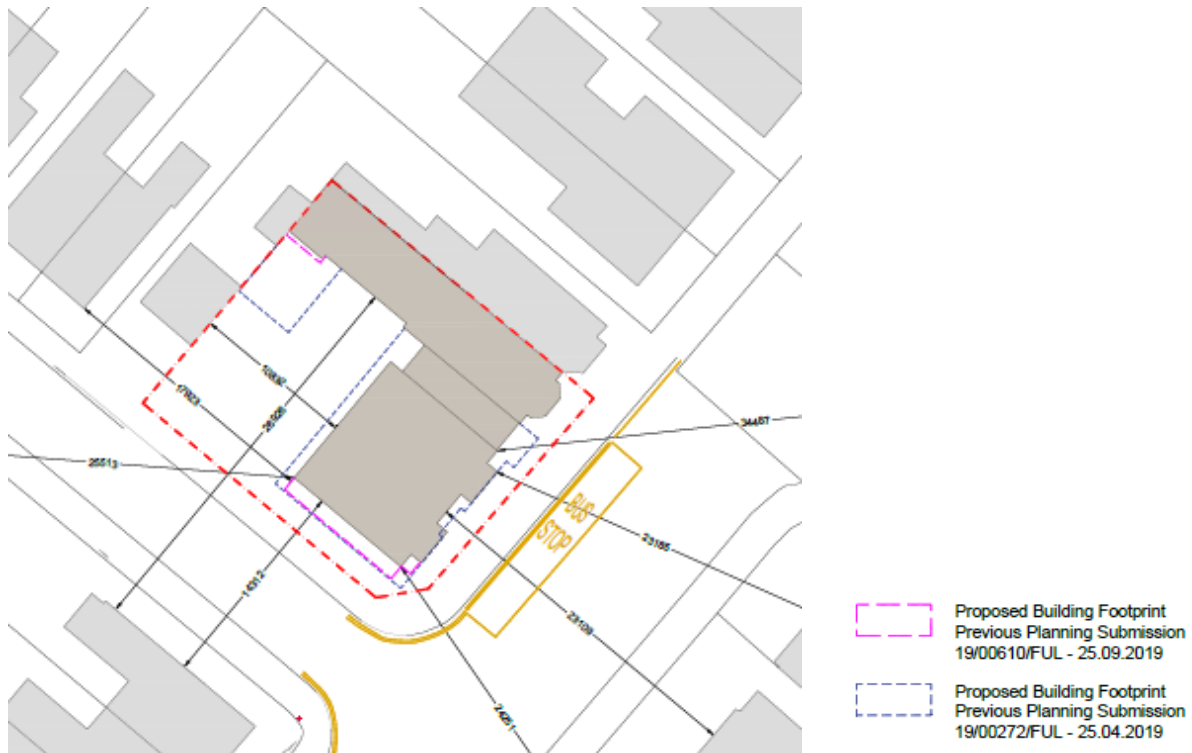
- 6.4.1 It is acknowledged that no. 230, the adjoining semi-detached house positioned to the north east, will be one of the properties most affected by this proposal. However, it is considered that the scheme would not result in a detrimental impact on this neighbouring property which is further supported by the Inspector of both previous appeals. The dormer in the roof slope of the main house has been reduced in size which is considered to reflect a more proportional design

to the main roof and reduce the perception of feeling overlooked by no. 230. In addition to this, the existing extensions of both buildings will partially obscure this from view. In respect of the scheme as a whole, the main bulk of the extension extends to the south west and is similar to that of a semi-detached house which will not have direct views over no. 230's garden. The extensions along the rear/side boundary with no. 230, will be largely obscured from view by their own extensions.

- 6.4.2 The Inspector stated in relation to no. 230 in relation to impact on amenity: *"I viewed the appeal site from No 230 at my visit. The L-shaped garden of this property means that the proposed extension would be visible from the rear, although the covered seating area and the existing massing of No 232 mean that the proposed flats would not have direct views over the majority of the garden, including those parts closest to the dwelling itself and most likely to be used for outdoor activities... I also agree with the conclusions of the previous Inspector that views from the proposed dormer to the rear of No 232 would take in adjoining rear gardens, but that it would not be close enough or able to see parts of the gardens closest to the dwellings where expectations of privacy are greatest, and therefore I find this element would not be harmful to neighbours' privacy."* It is therefore considered the extensions are an acceptable size and scale that they will not have a detrimental impact on the neighbour of no. 230.
- 6.4.3 In relation to noise and disturbance, the flats will adjoin no. 230 and the Inspector stated the following *"The plans show three flats would share the party wall with the appeal site, but that two of those would be duplex units with living space on the ground floor and bedrooms to the first floor, which would reduce the likelihood of conflicting uses taking place across the party wall... In these respects, I am satisfied that the proposal would not harm living conditions for occupants of No 230"*
- 6.4.4 No. 6 Dagmar Grove is a semi-detached house positioned to the north west of the application site which is the other property that will also be most affected by the proposal. No. 6 Dagmar Grove does not directly adjoin the site and is separated by no. 230's garage and garden. It has a first floor blank south east (side) elevation and a door and two windows at ground floor level. The Inspector concluded the following in respect of the impact on amenity for this property *"given the distance, angle of view and intervening structures, there would not be significant opportunities for direct overlooking of this garden. Moreover, the separation distance of the extension means that, whilst it would be partially visible from both gardens (no. 230) above the existing structures, I am not of the view that it would be close enough to cause a harmful overbearing effect."*
- 6.4.5 It is considered the proposed extension and alterations are a sufficient distance from other neighbouring properties that there will not be a detrimental impact on their amenity.
- 6.4.6 To conclude, the Inspector determined within the appeal decision for 19/00610/FUL that the impact on no. 230 and any other neighbour would be acceptable, *"I am satisfied that the proposal would not result in demonstrable harm to the living conditions of neighbouring occupants in terms of outlook or*

loss of privacy.” This was further supported by the Inspector in respect of noise and disturbance. Therefore, any refusal based on amenity grounds could incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused).

- 6.4.7 The apartments are considered to be an acceptable size with each providing sufficient internal space to provide living/kitchen/dining rooms and bedrooms. Furthermore, each apartment has appropriately positioned windows to provide an outlook from each bedroom. Although the internal layout of the flats has been amended, the smallest apartment in this scheme is 38.5m² and within the previous scheme (19/00610/FUL) it was 35m² which is an increase of 3.5m². The Inspector stated in the appeal for 19/00610/FUL *“The proposed flats, for the most part, would be reasonably spacious units with suitable layouts, light and outlook... Therefore, I am satisfied that this flat would provide light and outlook to a satisfactory standard... I agree with the previous Inspector that the rear duplex unit would be satisfactory despite the shortfall in space relative to the Nationally Described Space Standard (NDSS).”* The Government’s Technical Housing Standards are a guide to assess the size of dwellings and are not within Broxtowe’s adopted policies. The Inspector has previously considered the apartments to be an acceptable size and layout and it is considered this is replicated in this application. Therefore, any refusal based on amenity grounds of future occupants could incur costs being awarded against the Council (should a costs appeal be submitted if the application is refused).
- 6.4.8 The overall style of the property reflects a contemporary appearance which is considered to be an acceptable design approach. Although the extension is considered to be large, the design is not dissimilar to a pair of semi-detached dwellings on this spacious corner plot and therefore, it is considered to some extent it retains the appearance of a residential family home. Furthermore, a contemporary design is a widely accepted design approach in Broxtowe Borough and the surrounding properties are considered not to be of an architectural merit that this building would detract therefrom.
- 6.4.9 The layout of the three storey extension aligns with the front bay window and main rear elevation of the host dwelling meaning the extension will not be visually overbearing. Whilst it is acknowledged the three storey extension is significantly wider than the host dwelling, the extension could be read as a pair of semi-detached properties as the host dwelling and no. 230 are, and that a degree of symmetry is reflected between these properties. The extension has been set in at the south west (side) so it does not project beyond the front elevations of the properties along Dagmar Grove which was highlighted by the Inspector as being a reason the 19/00610/FUL was dismissed. This is shown below by the purple dashed line which outlines the 19/00610/FUL application in comparison to this application. In addition to this, the single storey extension has been reduced in footprint. The courtyard to the rear will retain an element of openness to the scheme when viewed from Dagmar Grove which is a considered to be a positive element of the scheme.

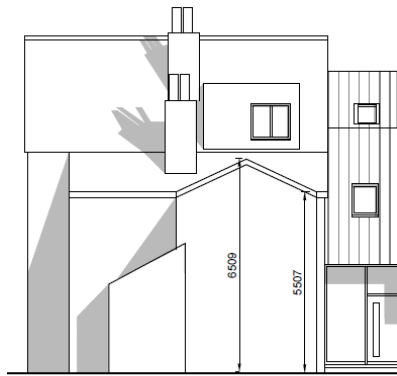


Block Plan

6.4.10 The Inspector stated the following about the dormer in the 19/00610/FUL appeal: *“a flat roofed rear dormer is still proposed on the existing building, narrower in width than one considered by my colleague to be ‘overly large, bulky and dominating’, with its impact found to be exacerbated by its visibility from Dagmar Grove. Though narrower, the dormer would retain the flat roofed form and visibility from the street. Moreover, it would have an oddly offset window within the rear facing elevation which would appear discordant and draw undue attention to its presence. I accept that other flat roofed dormer windows exist on nearby dwellings, though some are not readily visible from the public realm. Nonetheless, from my own observations, the proposed dormer would be a harmful addition to the existing building which would fail to respect its traditional character.”* As shown below, the dormer has been reduced in size and the window realigned and is therefore considered to now be acceptable in relation to design.

19/00610/FUL Refused scheme

20/00538/FUL Proposed scheme

Proposed Rear Elevation

Scale 1:100 @ A1

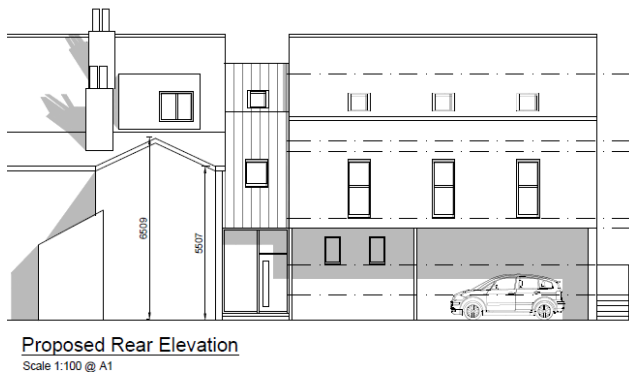
Proposed Side Elevation

Scale 1:100 @ A1

6.4.11 In respect of the over-sailing roof to the rear, the Inspector stated that the over-sailing roof to the rear has an adverse visual impact and that the void at ground floor would be still be visible from the street scene even with tall boundary treatments. The over-sailing roof to the rear has been reduced as shown below:

19/00610/FUL Refused scheme

20/00538/FUL Proposed scheme



6.4.12 The materials have not been stated on the plans and therefore a condition will be included to ensure that details and samples are provided in advance of building works commencing.

6.4.13 It is considered the application has an acceptable footprint, scale and number of apartments that the amenity of surrounding neighbours will not be significantly compromised.

6.4.14 The site is not in an Air Quality Management Area. In addition, the approval of residential developments that are within walking distance of tram, train and bus provision is considered to have a positive benefit on wider air quality issues by encouraging public transport use and therefore reducing the need to travel by private car.

6.4.15 Policy 10 of the Aligned Core Strategy states that development should be assessed in relation to its massing and scale, materials, design and impact on the amenity of nearby residents. It is considered the design of the property, whilst contemporary, relates to the massing of the host dwelling and no. 230 with a matching eaves and ridge height and reflecting a degree of symmetry. The development has been reduced in scale and is considered to not be dissimilar to the size of a pair of semi-detached dwellings. It is considered the design is acceptable overall.

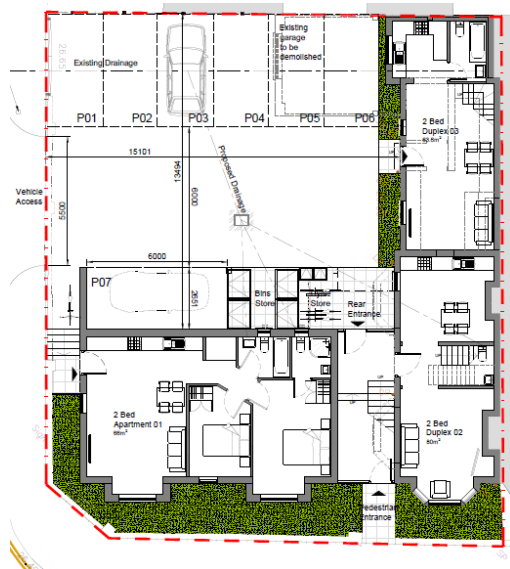
6.4.16 To conclude, the proposed extension is positioned on a spacious corner plot and the proposal to extend the existing property and subdivide this into seven apartments is considered to be acceptable. Furthermore, it is considered the scheme has incorporated sufficient amendments in line with the Inspector's advice following the appeal decision based on 19/00610/FUL. Although the style would be contemporary, it is considered this is an acceptable design approach and the architectural style of the surrounding dwellings is not of such merit that there. Should the application be refused on matters the Inspector has concluded as being acceptable, there is a possibility the Council could incur costs (should a costs appeal be submitted if the application is refused).

6.5 Parking

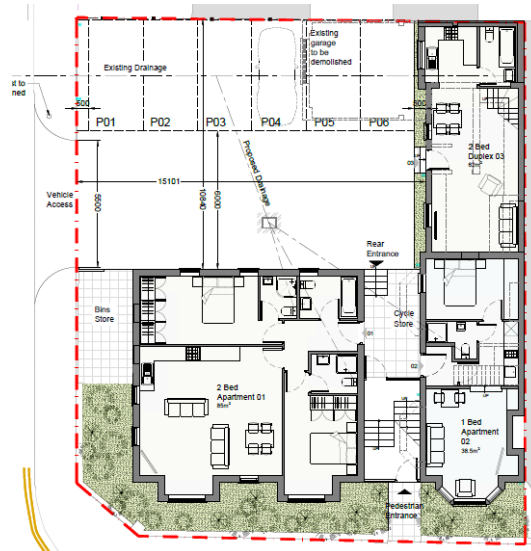
- 6.5.1 It is evident within the consultation responses that there is concern that the development does not include sufficient parking provision and that this will lead to increased demand for on-street parking which would be detrimental to the area. However, whilst it is acknowledged that there is one less space proposed in this scheme than the 19/00610/FUL application, it is still considered the amount of parking proposed (six spaces) is acceptable, especially due to a lack of objection from the Highways Authority and the sustainable location. Therefore, it is considered the development is acceptable in regards to parking and highway safety.
- 6.5.2 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. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.5.3 The site lies within a sustainable location with access to regular bus services along Queens Road (with a bus stop being positioned directly in front of the site) and within walking distance of Beeston town centre which provides access to a regular tram service. It is acknowledged that the properties on Dagmar Grove do not have off-street parking and the main concern would be that there would be an increase in on-street parking along this road. However, six car parking spaces have been provided and the Highways Authority have not raised any objection in relation to the development, especially considering its sustainable location. It is considered likely that car ownership associated with the apartments will be low. However, it is acknowledged that there could be an increase in parking in the surrounding area but for the reasons set out above, it is considered this would not be detrimental to parking, traffic or highway safety. Therefore, it is considered that a pragmatic approach needs to be taken in respect of developing the site for residential development.
- 6.5.4 The Inspector stated in the 19/00610/FUL appeal that the car parking layout was constrained and would lead to convoluted manoeuvres. Space P01 has been moved off the boundary to provide more manoeuvrability and space P07 has been removed. Whilst it is acknowledged this results in one less space, the parking arrangement is more suitable for the site and more likely to be used. The Inspector specifically addressed parking in relation to the layout and design of the site and not in relation to parking demand or highways safety.
- 6.5.5 In respect of parking demand, the Inspector stated in the 19/00610/FUL appeal *“No objection was raised by the Local Highway Authority to the level of parking proposed and it also represents an increase in parking relative to the previous scheme where six spaces were provided for nine units, which the Inspector found would be acceptable in light of the site’s proximity to Beeston town centre and the availability of public transport on Queens Road.”* The Inspector

recognised that Dagmar Road was used heavily for parking but concluded that due to the location of the site to Beeston by foot and central Nottingham by bus or tram, that this would have an effect on the level of car ownership by future occupants. The Inspector therefore stated *"I conclude that the proposal would not result in an increase in on-street parking demand to such an extent as to demonstrably harm living conditions of neighbouring occupants."*

19/00610/FUL Refused scheme



20/00538/FUL Proposed scheme



6.5.6 To conclude, it is acknowledged that parking has been reduced by one space from the 19/00610/FUL scheme but the layout within this scheme would result in an improved accessibility for future occupants. The Inspector in the 19/00272/FUL appeal did not raise any concerns with a ratio of six spaces to nine apartments which is echoed by the Inspector in the 19/00610/FUL decision. The Highway Authority has not objected to the application and has stated that the six spaces serve the site with space 01 being amended to allow room for the driver to exit the vehicle. Therefore, should the application be refused on insufficient parking there is a possibility the Council could incur costs (should a costs appeal be submitted if the application is refused).

6.6 Other issues

6.6.1 A number of concerns have been raised within the consultation process which will be addressed within this section.

6.6.2 Trees have been removed from site but as they were not protected by Tree Preservation Orders and the site is not located within a conservation area, consent would not have been required.

6.6.3 A degree of noise and disturbance is to be expected from the construction process.

6.6.4 Sound proofing walls is dealt within the Building Regulations process.

- 6.6.5 The artist's impression is a guide to provide a 3D image of what the development could look like. The assessment is made on the plans and the 3D visual is not conditioned.
- 6.6.6 Any potential obstruction of the footpaths by works on-site should be reported to Nottinghamshire County Council as Highway Authority.
- 6.6.7 If the application is financially motivated and affecting the value of surrounding houses are not planning matters that can be taken into consideration with this application.
- 6.6.8 Although the Council has allocated land for housing within the Part 2 Local Plan, it is considered the proposal is acceptable on this site for the reasons stated in the report. Furthermore, this site is located outside the Green Belt in a highly sustainable area which is considered a benefit of the scheme.
- 6.6.9 The apartments are not specifically targeted at one demographic. The Design and Access Statement states that the different mixture of one and two bedroom apartments could accommodate varied types of residents. It is therefore considered this development is compliant with Policy 8 of the Aligned Core Strategy which highlights that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Furthermore, the justification of this policy recognises that the projection of smaller households is likely to continue to grow. Therefore, it is considered, developments such as this can cater for this growing need for smaller dwellings.
- 6.6.10 The proposal is for self-contained apartments and not for HMO accommodation.
- 6.6.11 The Environment Agency has determined this application is acceptable in relation to flooding. Drainage matters should be dealt with via Severn Trent Waters.
- 6.6.12 There is no restriction of the amount of applications that can be submitted for a site.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide six 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 its location within a highly sustainable area.

8 Conclusion

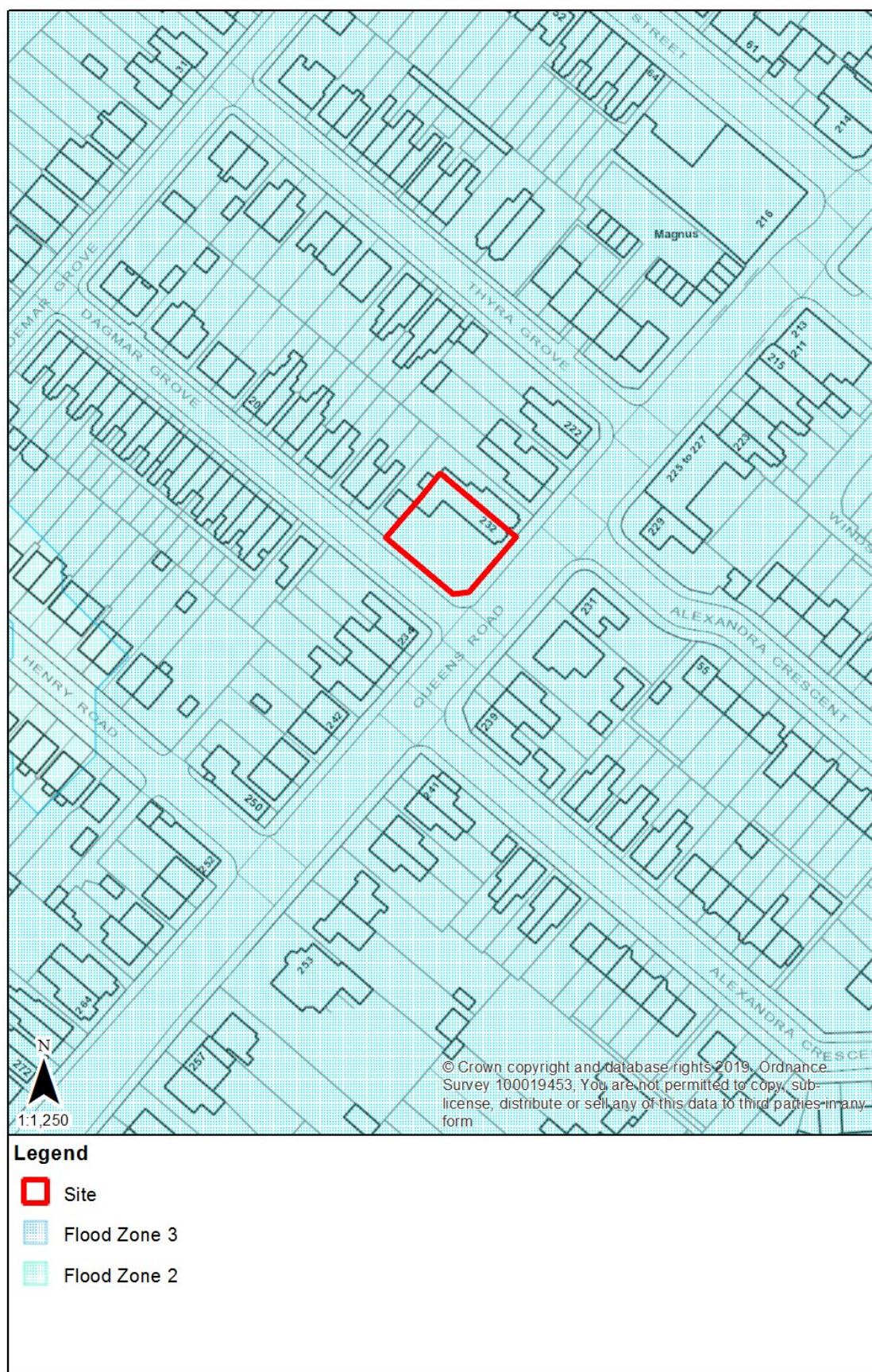
- 8.1 To conclude, it is considered the proposed extensions and alterations are of an acceptable size, scale and design that there will not be an adverse effect on neighbour amenity and provide an acceptable standard of amenity for future occupants of the apartments. The proposed apartments are considered to be an acceptable design as the height of the extension relates to the host property and the contemporary design is considered to be acceptable.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing numbers: 232-19-2002 Rev P07 and 232-19-001 Rev P01 received by the Local Planning Authority on 14 August 2020 and 232-19-2001 Rev P07 and 232-19-3001 Rev P13 received by the Local Planning Authority on 16 November 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No part of the development hereby approved shall be commenced until a noise report, prepared in accordance with the provisions of DoT Calculation of Road Traffic Noise to predict noise levels at the nearest noise sensitive location has been submitted to and approved in writing by the Local Planning Authority. Predictions shall be contained in a report which sets out a large scale plan of the proposed development, noise sources and measurement/prediction points marked on plan, a list of noise sources, a list of assumed noise emission levels, details of noise mitigation measures, a description of noise calculation procedures, noise levels at a representative sample of noise sensitive locations and a comparison of noise level with appropriate current criteria. Mitigation measures should be implemented where criteria is exceeded at any location.</p> <p>The dwellings shall not be occupied until all necessary mitigation measures have been implemented.</p>

	<i>Reason: To protect future occupiers from excessive environmental noise and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
4.	<p>No above ground works, including site clearance, 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:</p> <ul style="list-style-type: none"> • numbers, types, sizes and positions of proposed trees and shrubs • details of boundary treatments; • proposed hard surfacing treatment; • planting, seeding/turfing of other soft landscape areas and • a timetable for implementation of the scheme. <p>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.</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 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
5.	<p>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.</p> <p><i>Reason: 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 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
6.	<p>Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment dated November 2020 received by the Local Planning Authority on 5 November 2020.</p>

	<p>The following mitigation measures shall be incorporated into the scheme:</p> <ul style="list-style-type: none"> • ground floor finished floor levels of the proposed extension set no lower than 27.52m Above Ordnance Datum (AOD); • the ground floor finished floor level of the bedroom within Apartment 02 shall be set no lower than 27.52m AOD; • the ground floor level within the existing building shall be set no lower than 26.92m AOD and • flood resilience measures shall be implemented on all ground floors to a height no lower than 27.82m AOD as stated within section 6.1.2 of the FRA dated November 2020 <p>These mitigation measures 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 Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Part 2 Local Plan (2019).</i></p>
7.	<p>The development hereby approved shall not be brought into use until:</p> <ul style="list-style-type: none"> • dropped vehicular footway crossing has been provided and existing dropped vehicular footway has been made redundant in accordance with the Highway Authority's specification • the parking area has been surfaced in a hard, bound material and each space has been clearly delineated as shown on drawing 232-19-2001 Rev P07 • the cycle parking and bin store has been provided and is available for use. <p>These measures shall be maintained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of Policy 14 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The building owner/occupants should register to receive flood

	warnings https://www.gov.uk/sign-up-for-flood-warnings
3.	The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
4.	Contractors should limit construction and demolition works to between 07:30 and 18:00 Monday to Friday, 08:00 and 13:30 on Saturdays and at no times on Sundays and bank holidays. No waste from the development shall be burnt on site at any time.
5.	The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services for on telephone 0300 500 80 80 to arrange for these works to be carried out.

Map

Photographs

South west (side) elevation of main house



South west (side) elevation of main house



View of no. 230 and application site from rear garden of no. 6 Dagmar Grove



South east (front) elevation of site and main house and no. 230



View of no. 234 Queens Road and entrance to Dagmar Grove



South east (front) elevation of main house and side garden



Plans (not to scale)

20/00538/FUL - Proposed



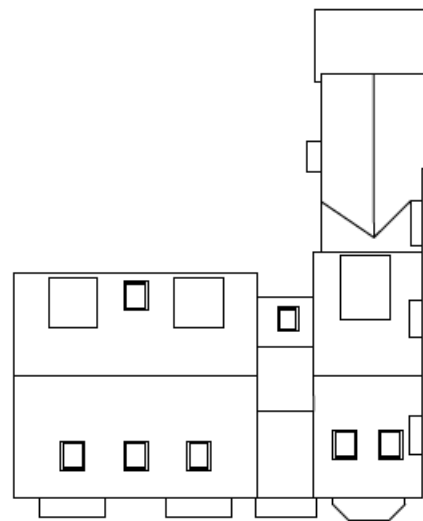
Proposed Front Elevation - Queens Road
Scale 1:100 @ A1



Proposed Side Elevation
Scale 1:100 @ A1



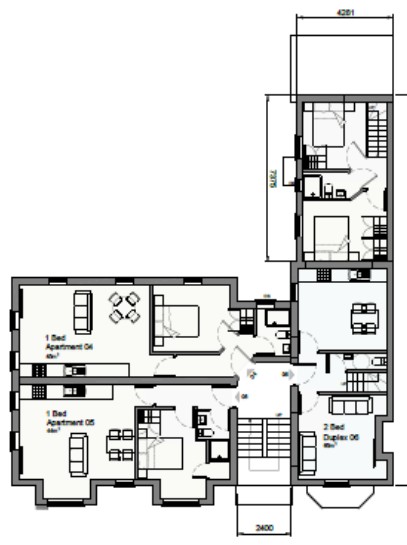
Proposed Side Elevation - Dagmar Grove
Scale 1:100 @ A1



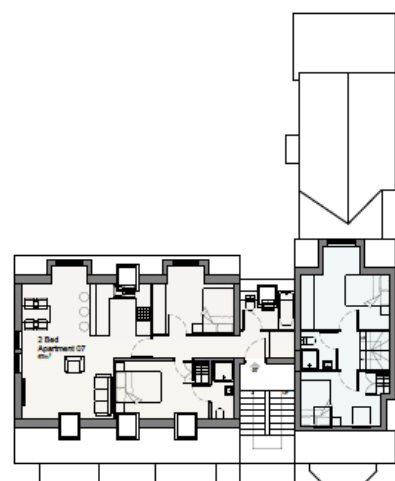
Proposed Roof Plan
Scale 1:100 @ A1



Proposed GF Plan
Scale 1:100 @ A1



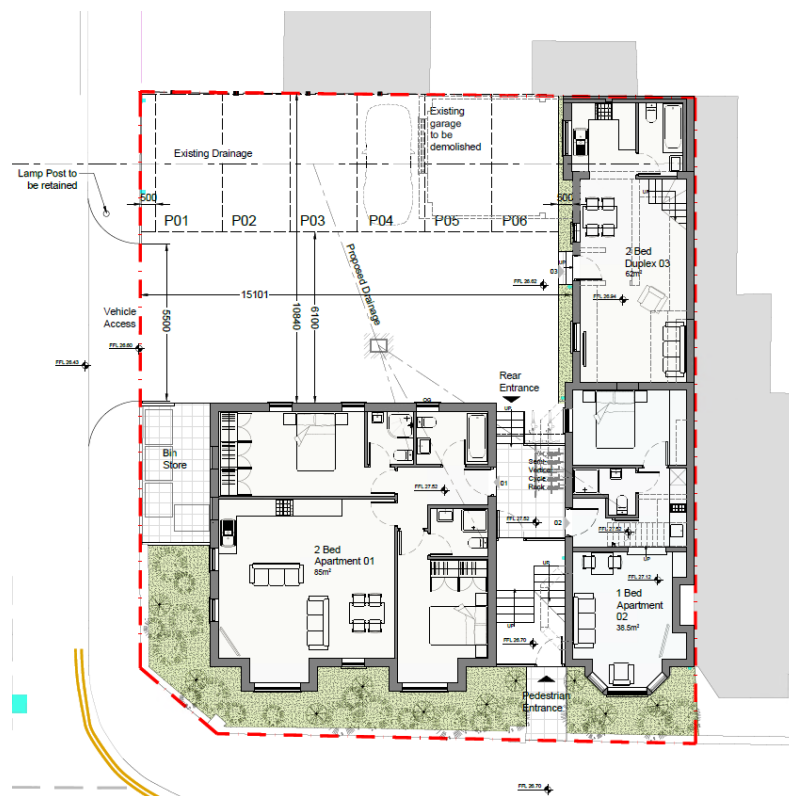
Proposed 1F Plan
Scale 1:100 @ A1



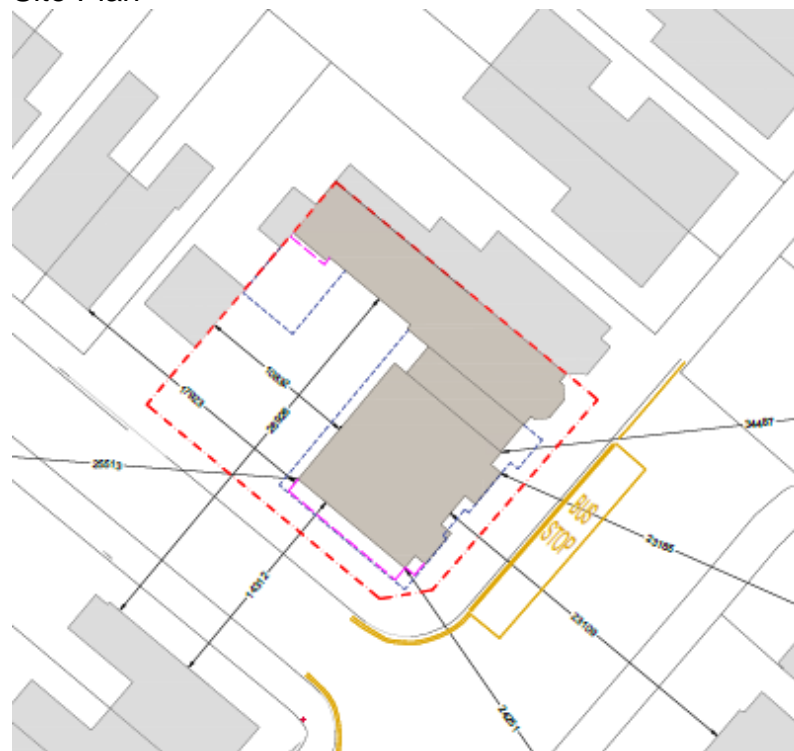
Proposed 2F Plan
Scale 1:100 @ A1

Plans (not to scale)

20/00538/FUL - Proposed



Site Plan



Block Plan

Plans (not to scale)

19/00610/FUL – Previously refused



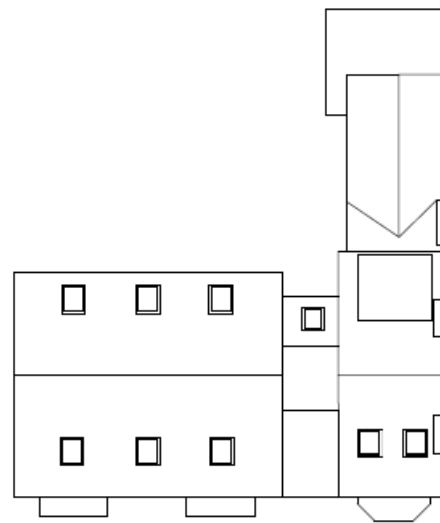
Proposed Front Elevation
Scale 1:100 @ A1



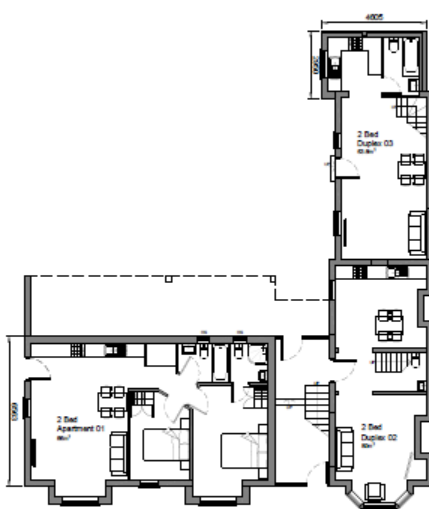
Proposed Rear Elevation
Scale 1:100 @ A1



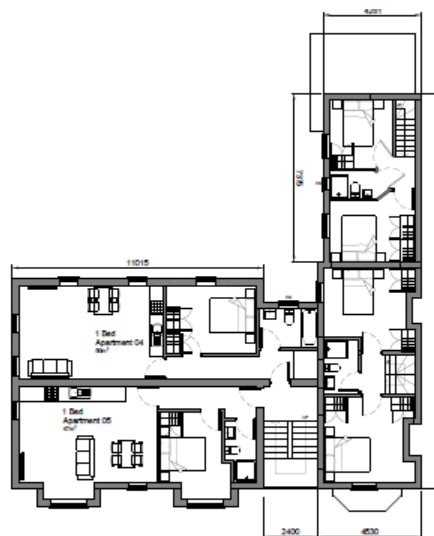
Proposed Side Elevation - Dagma Grove
Scale 1:100 @ A1



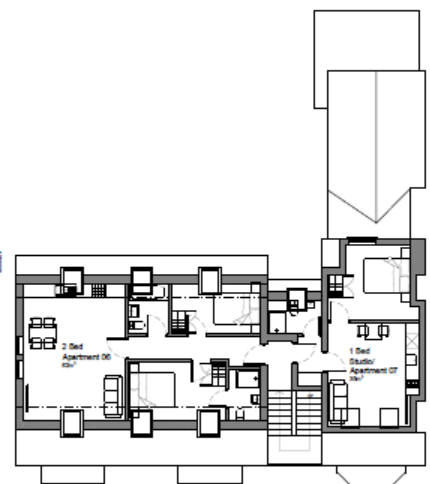
Proposed Roof Plan
Scale 1:100 @ A1



Proposed GF Plan
Scale 1:100 @ A1



Proposed 1F Plan
Scale 1:100 @ A1



Proposed 2F Plan
Scale 1:100 @ A1

Plans (not to scale)

19/00610/FUL – Previously refused



Site Plan



Appeal Decision

Site visit made on 8 July 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2020

Appeal Ref: APP/J3015/W/20/3248099

232 Queens Road, Beeston, Nottingham NG9 2BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Sheng Shi against the decision of Broxtowe Borough Council.
- The application Ref 19/00610/FUL, dated 24 September 2019, was refused by notice dated 20 December 2019.
- The development proposed is a three storey side extension to the existing house; to convert existing house into seven (four two-bed and three one-bed) apartments; and to provide seven parking spaces and new vehicle and pedestrian entrances.

Decision

1. The appeal is dismissed.

Main Issues

2. Having regard to the Council's reason for refusal and statement of case, I consider the main issues are i) the effect of the proposal on the character and appearance of the area; ii) the effect on the living conditions of neighbouring occupants, with respect to outlook, privacy, noise, and parking demand; and iii) whether the flats would provide a suitable standard of accommodation.

Reasons

Character and appearance

3. The appeal relates to a semi-detached dwelling located on Queens Road, at the junction with Dagmar Grove. The dwelling benefits from a large side garden which is enclosed by a high boundary wall and fencing, but creates an open corner within the street scene. No 232 forms a pair with No 230, both traditional in style, built in red brick with front bay windows to the ground floor, and both extended to varying degrees at the rear. No 230 also benefits from an L-shaped rear garden which wraps around the rear of the appeal site.
4. My attention is drawn to a recently dismissed appeal decision¹ on the same site for a similar form of development and I have had regard to the Inspector's findings as a material consideration. In doing so, I recognise that consistency in the planning process is important and like cases should be decided in a like manner. However, it is also important that each case is determined on its own merits and on the basis of the evidence before the Inspector at the time, and in

¹ Appeal Ref: APP/J3015/W/19/3240373, dismissed 11 February 2020

terms of character and appearance, such determination ultimately involves a degree of judgement having regard to the evidence and observations on site.

5. The proposed extension would be undoubtedly large in size, and wider than the combined pair of Nos 230 and 232. It would also match the existing dwellings in terms of height and so would not appear subservient in scale, but has been designed so as to appear similar to a pair of semi-detached dwellings in its own right, and its legibility as such would be aided by the use of twin, two storey bay windows and a recessed, glazed link to connect the extension to the main building. I note my colleague Inspector reached a similar conclusion in respect of its legibility, and viewed from the front I would agree that it would be capable of being read as a separate building. From the rear, however, the L-shaped layout of the extended building would be clearly seen from Dagmar Grove and despite the inclusion of a recessed link to this side, it would appear as a single, substantial structure which would be considerably larger than surrounding development.
6. I agree with the previous Inspector that it is a spacious site capable of being developed. However, whilst the depth of the extension has been reduced slightly from the previous scheme, the width has not and it would still span across the majority of the site almost to the side boundary, resulting in the side building line standing well forward of the front building line of dwellings behind on Dagmar Grove. Whereas the scale of the building would not appear excessive in the context of Queens Road, its size and forward position would result in it appearing dominant and imposing within the street scene on Dagmar Grove, harmfully enclosing what is an open corner at present.
7. I note that elements of the design of the extension which concerned the previous Inspector have been omitted or amended in the scheme now before me, including the front gables, rear dormers, offset rear windows which are now ordered; the replacement of the oversailing first floor level with an undercroft design; the removal of an extension over the garage, and indeed removal of the garage itself which would result in a more co-ordinated design.
8. However, a flat roofed rear dormer is still proposed on the existing building, narrower in width than one considered by my colleague to be 'overly large, bulky and dominating', with its impact found to be exacerbated by its visibility from Dagmar Grove. Though narrower, the dormer would retain the flat roofed form and visibility from the street. Moreover, it would have an oddly offset window within the rear facing elevation which would appear discordant and draw undue attention to its presence. I accept that other flat roofed dormer windows exist on nearby dwellings, though some are not readily visible from the public realm. Nonetheless, from my own observations, the proposed dormer would be a harmful addition to the existing building which would fail to respect its traditional character.
9. I appreciate that the appellant has sought to address the 'oversailing' effect of the previous cantilevered roof by extending the side wall to form an undercroft. However, its height means the void at ground floor level would still be visible from the street scene through the vehicular entrance even if tall boundary treatments are installed. Other examples of undercrofts have been referred to me by the appellant, though they appear to be mainly functional access routes to the rear of buildings and not of the same size as the appeal scheme, where the undercroft would span across the whole extension and form a significant

feature in its own right. The need for an undercroft to provide space for parking and necessary storage facilities for bins and cycles adds to my impression of the development being squeezed onto the site in a rather constrained manner.

10. This is reinforced by the proposed car parking, which is increased from the previous scheme. Whilst the spaces and the layout may technically meet relevant size standards, they strike me as too tightly arranged. Space P01 is directly next to the side wall and could not be driven into unless the vehicle was first reversed into the site, and even then there appears to be little room to manoeuvre into the space safely. Conversely, a vehicle reversed in could not drive out of the space and make the turn out of the site due to its proximity. I have similar concerns with space P06 to the other side and space P07 beneath the undercroft. In general, the constraints of the layout suggest vehicles would have to undertake convoluted manoeuvres within or outside the site to access and leave the spaces, which adds to my concerns with the overall scale and form of the development.
11. Therefore, due to the significant size of the extension and cumulative massing of the development in a prominent location, the adverse visual impact of the undercroft and dormer window and the constrained car parking layout, I find that the proposal would be excessive in scale for its site and unduly dominant in the street scene on Dagmar Grove and would detract from the prevailing character of traditional semi-detached and terraced dwellings. For these reasons, I conclude that the proposal would significantly harm the character and appearance of the area, in conflict with Policy 10 of the Aligned Core Strategies Part 1 Local Plan (September 2014)² (the ACS) and Policy 17 of the Broxtowe Part 2 Local Plan (October 2019) (the LP2) which together require development to reinforce valued local characteristics, integrate into its surroundings and to 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.

Neighbours' living conditions

Outlook and Privacy

12. The Council refers to the increase in the perception of neighbouring occupants feeling overlooked from the rear windows of the development which would face toward the rear gardens of 6 Dagmar Grove and 230 Queens Road. I viewed the appeal site from No 230 at my visit. The L-shaped garden of this property means that the proposed extension would be visible from the rear, although the covered seating area and the existing massing of No 232 mean that the proposed flats would not have direct views over the majority of the garden, including those parts closest to the dwelling itself and most likely to be used for outdoor activities. The garden at 6 Dagmar Grove lies beyond that of No 230 and behind a boundary fence and given the distance, angle of view and intervening structures, there would not be significant opportunities for direct overlooking of this garden. Moreover, the separation distance of the extension means that, whilst it would be partially visible from both gardens above the existing structures, I am not of the view that it would be close enough to cause a harmful overbearing effect.

² Adopted by Broxtowe Borough Council, Gedling Borough Council and Nottingham City Council

13. I also agree with the conclusions of the previous Inspector that views from the proposed dormer to the rear of No 232 would take in adjoining rear gardens, but that it would not be close enough or able to see parts of the gardens closest to the dwellings where expectations of privacy are greatest, and therefore I find this element would not be harmful to neighbours' privacy.
14. For these reasons, I am satisfied that the proposal would not result in demonstrable harm to the living conditions of neighbouring occupants in terms of outlook or loss of privacy.

Noise and disturbance

15. Separate concerns are expressed with respect to the potential for noise and disturbance from increased numbers of occupants on the site and commensurate increases in activity, including vehicular movements. I note the concerns of interested parties with respect to the effect on the adjoining occupants at No 230. The plans show three flats would share the party wall with the appeal site, but that two of those would be duplex units with living space on the ground floor and bedrooms to the first floor, which would reduce the likelihood of conflicting uses taking place across the party wall. I also note the Council's suggested condition requiring noise assessments to be carried out and mitigation measures undertaken where necessary prior to occupation of the units. In these respects, I am satisfied that the proposal would not harm living conditions for occupants of No 230.
16. More generally, I recognise that more occupants can increase the potential for activity which disturbs other residents. I saw Queens Road to be a busy thoroughfare with constant traffic, but that Dagmar Grove and the rear gardens themselves were reasonably quiet. Whilst the proposed parking may generate some noise from vehicles starting up and manoeuvring and car doors being closed, these would be intermittent and brief occurrences, and would not, to my mind, be demonstrably harmful to neighbours residing in an urban environment where such noises are likely to be already heard on Dagmar Grove and surrounding streets.

Parking demand

17. The proposal would provide seven parking spaces. No objection was raised by the Local Highway Authority to the level of parking proposed and it also represents an increase in parking relative to the previous scheme where six spaces were provided for nine units, which the Inspector found would be acceptable in light of the site's proximity to Beeston town centre and the availability of public transport on Queens Road. I note that my colleague was furnished with a survey of on-street parking, but such evidence is not before me. I have also had regard to several representations from interested parties concerned that the proposal would add to parking stress in the area.
18. I saw that parking on Dagmar Grove was reasonably heavy on both sides of the road, though not completely full. I viewed the site on a weekday in early afternoon, when parking demand tends to be lower than in the evening and at weekends, though I am aware that the Covid-19 situation may mean more people are at home and the levels of parking I saw may not be typical. Nonetheless, I understand residents' concerns that the proposal would add to parking stress on Dagmar Grove given parking is restricted on Queen's Road.

19. The site is well located to reach local services in Beeston on foot and central Nottingham can be reached by bus or tram, and that this may have an effect on the level of car ownership by future residents. However, it is not a guarantee that car ownership will be low, and there is no indication within the evidence that any mechanism is proposed which would formally restrict future occupants from owning a car. The current pandemic has affected public transport use significantly and given the spacious layout of several of the units and potential levels of occupancy, it is not unreasonable to consider that future occupants would cumulatively own more than seven cars. Moreover, given the constrained parking layout, the on-site spaces may not always be used first before occupants seek to park on the street. Seven flats would also generate additional trips by delivery vehicles who would likely park on street, which would add further to parking stress in the area.
20. However, I must also have regard to the fact that the site is well located to reach local services in Beeston on foot and central Nottingham by bus or tram, and that this may have an effect on the level of car ownership by future residents. It is also the case that at least some of the parking demand arising from the development would be accommodated on site. Overall, therefore, I am of the view that the proposal would generate at worst a limited additional demand for on-street parking, for which there appears to be sufficient capacity within Dagmar Grove and surrounding streets.
21. Therefore, having regard to all of the evidence before me, I conclude that the proposal would not result in an increase in on-street parking demand to such an extent as to demonstrably harm living conditions of neighbouring occupants.

Conclusions on neighbours' living conditions

22. Therefore, overall, I conclude that the proposal would not result in harm to the living conditions of neighbouring occupants, and would not conflict with Policies 10 of the ACS or 17 of the LP2 which, amongst other things, seek to ensure that new development will be assessed in terms of its impact on the amenity of nearby residents or occupiers.

Standard of accommodation

23. The proposed flats, for the most part, would be reasonably spacious units with suitable layouts, light and outlook. I note that under the previous appeal, the Inspector found that the flats would provide a satisfactory standard of accommodation even in the case of two units which fell below relevant standards of the Nationally Described Space Standard (NDSS)³. In this case, the changes to the design of the extension mean that dormer windows to Flat 6 would be replaced by rooflights. However, the rooflights would be reasonable in size, and their skyward orientation would allow ample light into the bedrooms, whilst the living space would have two windows to complement the rooflights. Therefore, I am satisfied that this flat would provide light and outlook to a satisfactory standard.
24. I agree with the previous Inspector that the rear duplex unit would be satisfactory despite the shortfall in space relative to the NDSS, and that a lack of external amenity space generally would not be detrimental to future

³ Technical housing standards – nationally described space standard (March 2015)

occupants given the lower expectation of such facilities in flatted developments and the presence of a park nearby. From my review of the plans, the other flats would also be acceptable in terms of layout, light and outlook and in these respects, the proposal would not conflict with the aims of Policies 10 of the ACS or 17 of the LP2 to ensure a satisfactory degree of amenity for occupiers of new development.

Other Matters

25. I have regard to other concerns raised by interested parties beyond those encapsulated by the main issues. Ultimately, the Council does not oppose the proposal on grounds other than those set out in the main issues, and taking account of the evidence before me, I have not identified other matters of such significance as to result in further benefits or harms to be factored into the planning balance.

Planning Balance

26. The appellant does not dispute the Council's stated ability to demonstrate a five year supply of deliverable housing land, and I consider that the policies most important to the determination of the application are in general conformity with the National Planning Policy Framework (the Framework). Given this, the 'tilted balance' of Paragraph 11(d) of the Framework is not engaged in this case, and the proposal falls to be determined against the development plan, taking account of other material considerations.
27. The proposal would deliver the benefit of six additional dwellings within the urban area of Nottingham where occupants would be able to access and contribute to local services and facilities by means other than the private car. This would make a contribution to achieving and maintaining the Council's overall housing supply, but as a sufficient supply of deliverable housing sites can be demonstrated, this benefit would attract moderate weight. There would also be limited economic benefits from the construction of the flats, though this would be temporary, and from subsequent use of local services by future residents.
28. Set against these benefits, there would be significant social and environmental harm arising from the adverse effects of the proposal on the character and appearance of the area. Consequently, the proposal would not achieve the three objectives of sustainable development set out in the National Planning Policy Framework.
29. In my judgement, the benefits of the proposal, taken together, would not amount to material considerations which would outweigh the identified conflict with the development plan, to which I afford significant weight, and would not justify a decision being made other than in accordance with the development plan, taken as a whole.

Conclusion

30. For the reasons given, the appeal is dismissed.

K Savage

INSPECTOR

Report of the Chief Executive

APPLICATION NUMBER:	20/00585/FUL
LOCATION:	Land at Greasley Castle Farm, 120 Church Road, Greasley, NG16 2AB
PROPOSAL:	Change of use from agricultural land to mixed use agricultural and outdoor leisure/recreational use and erect two Polytunnels, two steel containers for tool storage and portacabin for community use

This application has been called to Planning Committee as it is inappropriate development in the Green Belt

1 Executive Summary

- 1.1 This application seeks permission to change the use of the existing agricultural field, to have a mixed use of agriculture and outdoor recreation/leisure use. The recreation use is proposed by the Rainbow Parents Carer Forum and is to provide countryside facilities related to farming and open-air facilities to support children with a special educational need and/or disability.
- 1.2 The application site is located in the Green Belt. Whilst the proposal is not identified by the NPPF as an exception to inappropriate development, it is considered that very special circumstances apply, the benefits of which outweigh the harm to the Green Belt. The very special circumstances demonstrated relate to the use of the site by a charitable organisation to provide a space for children with disabilities and their families to grow crops, plant flower beds, and partake in other outdoor activities to support these families and advance education, social-independence and work-readiness for those with disabilities. The development is considered to have a limited impact on the openness of the Green Belt, and the buildings proposed on the site are all of a temporary nature, allowing the site to be returned to its current state in the future if required.
- 1.3 The proposed buildings consist of a portacabin for a site office and 2 containers for storage of tools and equipment. These will be dark green in colour and sited close to the north and east boundaries respectively. The buildings will not be overly prominent and therefore are not considered to be harmful to the character of the area. The proposed polytunnels are typical of structures that are often used in association with agriculture and are therefore considered acceptable.
- 1.4 There are a range of heritage assets to the north of the site including Grade II Listed buildings and a Scheduled Ancient Monument. It is considered that the heritage assets are a sufficient distance from the application site to ensure that the proposal will not have a harmful impact on their character and setting.
- 1.5 Overall, the proposal is considered to be acceptable and therefore it is recommended that planning permission is granted in accordance with the resolution contained in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to change the use of the existing agricultural field, to have a mixed use of agriculture and outdoor recreation/leisure use. The recreation use is proposed by the Rainbow Parents Carer Forum and is to provide countryside facilities related to farming and open-air facilities to support children with a special educational need and/or disability.
- 1.2 The recreational use will include rural based activities such as growing crops, creating small scale planting beds and providing space for general open air activities. To support the use, the applicant proposes to site a portacabin on the north boundary of the site for use as a site office, 2 shipping containers on the east boundary of the site to be used for tool storage, and 2 poly tunnels to support the growing of crops and flowerbeds.
- 1.3 The Planning Statement provided by the applicant identifies a second stage of development which includes 3 camping pods to provide overnight care and short breaks for parent/family respite. This is provided by the applicant for information only, and does not form part of this application. The granting of this application would not allow for this proposal, which would still be subject to separate a planning application in the future.

2 Site and surroundings

- 2.1 The application site consists of a single field, bordered by hedgerows and surrounded by open fields. The site is located within the Nottinghamshire Green Belt. It is accessed from Church Road, via the existing access to Greasley Castle Farm.
- 2.2 The application site is within reasonably close proximity to the remains of Greasley Castle, which is a Scheduled Ancient Monument, and Greasley Castle Farmhouse, the Font in the grounds of 120 Church Road, The Church of St Marys and The Sexton's House, which are all Grade II Listed Buildings. These heritage assets are all located to the north of the application site.

3 Relevant Planning History

- 3.1 There is no relevant planning history for the application site.
- 3.2 In 2019, planning permission 19/00418/FUL was granted on the field to the south east of the application site for the change of use from an agricultural field to recreational use as an archery field. This proposal also included the siting of 2 portacabins and a storage container.

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 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

4.2 **Part 2 Local Plan 2019**

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity
- Policy 23: Proposal affecting designated and non-designated heritage assets.

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 13 – Protecting the Green Belt.

5 Consultations

5.1 **Council's Environmental Health Officer:** No objection raised. Requested informative note to applicant regarding the burning of commercial waste and the provision of appropriate washing and toilet facilities on site.

5.2 **Council's Conservation Officer:** No objection raised to the principle of the application. The topography and natural vegetation contain the remains of Greasley Castle ensuring that the two sites do not have a direct visual connection. The proposal is for temporary structures, and once the project is complete the land could be returned to its existing condition with minimal disturbance. It is not considered that the proposed development would have a significant impact upon heritage assets in the immediate area. Positioning of the containers will be relevant once the land is prepared to receive them, and as per the plan, these should be where the topography of the land falls away from the SAM into the dip in the field and sheltered from view by existing vegetation.

Car parking was discussed on site, and the necessity for this is recognised. It is suggested that landscaping works allow for an area of meadow to have a drained system installed and a product such as grass blocks be installed to provide a semi hard surface whilst maintaining the grass cover and as per the buildings, a reversible solution.

5.3 Two properties either adjoining or opposite the site were consulted and a site notice was displayed. One response has been received raising concerns about

the commercial development opportunity being pursued that is not appropriate on Green Belt/agricultural land.

6 Assessment

6.1 The main issues for consideration are whether or not the proposal is appropriate development in the Green Belt, the design and appearance of the proposal and whether or not it has any impact on nearby heritage assets. The site is not located within a residential area or in close proximity to residential dwellings, and therefore it does not raise any concerns regarding its impact on residential amenity.

6.2 **Principle**

6.2.1 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.2.2 Paragraphs 145 and 146 of the NPPF identify development that can be considered an exception to inappropriate development. This includes buildings for agriculture, the provision of appropriate facilities for outdoor recreation and allotments, and the material change in use of the land. Whilst the activities proposed and associated buildings are of a similar type to those associated with agricultural uses, the proposed use is not for agriculture, and therefore it cannot be considered an exception to inappropriate development for this reason. Furthermore, it is considered that the proposed uses are not strictly recreational or for allotments, but considered more of a leisure use, for which there is no exception provided by the NPPF. Whilst the material change of use of the land could be considered as an exception to inappropriate development, for the proposal to work it requires the provision of the portacabin, storage containers and polytunnels. Therefore, when taken as a whole the application goes beyond the material change of use of the land and therefore cannot be considered an exception to inappropriate development in accordance with paragraphs 145 or 146.

6.2.3 In order to be considered acceptable the proposal must therefore be able to demonstrate that very special circumstances apply that outweigh the potential harm to the Green Belt. The applicant is a registered charity for the support of parents and families of children with disabilities and special educational needs. The aim of this proposal is to create a site that offers a range of benefits to support these families and advance education, social-independence and work-readiness for those with disabilities.

6.2.4 The nature of the proposal requires a site that offers large open space that is accessible and away from built up areas. The application site is able to offer this, with convenient access from local towns and villages, as well as being on a bus route. Given the nature of the requirements, it is likely to be difficult to find a similar site that is not within a Green Belt location.

- 6.2.5 Whilst the proposal does not meet the specific requirements of paragraphs 145 and 146 of the NPPF as being exceptions to inappropriate development, the activities proposed do have a number of similarities to activities that are exceptions such as agriculture, outdoor recreation and allotments. The proposed buildings on the site are also in keeping with those that may be required by such developments, as demonstrated by the use of the field to the south east as an archery field (recreational use) with associated portacabins and storage container.
- 6.2.6 In terms of the harm of the proposal to the Green Belt, the proposed buildings are low level in terms of scale, and sited adjacent to the substantial hedgerows on the north and east boundaries of the site, reducing their prominence in the context of the site. The plans show the portacabin and the shipping containers to be green in colour which will ensure they blend in to the surroundings, especially when the site is viewed from afar. It is considered appropriate to condition this. Polytunnels are commonly used on agricultural fields to support growing, and it is considered that the siting of these structures within the site as part of the proposal will not be harmful to the appearance of the surrounding area. All of the proposed buildings within the site are of a temporary nature, and therefore, should this use cease, the land could be returned to its current state, therefore not damaging the long term character of the application site.
- 6.2.7 The applicant states within their planning statement that long-term funding for this project is not guaranteed and therefore they would be willing to accept an initial temporary permission of 5 years. Taking into account the style of the building proposed, and the location within the Green Belt, it is agreed that a temporary permission of 5 years would be appropriate, with this limit being conditioned. At that time the buildings are either to be removed, or the applicant can re-apply for permission.
- 6.2.8 Taking the above into account it is considered that the proposed development will not cause significant harm to the Green Belt, and that the very special circumstances demonstrated, notably the use by a charitable organisation to support families of children with special needs, would provide benefits that outweigh the limited harm.

6.3 Heritage

- 6.3.1 The Conservation Officer has not raised any objection to the proposal. The site is sufficiently separated from the Listed Buildings and Scheduled Ancient Monument to the north and it is considered that the development will not have an adverse impact on their setting. The proposed buildings are relatively low in height and well screened by the hedgerows along the boundaries, with the topography of the site further reducing their visual impact. It is therefore considered that the proposal will not have an unacceptable impact on the heritage assets.

6.4 Design and Appearance

- 6.4.1 The portacabin and containers are relatively low in height and small scale structures. The portacabin will be positioned close to the north boundary of the site, with the storage containers close to the east boundary. Both boundaries are made

up of substantial hedgerow, which will ensure the buildings are not overly prominent in the context of the site.

- 6.4.2 Whilst the design of the buildings is basic, taking into account their small scale and siting within the site it is considered that they will not be harmful to the character of the area. Furthermore, it will be conditioned that they are dark green in colour to ensure they blend in as far as possible with the surrounding area.
- 6.4.3 The polytunnels will be slightly more prominent in the area due to their greater footprint and siting away from the boundaries of the site. However, polytunnels are commonly used on agricultural sites in countryside locations, and therefore it is considered that they are not harmful to the character of the surrounding area.
- 6.4.4 Overall it is considered that an acceptable standard of design has been achieved.

6.5 Access

- 6.5.1 The application site will be accessed via the existing access point to Greasley Castle Farm from Church Lane. The applicant states that parking is available within the farmyard area, with some disabled parking required within the application site. There is vehicular access to the field, and there are no proposals to alter the surface of the ground to allow for disabled parking, and therefore no long-term impacts of this. It is considered that the provision of parking space is acceptable and that the existing access to Church Lane is acceptable for the proposed use.
- 6.5.2 Whilst the Conservation Officer makes reference to semi-permanent land surfacing material for onsite parking, the onsite parking will be limited to that required for disabled access, which will not likely be an extensive amount of parking. It is therefore considered that further landscaping to enable parking on the site will not be necessary, and therefore it will not result in a permanent change in the appearance of the land.

7 Planning Balance

- 7.1 The proposed development is put forward by a registered charity to provide a space for outdoor activities to support children with disabilities and their families. Whilst the application site is within the Green Belt, the development proposed consists of relatively small scale buildings of a temporary nature, allowing the land to be returned to its current state in the future if required without any long terms impacts. The buildings are designed and sited to blend in with the surrounding landscape, and whilst the proposal is not an exception to inappropriate development as set out by the NPPF, the nature of the activities have strong similarities to activities that are exceptions such as agriculture and recreational uses.
- 7.2 On balance, it is considered that the benefits of the proposal outweigh any potential harm caused.

8 Conclusion

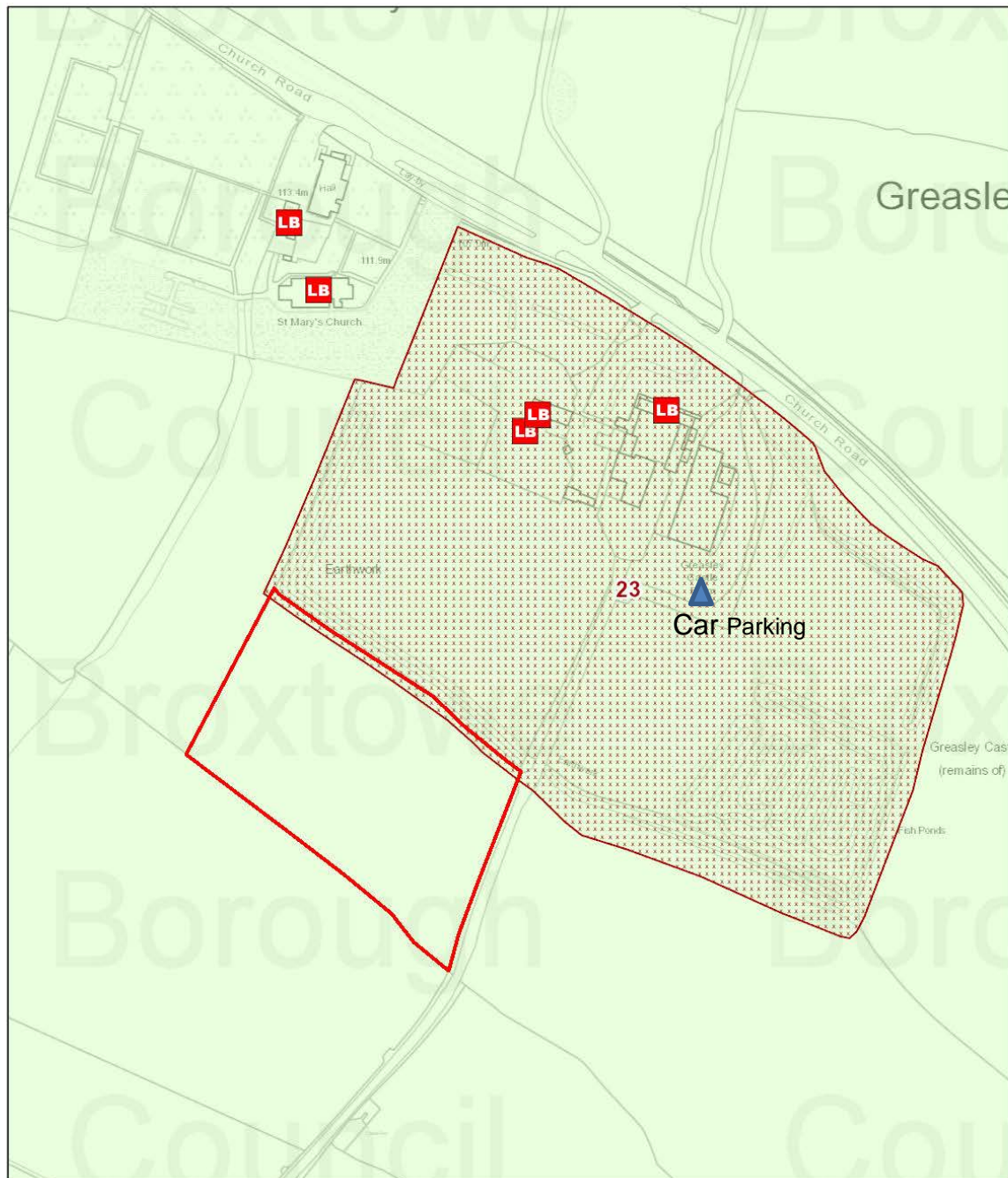
- 8.1 To conclude, it is considered that very special circumstances have been demonstrated, with the benefits of the proposal outweighing any potential harm to

the Green Belt. The design and appearance of the proposal is considered acceptable and it is considered that it will not have any unacceptable harm on the nearby heritage assets. It is also considered that the proposal will not result in an unacceptable impact on highway safety. It is therefore considered that the scheme is acceptable and planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:2500), Block Plan (1:500), Floor Plans and Elevations (1:100); received by the Local Planning Authority on 28 August and 1 October 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The permission for the change of use of the land and siting of buildings hereby approved shall be for a limited period of 5 years, expiring on the 10 December 2025 when the buildings permitted shall be removed and the land reinstated to its former state to the satisfaction of the Local Planning Authority unless prior permission has first been obtained in writing from the Local Planning Authority.</p> <p><i>Reason: The buildings by virtue of their construction and appearance are not suitable for permanent retention and in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17.</i></p>
4.	<p>The portacabin and storage containers hereby approved shall be dark green in colour, and retained as such for the lifetime of the development.</p> <p><i>Reason: To ensure the development is in keeping with the character of the surrounding area and in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17.</i></p>
	NOTES TO APPLICANT

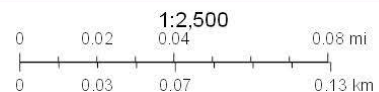
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	The applicant is to ensure that suitable washing and toilet facilities appropriate for the needs of the proposed site users are provided on site.

20/00585/FUL - Land at Greasley Castle Farm



11/6/2020, 3:11:03 PM

- Listed Building
- INTERNAL: PCO Applications
- Green Belt
- Scheduled Monuments



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Ordnance Survey 100019453

Photographs



East boundary of site (looking south).



North boundary of site (looking north).

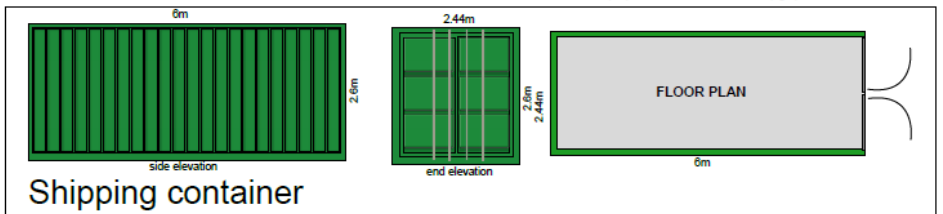
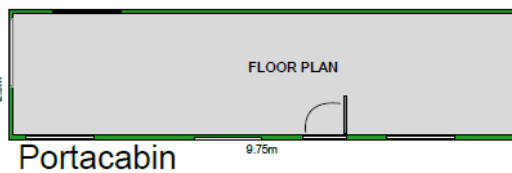
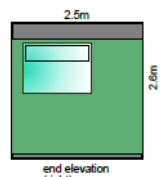
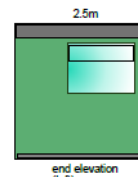
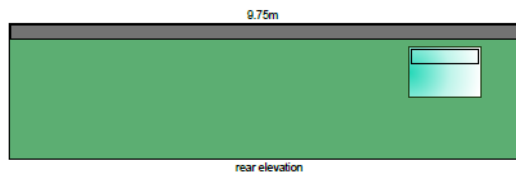
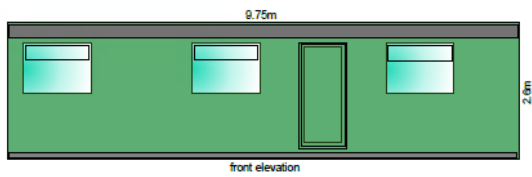
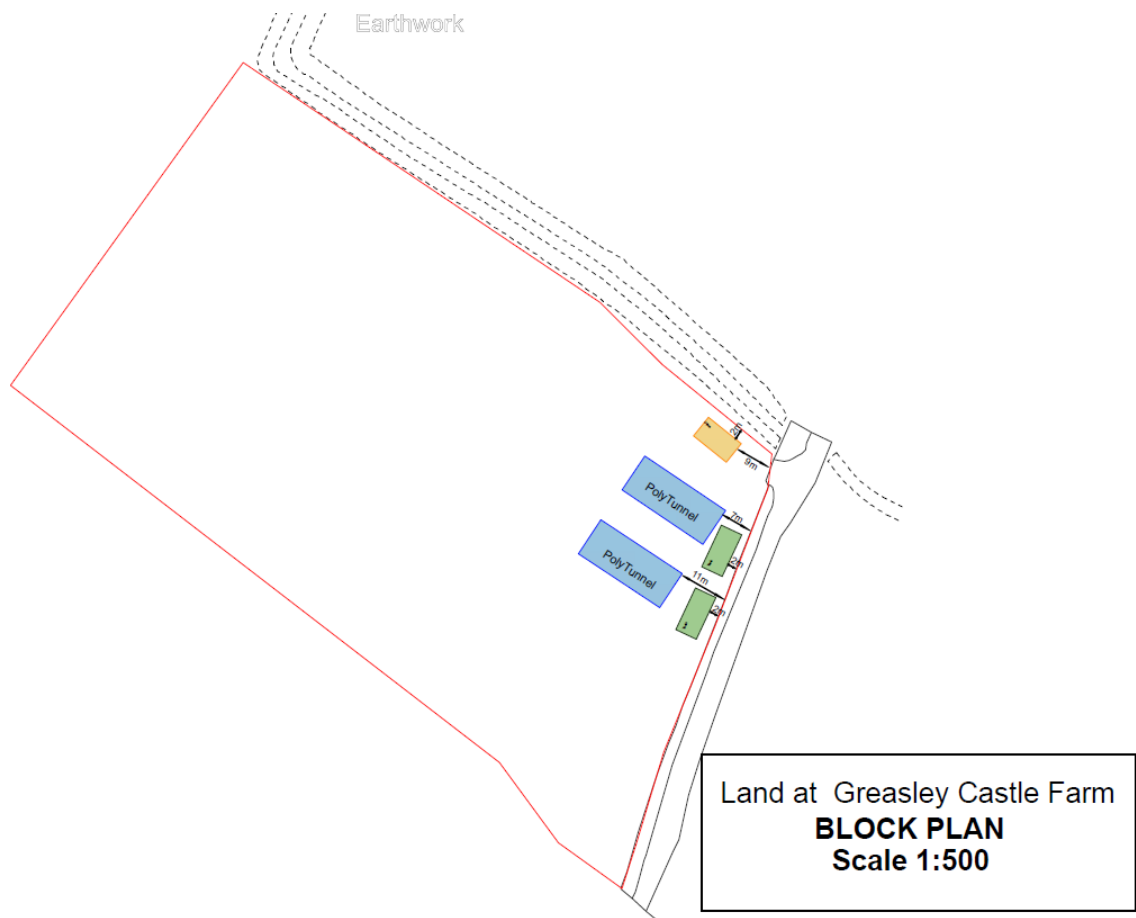


Application site (looking west).



Access to application site (looking west).

Plans (not to scale)



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Report of the Chief Executive

APPLICATION NUMBER:	20/00707/FUL
LOCATION:	105 Nottingham Road, Nuthall, Nottinghamshire NG16 1DN
PROPOSAL:	Construct first floor rear extension and balcony (revised scheme)

Councillor P Owen has requested this application be determined by Committee.

1 Executive Summary

- 1.1 This application seeks consent to construct a first floor rear extension to create an en-suite bathroom and balcony. The property has previously been extended in the form of an attached garage, first floor bathroom and a conservatory to the rear.
- 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 A previous application for the construction of a rear first floor extension and balcony was refused in December 2019 under reference number 19/00648/FUL, due to the proposal representing inappropriate development within the Green Belt as the proposed extension in conjunction with the existing extensions was considered to represent a disproportionate addition to the size of the original dwelling.
- 1.4 Due to the nature of works proposed to extend the existing property along with the previous extensions, it is considered the proposal represents a disproportionate addition to the original dwelling, exceeding 30% of the volume of the original dwelling.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

APPENDIX

1 Details of the application

- 1.1 This application seeks consent to construct a first floor rear extension to create an en-suite bathroom and balcony. The property has previously been extended in the form of an attached garage, first floor bathroom and a conservatory to the rear.

2 Site and Surroundings

- 2.1 The application site consists of a detached two storey residential dwelling with a driveway to the front and a large garden to the rear. The site fronts onto the busy main road of Nottingham Road, with open fields located directly to the rear.
- 2.2 The site is located within a predominantly residential area with similar residential dwellings located to either side and within the Nottinghamshire Green Belt.

3 Relevant Planning History

- 3.1 Planning permission was granted under reference number 75/00393/FUL to extend the property to form a kitchen, dining room and playroom and extension to the garage.
- 3.2 Planning permission was granted under reference number 98/00265/FUL to construct a side extension to form a kitchen and garage.
- 3.3 Planning permission was granted under reference number 00/00233/FUL to convert a garage to create a kitchen/study and new pitched roof.
- 3.4 Planning permission was granted under reference number 03/00845/FUL to construct a vehicular access.
- 3.5 Planning permission was refused in 2019 under reference number 19/00648/FUL to construct a first floor rear extension and balcony.

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

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

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

4.2 **Part 2 Local Plan 2019**

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

- Policy 8: Development in the Green Belt
- Policy 17: 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 No relevant consultee responses to report

5.2 2 neighbouring properties were consulted during the processing of the planning application, with no objections 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 the impact upon visual amenity.

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. 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.

6.2.2 The application site is set back from Nottingham Road and consists of a two storey detached dwelling. To the front there is an existing wall/fence with an entrance gate leading into a driveway, with a large garden located directly to the rear. To the side of the dwelling there is a single storey extension which was originally built as a garage and later converted into additional living accommodation for the dwelling. To the rear there is a conservatory extension which spans the full width of the rear elevation of the main dwelling, along with a first floor bathroom extension.

6.2.3 The proposed extension is to be located to the rear of the existing dwelling and will not be visible within the street scene of Nottingham Road. The extension will be sited to the side of the existing first floor extension and will extend out to be in line with the existing first floor extension. The extension will consist of patio doors leading onto a small balcony area with a small en-suite bathroom window and a pitched roof. The design of the proposed extension is considered acceptable and in keeping with the rear elevation of the main dwelling.

6.2.4 In terms of the additional volume being created, the provision of the proposed extension and the existing extension will lead to an overall addition to the property of approximately 47%. Policy 8 – Development in the Green Belt 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. Whilst there would be limited views of the proposed extension from with the street scene of Nottingham Road, the addition of the proposed extension along with the existing extensions will lead to disproportionate additions to the original dwelling. It is considered that the introduction of a further extension 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 Amenity

6.3.1 The proposed extension will be located adjacent the boundary of number 103 Nottingham Road. Along the boundary of the application site and the adjacent property there is an existing 3m – 4m high conifer hedgerow. To the side of the extension there are no windows proposed facing the side of number 103. Although a balcony is proposed, this will be enclosed on the side by a brick wall. To the side facing number 107 Nottingham Road the balcony will be open. Views from the balcony will only be over the rear gardens and not directly over the outdoor residential garden area closest to the main dwellings. It is therefore considered that the proposed extension will not have any impact on the amenity of any of the immediate neighbouring properties.

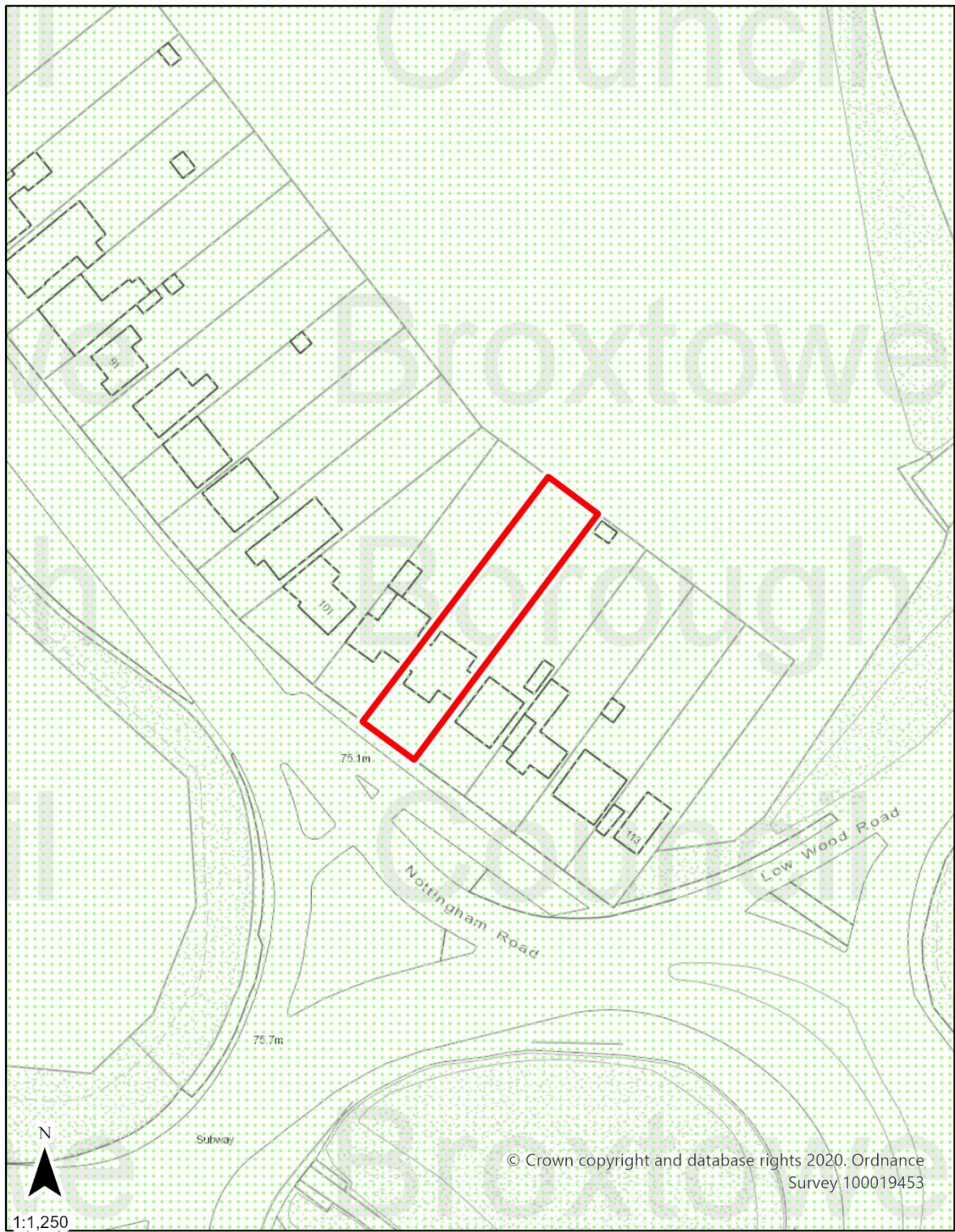
6.3.2 The impact upon all other neighbouring properties is considered acceptable.

7 Conclusion

7.1 The proposal is 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, in conjunction with the existing extensions, 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 (2019) 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.
	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

Photographs

Front Elevation



Rear Elevation



Rear garden



Side boundary with No: 107



Side boundary with No: 103



Existing Elevations

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The architectural drawings for the proposed house are as follows:

- Proposed Floor Layout:** A plan view showing the internal layout of the house. It includes a Kitchen & Dining room, a Lounge, a Conservatory, a Bathroom, a Bedroom, and a Utility room. The scale is 1:500.
- Proposed First Floor:** A plan view showing the layout of the first floor, including a Bedroom, a Bathroom, and a Utility room. The scale is 1:500.
- Proposed Ground Floor:** A plan view showing the layout of the ground floor, including a Kitchen & Dining room, a Lounge, and a Conservatory. The scale is 1:500.
- Proposed Block Plan:** A site plan showing the location of the proposed house within a residential block. The scale is 1:500.
- Proposed Side Elevation:** A side elevation drawing showing the profile of the house, including the roofline, windows, and doors. The scale is 1:50.
- Proposed Rear Elevation:** A rear elevation drawing showing the profile of the house, including the roofline, windows, and doors. The scale is 1:50.
- Proposed Front Elevation:** A front elevation drawing showing the profile of the house, including the roofline, windows, and doors. The scale is 1:50.

The drawings are presented on a grid background. The site plan (Proposed Block Plan) shows the house's location relative to the surrounding street network and other buildings. The elevations show the house's profile and its relationship to the surrounding environment.

Report of the Chief Executive

APPLICATION NUMBER:	20/00657/ADV
LOCATION:	The Arc Cinema, 2 Station Road, Beeston, NG9 2WJ
PROPOSAL:	Display 3 illuminated external signs and vinyl screens to the internal face of the first floor glazing

The application is brought to the Committee at the request of Councillor Watts as the Council is the landowner.

1 Executive Summary

- 1.1 The advertisement consent application proposes three internally illuminated fascia signs stating 'The Arc Cinema'. One is to be located above the ground floor entrance and the other two at first floor level. All three signs will have a luminance level of 300 cd/m² and the illumination will be static. A coloured vinyl film is to be applied to the first floor glazing units forming the southern corner of the building.
- 1.2 Two internal digital screens were originally proposed but these have been omitted from the application.
- 1.3 Advertisements can only be assessed in the interests of amenity and public safety. The luminance level complies with the highway guidance (and hours of illumination will be restricted) and given the intervening interchange, it is considered the proposed advertisements will cause no harm to the amenity of the nearest residents to the south west of the site or to highway safety. It is considered visual amenity (including heritage assets) will not be harmed by the proposed signage which is considered to be appropriate in appearance, location and scale for a town centre site.
- 1.4 The Committee is asked to resolve that advertisement consent be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The advertisement consent application proposes three internally illuminated fascia signs stating 'The Arc Cinema' (text only, no background). One sign (2m² in area) with white text is to be located above the ground floor entrance doors on the south east elevation and the other two (10m² each in area with white, orange and red text) are to be located below the parapet wall of the first floor – one on the north west elevation facing towards Station Road to the north and one on the south west elevation facing the interchange. All three signs will have a luminance level of 300 cd/m² and the illumination will be static. They will have an aluminium frame and acrylic face.
- 1.2 A coloured vinyl film is to be applied to the first floor glazing units forming the southern corner of the building.
- 1.3 Two internal digital screens were originally proposed but these have been omitted from the application following concerns being raised about their proposed luminance level.

2 Site and surroundings

- 2.1 The flat roofed building on site is currently under construction and comprises commercial units on the ground floor (retail/restaurants) with the cinema at first floor. It is located within Beeston town centre and is largely light grey brick slips with vertical green glazed brick features and strip lights. The ground floor is predominantly glazed. 1.8m high black mesh fencing is located to the south west of the building and 1.8m security fencing beside Station Road to the north east. A car park and portacabins associated with the construction site are located to the south east, accessed from Station Road but consent exists for 132 apartments on this site, with a five storey block proposed adjoining the public realm proposed to the immediate south east of the cinema building.
- 2.2 The land slopes down from north west to south east so Middle Street is approximately 2-2.5m lower than the site of the cinema building. To the immediate south west of the site is the bus and tram interchange on Styring Street with four-five storey apartments beyond, some of which are located within the Beeston West End Conservation Area. Beyond these apartments, to the north west, is St John the Baptist's church (Grade II listed) and churchyard. There are two other Grade II listed buildings within this area – the Crimean war memorial and Village Cross (both located on Church Street).
- 2.3 The two storey B & M retail unit forms the north western site boundary, with other retail/commercial units in Beeston town centre beyond. Station Road adjoins the north eastern site boundary with a pedestrian crossing leading to the two storey brick and timber clad Tesco store with adjacent car park. Beyond the residential site to the immediate south east, there are commercial and residential properties fronting Middle Street.

3 Relevant Planning History

- 3.1 In 2017, planning permission (17/00498/FUL) was granted to use the site for outdoor events of more than 28 days duration (e.g. Beeston Beach), including installation of temporary structures.
- 3.2 A hybrid planning application (18/00360/FUL) for a mixed use development on the site and land to the south east, including a cinema, commercial units and residential units, was granted permission in September 2018.
- 3.3 Advertisement consent (18/00496/ADV) for two large format signs and two banner signs (relating to the proposed development/sale of the larger site) was also granted in September 2018.
- 3.4 Reserved matters approval for 132 apartments and a flexible use commercial unit was issued in May 2020 (19/00816/REM) in relation to the land to the immediate south east of the site.

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 11: Historic Environment

4.2 **Part 2 Local Plan 2019:**

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

- Policy 18: Shopfronts, signage and security measures
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

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

- Section 12 – Achieving well-designed places.

5 Consultations

- 5.1 **Council's Conservation Officer:** no objection as signage is appropriate for scale of the building and each elevation has been adapted to address the setting.
- 5.2 **Nottinghamshire County Council as Highway Authority** (10.11.20) advise that the illumination levels of the proposed digital screens are too high and need reducing. No concerns providing illumination levels are reduced to comply with highway standards and subject to conditions (all relating to the digital screens) restricting illumination level, display time, sequencing, no special effects, transition between adverts, blank screen if display malfunctions and no images to resemble road signs/traffic signals.

24.11.20 (on amended plans): no objections and no conditions required as digital screens have been omitted.

- 5.3 **Nottingham Express Transit** (9.11.20) consideration should be given to flashing lights or very bright neon lights as tram drivers raise concerns about such features. Fencing may be required to prevent light spill onto the rails/road. No further comments to make on amended scheme.

- 5.4 49 properties in the vicinity of the site were consulted on the application. Three objections were received raising concern about the proposed illumination/rapid image change of the advertisements causing light pollution and affecting sleep, health and enjoyment of homes given the apartments to the south west. Concern was expressed about the loss of privacy from the first floor glazed part of the cinema but this is not a relevant consideration for this advertisement consent application as the design of the building has already been approved by the grant of planning permission (18/00360/FUL).

6 Assessment

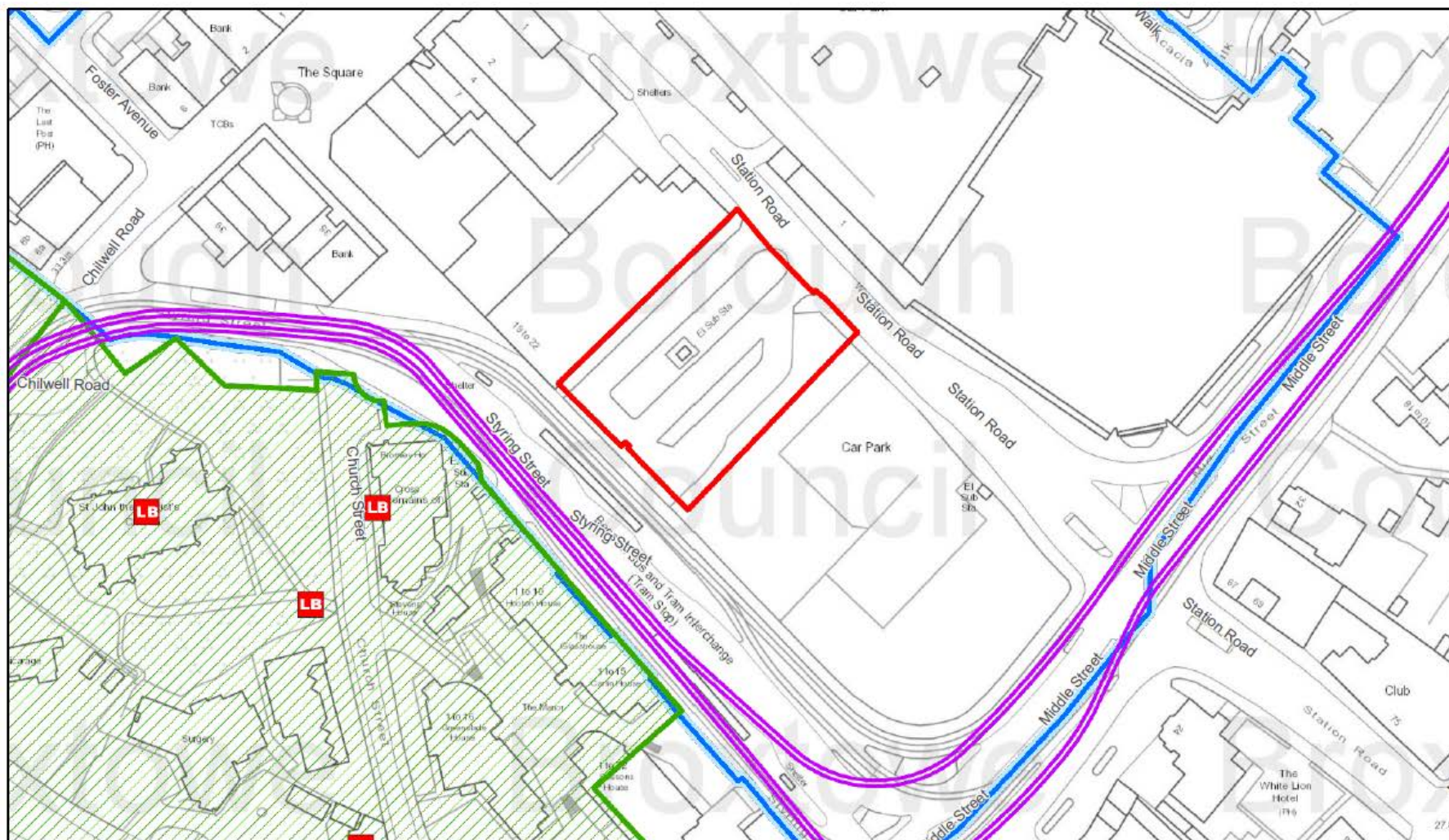
- 6.1 In accordance with the National Planning Policy Framework, the advertisements should only be assessed in the interests of amenity and public safety.
- 6.2 One sign will be visible from Station Road and two signs from the bus/tram interchange on Styring Street. The signage will be located on a building located in the town centre and will be compliant with the highway standards in terms of the level of illumination (300cd/m²) which will be static. County highways have no objection to the scheme. Accordingly, the proposal is considered to cause no harm to public safety.
- 6.3 Beeston West End Conservation Area and the listed St. John's the Baptist church are located to the south west and west of the site respectively but due to the intervening tram and bus interchange and associated paraphernalia, it is considered the proposed advertisements will not harm these heritage assets. The advertisements are to be located in the town centre where signage is to be expected and are of a size and location appropriate for a building of this size. It is therefore considered the signs will have no significant impact on visual amenity.
- 6.4 In terms of concerns expressed by residents about illumination, it will be conditioned that the signs are not illuminated between 23.00 and 08.00. Subject to this condition, it is considered the impact on residents will be acceptable.

7 Conclusion

- 7.1 In conclusion, it is considered that the proposed advertisements will not harm amenity or public safety and are therefore acceptable.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that advertisement consent be granted subject to the following conditions:	
1.	<p>a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>(c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>(e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p> <p><i>Reason: In the interests of amenity and public safety.</i></p>
2.	<p>The signage hereby permitted shall be carried out in accordance with drawing numbers 1816-BE-001, 1816-BE-705 and 1816-BE-707 received by the local planning authority on 25 September 2020 and 1816-BE-010 Rev 1, 1816-BE-011 Rev 1 and 1816-BE-706 Rev 1 received by the local planning authority on 20 November 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The hereby approved signs shall not be illuminated between the hours of 23.00 and 08.00.</p> <p><i>Reason: In the interests of amenity and public safety.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

2.	It is not permitted for any vehicles to obstruct the tramway at any time and any works on site should accord with the guidance from NET.
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11/25/2020, 10:06:56 AM

 Conservation Area  Listed Building  Town Centre Boundaries

— Tram Route □ Site

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Photographs



South west and south east elevations from Styring Street



South east elevation from Middle Street

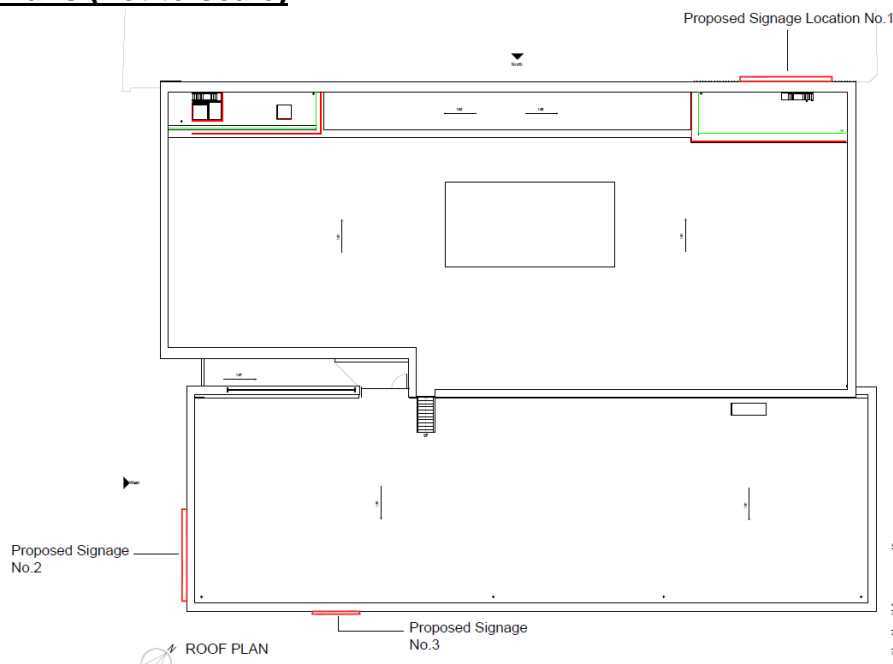


North west and north east elevation from Station Road



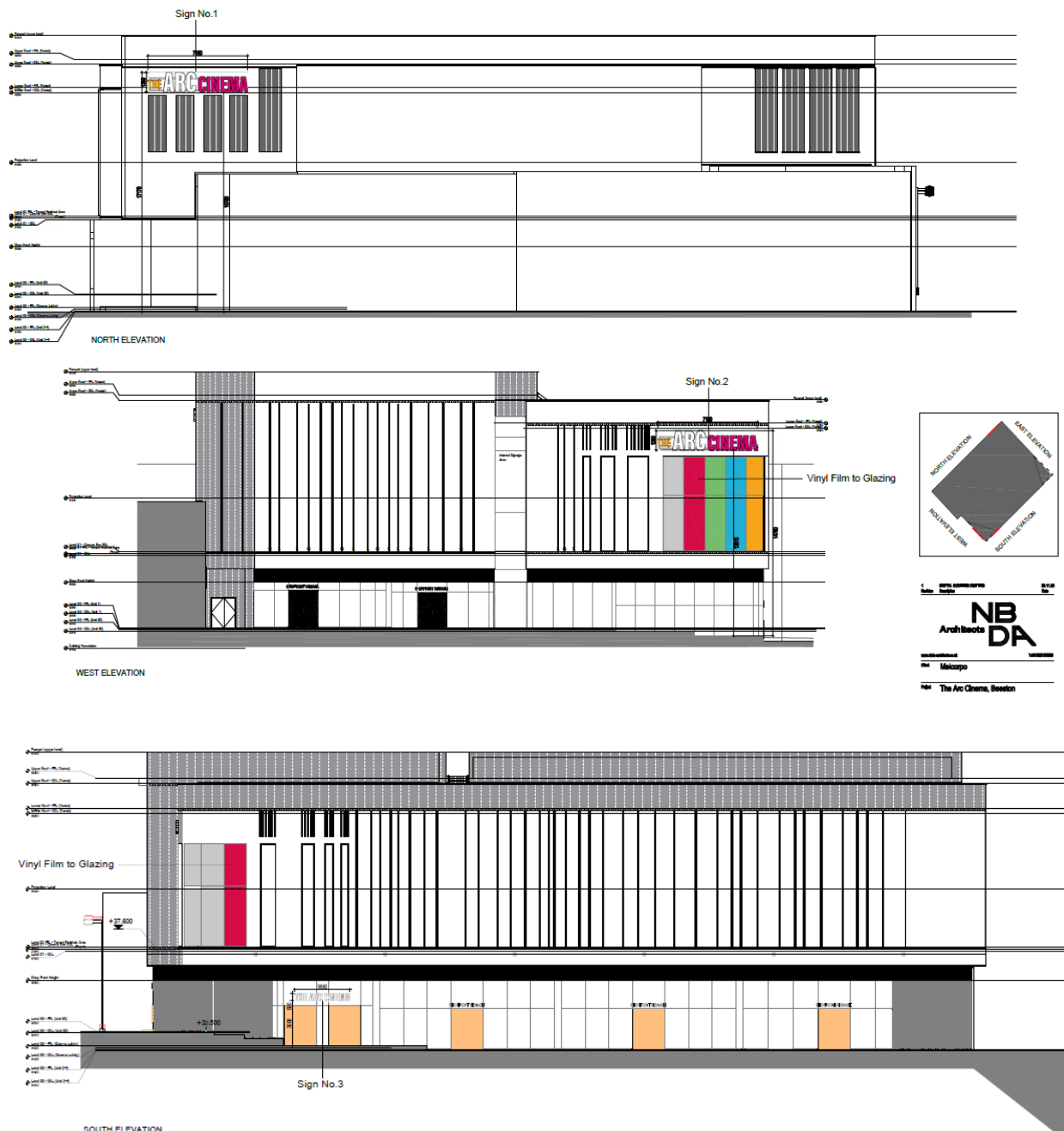
North west elevation from Station Road to north (junction with Vernon Avenue)

Plans (not to scale)



Signage location plan

Proposed elevations



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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
19 OCTOBER 2020 TO 11 NOVEMBER 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

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	: Mr Dean Taylor	20/00258/FUL
Site Address	: 18 Hurts Croft Chilwell Nottinghamshire NG9 5DE	
Proposal	: Retain two storey side extension, rear extensions, front porch, two first floor side windows, front boundary wall and outhouse to be used as personal gym	
Decision	: Conditional Permission	

Applicant	: Ms Catherine Clarke	20/00443/FUL
Site Address	: 81 Attenborough Lane Chilwell Nottinghamshire NG9 5JP	
Proposal	: Construct single storey side extension and extend dropped kerb	
Decision	: Conditional Permission	

Applicant	: Mr Christopher Parkin	20/00484/FUL
Site Address	: 139 Attenborough Lane Attenborough Nottinghamshire NG9 6AA	
Proposal	: Change of use from hairdressers to micro pub	
Decision	: Conditional Permission	

Applicant	: Mr & Mrs Richard & Mary Graham	20/00502/FUL
Site Address	: 7 Cliffgrove Avenue Chilwell Nottinghamshire NG9 4DP	
Proposal	: Construct first floor side extension and single storey rear extension	
Decision	: Conditional Permission	

Applicant	: Mr and Mrs David Williams	20/00550/FUL
Site Address	: 81 Woodland Grove Chilwell Nottinghamshire NG9 5BQ	
Proposal	: Construct rear extension to garage and convert to form utility room, store and study	
Decision	: Conditional Permission	

Applicant	: Mr & Mrs Ben & Leonie Coomber	20/00564/FUL
Site Address	: 122 Bramcote Lane Chilwell Nottinghamshire NG9 4EX	
Proposal	: Construct single storey side and two storey rear extension	
Decision	: Conditional Permission	

Applicant	: Mr & Mrs Ireland	20/00615/PNH
Site Address	: 206 Long Lane Attenborough Nottinghamshire NG9 6DB	
Proposal	: Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 3.8 metres, and an eaves height of 2.5 metres	
Decision	: PNH Approval Not Required	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	: Miss Glover	20/00244/FUL
Site Address	: 42 Park Hill Awsworth Nottinghamshire NG16 2RD	
Proposal	: Construct 1 additional floor including raising of the roof, balcony to rear, detached double garage and new gates	
Decision	: Conditional Permission	

Applicant	: Mr S Bates	20/00318/FUL
Site Address	: 35 Awsworth Lane Cossall Nottinghamshire NG16 2SA	
Proposal	: Construct detached garage	
Decision	: Withdrawn	

Applicant	:	Mr Paul Hogg	20/00434/FUL
Site Address	:	43 Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	:	Extended dropped kerb	
Decision	:	Conditional Permission	
Applicant	:	Mr J Hunter	20/00500/FUL
Site Address	:	9 St Helens Crescent Trowell Nottinghamshire NG9 3PZ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Wiles	20/00506/FUL
Site Address	:	76 Trowell Grove Trowell Nottinghamshire NG9 3QH	
Proposal	:	Proposed single storey rear extension and Install white render to part of the existing rear elevation.	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Wilkinson	20/00529/FUL
Site Address	:	59 Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	:	Render and re-roof dwelling and garage, installation of velux roof lights and 'pod' window, retain bi-fold doors to the rear and removal of lean-to section of existing garage,	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Kirk	20/00532/FUL
Site Address	:	20 Hill Rise Trowell Nottinghamshire NG9 3PE	
Proposal	:	Construct single storey front extension including new front entrance door with steps up.	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Odams	20/00548/FUL
Site Address	:	18 Awsworth Lane Cossall Nottinghamshire NG16 2RZ	
Proposal	:	Erect front and side boundary fence, including the installation of automatic gates	
Decision	:	Conditional Permission	
Applicant	:	Mr K Rose	20/00579/PNH
Site Address	:	2 Windsor Close Trowell Nottinghamshire NG9 3PU	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.4 metres, and an eaves height of 2.6 metres	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr Stuart and Lucy Mackie	20/00600/FUL
Site Address	:	61 Park Hill Awsworth Nottinghamshire NG16 2RB	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	
BEESTON CENTRAL WARD			
Applicant	:	Mr J Huang	20/00553/CLUP
Site Address	:	26 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Certificate of lawful development for proposed change of use from house (Class C3) to house in multiple occupation (Class C4) and construction of rear dormer	
Decision	:	Approval - CLU	
Applicant	:	Mr McGrath Broadgate House Beeston Ltd	20/00595/P3JPA
Site Address	:	Broadgate House Broadgate Beeston Nottinghamshire NG9 2HF	
Proposal	:	Prior Notification under Class O - Change of use from Offices (Class B1(a) to 26 dwellings (Class C3)	
Decision	:	Prior Approval Not Required	

BEESTON NORTH WARD

Applicant	:	Mr C Burton	20/00656/PNH
Site Address	:	84 Dennis Avenue Beeston Nottinghamshire NG9 2RE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves height of 3 metres	
Decision	:	PNH Approval Not Required	

BEESTON RYLANDS WARD

Applicant	:	Mrs Laura Brett	20/00441/FUL
Site Address	:	27 Meadow Road Beeston Nottinghamshire NG9 1JQ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Matt Buck	20/00520/FUL
Site Address	:	2 Maple Avenue Beeston Nottinghamshire NG9 1PW	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

BEESTON WEST WARD

Applicant	:	Mr & Mrs Johnston	20/00526/FUL
Site Address	:	37 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	Proposed replacement of roof tiles, insert entrance door with canopy over, render finish to existing extension and raising (reinstatement) of existing chimney	
Decision	:	Conditional Permission	

Applicant	:	Landermeads	20/00577/FUL
Site Address	:	Surgery 19 Chilwell Road Beeston Nottinghamshire NG9 1EH	
Proposal	:	Change of use from doctor's surgery (Class D1) to residential care home (Class C2) on ground floor and 3 flats (Class C3) at first and second floor	
Decision	:	Conditional Permission	

Applicant	:	Mr J Macken	20/00647/CLUP
Site Address	:	12 Barrydale Avenue Beeston Nottinghamshire NG9 1GN	
Proposal	:	Certificate of proposed development to construct single storey rear extension (resubmission)	
Decision	:	Withdrawn	

BRAMCOTE WARD

Applicant	:	Mrs MAHMOONA KAUSAR	20/00455/FUL
Site Address	:	3 Sandy Lane Bramcote Nottinghamshire NG9 3GT	
Proposal	:	Construct single storey side and rear extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Colin Strawbridge	20/00468/FUL
Site Address	:	Bramcote Hills College Moor Lane Bramcote Nottinghamshire	
Proposal	:	Retain portacabin for further 5 years	
Decision	:	Conditional Permission	

Applicant	:	Mr Peter Ward	20/00476/FUL
Site Address	:	80 Ullswater Crescent Bramcote Nottinghamshire NG9 3BE	
Proposal	:	Construct garden room/store	
Decision	:	Conditional Permission	

Applicant	:	Mr Robert Squire	20/00486/FUL
Site Address	:	4 Balmoral Drive Bramcote Nottinghamshire NG9 3FU	
Proposal	:	Construct single storey rear extension and external alterations	
Decision	:	Conditional Permission	

Applicant	:	Mrs C Davies	20/00631/PNH
Site Address	:	70 Valmont Road Bramcote Nottinghamshire NG9 3JD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.53 metres, with a maximum height of 3.20 metres, and an eaves height of 2.50 metres	
Decision	:	File Closed	
Applicant	:	Mr P Proud	20/00684/PNH
Site Address	:	56 Russley Road Bramcote Nottinghamshire NG9 3JE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 7.50 metres, with a maximum height of 3.5 metres, and an eaves height of 2.8 metres	
Decision	:	PNH Approval Not Required	
BRINSLEY WARD			
Applicant	:	Mr C Merrin	20/00467/FUL
Site Address	:	37 Hobsic Close Brinsley Nottinghamshire NG16 5AX	
Proposal	:	Construct two storey side extension, single storey rear extension and new porch roof across front elevation	
Decision	:	Conditional Permission	
Applicant	:	Mrs Lisa Palmer Silver Lining Day Nursery	20/00589/FUL
Site Address	:	White Lion Inn Hall Lane Brinsley Nottinghamshire NG16 5AH	
Proposal	:	Change of use of ground floor from public house (Class A4) to day nursery (Class D1) and alterations to create bin store	
Decision	:	Conditional Permission	
CHILWELL WEST WARD			
Applicant	:	Mr and Mrs Witt	20/00460/FUL
Site Address	:	13 Blenheim Drive Chilwell Nottinghamshire NG9 5ES	
Proposal	:	Construct single storey side extension following demolition of garage	
Decision	:	Conditional Permission	
Applicant	:	MR G STRAW	20/00546/FUL
Site Address	:	4 Wheatgrass Road Chilwell Nottinghamshire NG9 4JN	
Proposal	:	Construct front porch	
Decision	:	Conditional Permission	
Applicant	:	Miss Natalie Birtles	20/00549/FUL
Site Address	:	3 Field Lane Chilwell Nottinghamshire NG9 5FF	
Proposal	:	Construct single storey rear and side extensions, new roof, front bay window, external alterations and front boundary wall	
Decision	:	Conditional Permission	
EASTWOOD HALL WARD			
Applicant	:	MRS KIM JOHNSON	20/00509/FUL
Site Address	:	6 Coach Drive Eastwood Nottinghamshire NG16 3DH	
Proposal	:	Construct single storey side and rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Wilkinson Wm Morrisons Supermarkets Plc	20/00527/FUL
Site Address	:	Morrisons Kelham Way Eastwood Nottinghamshire NG16 3SG	
Proposal	:	New vehicle canopy within existing service yard for proposed home shopping offer	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Chamberlain	20/00563/FUL
Site Address	:	37 Garden Road Eastwood Nottinghamshire NG16 3FY	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

EASTWOOD HILLTOP WARD

Applicant	:	Sharon Robinson	20/00485/FUL
Site Address	:	30 Sherwood Rise Eastwood Nottinghamshire NG16 3HE	
Proposal	:	Construct single storey rear extension and raised platform	
Decision	:	Conditional Permission	

Applicant	:	Mr Rob Faux	20/00530/FUL
Site Address	:	294 Nottingham Road Eastwood Nottinghamshire NG16 2AQ	
Proposal	:	Conversion of existing terraced house to form two apartments	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mr M Hodgkinson	20/00459/FUL
Site Address	:	Land Associated With Beauvale Manor Farm New Road Greasley Nottinghamshire NG16 2AA	
Proposal	:	Formation of agricultural track and Erection of 2 agricultural buildings	
Decision	:	Withdrawn	

Applicant	:	Mr Grant Redfern	20/00528/FUL
Site Address	:	37 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	Raise ridge and construct first floor with pitched roof and reduced raised terrace with guard rail	
Decision	:	Conditional Permission	

Applicant	:	Mr R Clark	20/00574/FUL
Site Address	:	36 Swindon Close Giltbrook Nottinghamshire NG16 2WD	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	

KIMBERLEY WARD

Applicant	:	Mr Watkinson	20/00449/FUL
Site Address	:	18 Hardy Close Kimberley Nottinghamshire NG16 2JW	
Proposal	:	Construct single storey side extension and porch (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Dave Baker	20/00488/FUL
Site Address	:	3 Edinboro Row Kimberley Nottinghamshire NG16 2JD	
Proposal	:	Construct bungalow	
Decision	:	Refusal	

Applicant	:	Mr & Mrs Weaver	20/00617/FUL
Site Address	:	16 Beverley Drive Kimberley Nottinghamshire NG16 2TW	
Proposal	:	Construct rear extension	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mr Derek McClorry	20/00457/FUL
Site Address	:	94 Highfield Road Nuthall Nottinghamshire NG16 1BP	
Proposal	:	Construct detached garage	
Decision	:	Conditional Permission	

Applicant	:	Mr Abhijit Dixit	20/00573/FUL
Site Address	:	48 Mornington Crescent Nuthall Nottinghamshire NG16 1QE	
Proposal	:	Construct front and side extensions	
Decision	:	Conditional Permission	

Applicant	:	J Blant & Son	20/00607/AGR
Site Address	:	Land At Turkey Fields Farm Robinettes Lane Strelley Nottinghamshire NG16 2ST	
Proposal	:	Prior notification to construct storage space for machinery/equipment	
Decision	:	Prior Approval Not Required	

STAPLEFORD NORTH WARD

Applicant	:	Mr & Mrs R Hooker	20/00431/FUL
Site Address	:	50 Ilkeston Road Stapleford Nottinghamshire NG9 8JE	
Proposal	:	Construct roof extension to create second floor, two storey front/side/rear extension, single storey rear and front extensions and retain partially constructed detached annexe	
Decision	:	Conditional Permission	

Applicant	:	Cameron Wilcox	20/00568/FUL
Site Address	:	110 Hickings Lane Stapleford Nottinghamshire NG9 8PF	
Proposal	:	Construct ramping & porch to front elevation and single storey rear extension	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Mr Adam Hands The Burger Co.	20/00413/ADV
Site Address	:	15 Nottingham Road Stapleford Nottinghamshire NG9 8AB	
Proposal	:	Retain illuminated signage	
Decision	:	Conditional Permission	

Applicant	:	Mrs P Hill	20/00415/FUL
Site Address	:	112 Sisley Avenue Stapleford Nottinghamshire NG9 7HU	
Proposal	:	Retain single storey rear extension, rear dormer and revised windows to front dormer and external alterations	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Stacey	20/00514/FUL
Site Address	:	56 Westerlands Stapleford Nottinghamshire NG9 7JG	
Proposal	:	Addition of single storey retractable pergola awning to rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr A Wheatley	20/00551/FUL
Site Address	:	19 Judson Avenue Stapleford Nottinghamshire NG9 7FH	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr A Fullwood	20/00651/PNH
Site Address	:	85 Sherwin Road Stapleford Nottinghamshire NG9 8PP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 4.0 metres, and an eaves height of 3.0 metres	
Decision	:	PNH Approval Not Required	

Applicant	:	Mrs M Sibert	20/00699/PNH
Site Address	:	27 Wesley Place Stapleford Nottinghamshire NG9 8DP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.75 metres, with a maximum height of 3.20 metres, and an eaves height of 2.60 metres	
Decision	:	PNH Approval Not Required	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mrs J Nicholson	20/00394/FUL
Site Address	:	171 Brookhill Street Stapleford Nottinghamshire NG9 7GU	
Proposal	:	Construct single storey rear/side extension	
Decision	:	Conditional Permission	

Applicant	:	Miss Magali Gidoin	20/00432/FUL
Site Address	:	152 Derby Road Stapleford Nottinghamshire NG9 7AY	
Proposal	:	Part change of use of ground floor from retail to mixed use for beauty treatments and massages / hair dressing salon	
Decision	:	Conditional Permission	

Applicant	:	Mr Chris Marshall	20/00537/FUL
Site Address	:	Rear Of 36 Derby Road Stapleford Nottinghamshire NG9 7AE	
Proposal	:	Construct dwelling	
Decision	:	Conditional Permission	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr O Tumber	20/00429/FUL
Site Address	:	Land Adjacent 2 Norfolk Avenue Toton Nottinghamshire NG9 6GP	
Proposal	:	Construct bungalow following demolition of garages	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Barton	20/00511/FUL
Site Address	:	23 Banks Road Toton Nottinghamshire NG9 6HE	
Proposal	:	Construct single storey rear extension (following demolition of conservatory)	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Clarke	20/00535/FUL
Site Address	:	14 Cleve Avenue Toton Nottinghamshire NG9 6JH	
Proposal	:	Construct single storey front extension, including double garage	
Decision	:	Conditional Permission	

Applicant	:	Mr Philip Wright	20/00540/FUL
Site Address	:	123 Portland Road Toton Nottinghamshire NG9 6EX	
Proposal	:	Construct first floor side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Gibson	20/00569/FUL
Site Address	:	31 Kirkham Drive Toton Nottinghamshire NG9 6HG	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Miss T Denman	20/00586/FUL
Site Address	:	21 Chetwynd Road Toton Nottinghamshire NG9 6FW	
Proposal	:	Construct front porch	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Paterson	20/00625/FUL
Site Address	:	2 Sheriff's Lea Toton Nottinghamshire NG9 6LJ	
Proposal	:	Construct single storey front, side and rear extensions, convert garage to habitable room and erect boundary fence (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mrs A Cheadle	20/00695/PNH
Site Address	:	63 Chetwynd Road Toton Nottinghamshire NG9 6FW	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.00 metres, with a maximum height of 4.0 metres, and an eaves height of 2.40 metres	
Decision	:	PNH Approval Granted	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr E Harnett	20/00306/FUL
Site Address	:	1 Kimberley Road Nuthall Nottinghamshire NG16 1DA	
Proposal	:	Construct single storey side extension, external alterations including render and cladding and front wall and gates.	
Decision	:	Withdrawn	

Applicant	:	Mr S Cation	20/00475/FUL
Site Address	:	80 Larkfield Road Nuthall Nottinghamshire NG16 1EU	
Proposal	:	Dropped kerb for vehicular access	
Decision	:	Conditional Permission	

Applicant	:	Mr Mohammad Bhatti	20/00480/FUL
Site Address	:	129 Kimberley Road Nuthall Nottinghamshire NG16 1DD	
Proposal	:	Construct two storey rear extension and first floor side extension	
Decision	:	Conditional Permission	

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