



Wednesday, 23 December 2020

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 6 January 2021 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 - 12)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 9 December 2020.

4. NOTIFICATION OF LOBBYING

## 5. DEVELOPMENT CONTROL

### 5.1 19-00524/OUT (Pages 13 - 38)

Hybrid planning application comprising: Outline application to construct 64 dwellings including access with some matters reserved. Full application to change use to create a country park and associated works.

Former Dry Ski Slope, Cossall Industrial Estate, Soloman Road, Cossall, Nottinghamshire

### 5.2 20/00698/FUL (Pages 39 - 52)

Construct two storey side extension and single storey rear extension

49 Nottingham Road, Nuthall

### 5.3 20/00758/FUL (Pages 53 - 62)

Construct first-floor side extension (revised scheme)

3 Grange Estate, Robinettes Lane, Cossall

### 5.4 20/00606/FUL (Pages 63 - 72)

Retain loft conversion including dormer window

6 Canal Side, Beeston, Nottingham, NG9 1NG

## 6. VARIATION TO SECTION 106 AGREEMENT KIMBERLEY BREWERY, KIMBERLEY (Pages 73 - 74)

Variations are proposed to the Section 106 Agreement which deviate from the decision taken by Planning Committee and therefore require the approval of the Members.

## 7. INFORMATION ITEMS

### 7.1 Appeal Decisions (Pages 75 - 76)

### 7.2 Delegated Decisions (Pages 77 - 86)

8. 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 3 and 5 of Schedule 12A of the Act.**

9. VARIATION TO SECTION 106 AGREEMENT KIMBERLEY BREWERY, KIMBERLEY - LEGAL ADVICE (Pages 87 - 88)

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## **PLANNING COMMITTEE**

**WEDNESDAY, 9 DECEMBER 2020**

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw  
L A Ball BEM  
S J Carr (Substitute)  
T A Cullen  
D Grindell  
M Handley  
R I Jackson  
P J Owen  
D D Pringle  
H E Skinner (Substitute)  
R D Willimott  
G Marshall

Apologies for absence were received from Councillors R D MacRae and J W McGrath

### 40 **DECLARATIONS OF INTEREST**

Councillors G Marshall, R I Jackson and S J Carr declared a non-pecuniary interest in item 5.5 as they were members of the Beeston Town Centre Board. Minute number 43.5 refers.

### 41 **MINUTES**

The minutes of the meetings held on 4 November 2020 and 10 November 2020 were approved as a correct record.

### 42 **NOTIFICATION OF LOBBYING**

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

### 43 **DEVELOPMENT CONTROL**

#### 43.1 **20/00478/FUL**

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

The application had been deferred by the Committee on 10 November 2020 to allow the developer to address concerns regarding the number of car parking spaces.

The Committee considered the late item which was an additional condition in response to comments received from the Highways Authority, making a Travel Plan a requirement as the site was to provide employment for more than 20 staff.

There were no public speakers in respect of the application.

The Committee considered the addition of ten parking spaces to the proposed development and it was noted that should there be any deviation from the application as approved, enforcement proceedings could be brought.

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

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

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

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

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

- 3. 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.**

**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).**

- 4. 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.

**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).

5. 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.

**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).

6. 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:
  - (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

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

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

7. 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.

**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).

8. 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.

**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).**

- 9. 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.**

**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).**

- 10. 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.**

**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).**

- 11. 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.**

**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).**

- 12. 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.**

**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).**

- 13. The building shall not be occupied or otherwise brought into use until details of a full Travel Plan have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in the plan as approved.**



**Reason: In the interests of promoting sustainable travel, and 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).**

#### **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](mailto:3015snn@broxtowe.gov.uk) to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 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. 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:  
<http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>**

#### **43.2 20/00538/FUL**

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, Nottingham, NG9 2BN

Councillors P Lally and L A Lally had requested that this application be determined by the Committee.

There were no late items pertaining to the application.

Ms Lucie Harrison (objecting) and Councillor P Lally (ward member) made representations to the Committee prior to the general debate.

During the debate the Inspector's report on the previous application was considered, as was the impact on neighbour amenity, overcrowding, design and the impact on already busy streets for emergency access to Dagmar Road.

**RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated Head of Planning and Economic Development in consultation with the Chair of the Planning Committee.**

Reason

The proposed development by virtue of its excessive scale and massing on a prominent corner plot location would create a significant social and environmental impact on the character and appearance of the area. 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).

43.3 20/00585/FUL

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

This application had been called before Committee as it proposed inappropriate development in the Green Belt.

There were no late items in respect of the application and no public speakers.

The Committee debated the application with particular reference to the temporary nature of the permission and the opportunities the development would give to children with disabilities and their families to partake in outdoor activities. The debate progressed on to the concern that the proposed polytunnels could be an eyesore, in particular spoiling the iconic view from Hemmingway Close up to the Church and Castle Farm. Mitigation of the appearance of the polytunnels was discussed. There was also concern that this could represent development by stealth, though it was noted that any further development would have to come before the Committee.

It was proposed by Councillor D K Watts and seconded by Councillor D Grindell that a condition be added to the planning permission making it clear that the development should only be permitted if it was to be used by a community group. On being put to the meeting the proposal was passed.

**RESOLVED that planning permission be granted subject to the following conditions and an additional condition relating to the use of the development being specifically for community groups and the precise wording of the condition to be delegated to the Head of Planning and Economic Development in consultation with the Chair of the Planning Committee.**

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

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

2. The development hereby permitted shall be carried out in accordance with the 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.

Reason: For the avoidance of doubt.

3. 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.

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.

4. The portacabin and storage containers hereby approved shall be dark green in colour, and retained as such for the lifetime of the development.

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.

5. The use of the site shall be limited to the activities as described in section 3 of the planning application form, notably agricultural and outdoor recreational/leisure for community use in association with the Rainbow Parent Carers Forum.

Reason: To ensure the site is used in accordance with the terms of the application only and to protect the openness of the Green Belt in accordance with Policy 8 of the Broxtowe Part 2 Local Plan (2019).

#### **NOTES TO APPLICANT**

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

**43.4 20/00707/FUL**

Construct first floor rear extension and balcony (revised scheme)  
105 Nottingham Road, Nuthall, Nottinghamshire NG16 1DN

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

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

The Committee considered the proposed development with reference to the openness of the Green Belt, the position of the site and the size of the garden, as well as the footprint of the proposed extensions which did not exceed that of the extension that is currently there.

**RESOLVED that planning permission be granted, with the precise wording and conditions delegated to the Head of Planning and Economic Development with the Chair of the Planning Committee.**

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

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

- 2. The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.**

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

- 3. The development hereby permitted shall be carried out in accordance with drawing(s) numbered Site Location Plan 1: 1250 and Proposed Plans, Elevations and Block Plan 1: 500, GD/BV/19/040/03 received by the Local Planning Authority on 08 October 2020.**

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

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further extensions to the dwelling or outbuildings shall be erected within the curtilage of the dwelling without the prior approval of the local planning authority, by way of a formal planning application.**

**Reason: Further extensions to the dwelling or outbuildings in the garden would be considered disproportionate additions within the Green Belt and would be contrary to Policy 8 of the Part 2 Local Plan (2019).**

## **Note to applicant**

- 1. The Council has acted positively and proactively in the determination of this application, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.**
- 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](http://www.gov.uk/government/organisations/the-coal-authority)**

### **43.5 20/00657/ADV**

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

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

There were two late items from residents regarding light pollution and the impact of the proposed development on local residents.

There were no public speakers.

Consideration to the application was given with particular reference to amenity and public safety.

**RESOLVED that advertisement consent be granted subject to the following conditions:**

- 1. 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.**  
**(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**  
**(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.**  
**(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.**  
**(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).

Reason: In the interests of amenity and public safety.

2. 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.

Reason: For the avoidance of doubt.

3. The hereby approved signs shall not be illuminated between the hours of 23.00 and 08.00.

Reason: In the interests of amenity and public safety.

#### **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.

#### 44 INFORMATION ITEMS

##### 44.1 DELEGATED DECISIONS

The delegated decisions were noted.

#### 45 EXCLUSION OF PUBLIC AND PRESS

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

#### 46 NON COMPLIANCE WITH COMMUNITY PROTECTION NOTICE DATED 18 MARCH 2020

**RESOLVED** that direct action be taken and that works in default are carried out to secure the land in accordance with the Community Protection Notice dated 18 March 2020 and that a charging order be placed against the land for the monies should the invoice for the works remain unpaid.

## Report of the Chief Executive

|                            |  |
|----------------------------|--|
| <b>APPLICATION NUMBER:</b> | <b>19/00524/OUT</b>  |
| <b>LOCATION:</b>           | <b>Former Dry Ski Slope, Cossall Industrial Estate, Soloman Road, Cossall, Nottinghamshire</b>   |
| <b>PROPOSAL:</b>           | <b>Hybrid planning application comprising: Outline application to construct 64 dwellings including access with some matters reserved. Full application to change use to create a country park and associated works</b> |

This application has been brought to Planning Committee as it is a major application where contributions are also required under a Section 106 Agreement.

### 1 Executive Summary

- 1.1 This application is a hybrid of two parts. The first is an outline application to construct 64 new dwellings on the northern part of the site. This outline application is for access only, with all matters relating to layout, appearance, scale and landscaping reserved. The full application is for the change of use of the former dry ski slope to a country park with associated parking.
- 1.2 Planning permission was granted for a similar scheme in 2017, although the housing aspect of that application was for 46 dwellings. The additional dwellings are now being sought to improve the viability of the site and because changes to how the land levels are dealt with will increase the developable area.
- 1.3 The site is vacant and situated to the south of the Cossall Industrial Estate. The part of the site where the housing scheme is proposed is not covered by any site specific planning policy. The southern part of the site which will form the country park is within the Green Belt.
- 1.4 The change of use of the land within the Green Belt to a country park is considered to be an exception to inappropriate development in accordance with paragraph 146 e) of the NPPF. The principle of the residential development is considered to be acceptable taking into account the position of the site close to accessible transport routes and local amenities. Whilst the position adjacent to an industrial estate may not be ideal, it is considered that the site can be designed to mitigate against any potentially harmful impact of this.
- 1.5 The Highways Authority has not raised any objection to the proposal and it is considered that suitable access provisions have been made, subject to compliance with recommended conditions.
- 1.6 As the proposed development is for more than 10 dwellings the Council can seek planning contributions in respect of education, highways, affordable housing and health facilities. However, the applicant has reported in a viability assessment that due to the provision of the country park, and non-standard build costs associated with the sloping nature of the site, that any contributions would make the scheme unviable. The Council has had this assessment reviewed by an independent

surveyor, who has agreed with the applicant's assessment. Taking into account the benefits of the proposed scheme in terms of contributing to the Council's housing numbers, and the provision of a public country park for use by new residents and the existing community, that this would outweigh the harm of not receiving any Section 106 contributions. It has also been agreed that a clause can be inserted into a Section 106 agreement for this position to be reviewed should any of the proposed details be changed on the submission of a reserved matters application.

- 1.7 On balance, it is therefore considered that the benefits of the proposal would outweigh any potential harm and therefore planning permission should be granted in accordance with the recommendation in the appendix.



## Appendix 1

1 Details of the Application

- 1.1 This application is a hybrid of two parts. The first is an outline application to construct 64 new dwellings on the northern part of the site. This outline application is for access only, with all matters relating to layout, appearance, scale and landscaping reserved.
- 1.2 The full application is for the change of use of the former dry ski slope to a country park. The details of the proposed country park include:
- A commitment to deliver a fully managed country park;
  - New play area;
  - Provision of new paths and park furniture, final details of which to be agreed with the Council;
  - Car park with 13 spaces.

The change of use to a country park will require significant earthworks, and the movement of soil within the site resulting in a re-profiling of the land.

2 Site and surroundings

- 2.1 The application site comprises the former dry ski slope to the west of the village of Cossall and south of the Cossall Industrial Estate. To the north of the industrial state is Coronation Road which is a main highway linking the site to Ilkeston to the west and the villages of Aysworth and Cossall to the east. The Nottingham Canal runs along the east boundary of the site with open fields beyond this and to the south.
- 2.2 The site is derelict and now appears largely vegetated with grass, trees and scrub land. The land slopes up to the north west corner of the site, and falls away steeply beyond the peak to a wooded area. The land flattens out to the south and east of the site. The northern section of land which covers the outline application for the residential scheme is generally flat, although raised from the ground level to Soloman Road which serves the industrial estate.
- 2.3 The application site is partly within the Green Belt, and partly outside it. The section of the site covered by the outline application for residential development at the northern end of the site is not within the Green Belt, with the rest of the site being within it.

3 Relevant Planning History

- 3.1 In 2017, planning permission 17/00237/OUT was granted for outline permission for 46 new dwellings with all matters reserved except access, and full planning permission for the change of use from the former dry ski slope to a country park. This is an extant planning permission that is still implantable subject to the discharging of relevant conditions.

#### 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 Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 19: Developer Contributions

##### 4.2 **Part 2 Local Plan 2019**

- Policy 8: Development in the Green Belt
- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity
- Policy 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

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

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

#### 5 Consultations

5.1 **Council's Conservation Officer:** Awaiting comments.

5.2 **Council's Environmental Health Officer:** No objections subject to conditions requiring a contaminated land assessment and a noise assessment being carried out.

5.3 **Council's Parks and Green Spaces Manager:** Raised concerns regarding the steepness of the re-profiled bank behind the proposed dwellings and the prominence of the retaining wall. Notes evidence of motorcycling and horse riding of the site and therefore access points will need measures to control this. Requests condition for a management and maintenance plan.

5.4 **Council's Conservation Officer:** Considers that the Archaeological Assessment provided offers sufficient detail on the relevant area. Considers that the Nottinghamshire County Council comments from the 2017 application with regards to a watching brief when on site remains relevant, and that any matters of interest that may be revealed during ground preparations should be reported to the Council.

- 5.5 **Nottinghamshire County Council Highways Authority:** No objections to the proposal subject to conditions requiring works to 2 bus stops on Coronation Road, appropriate scheme for footway/pedestrian crossing improvements linking through the industrial site, approval of a range of access measures for the residential development, hard surfacing of residential driveways, access provision to be provided, footway improvement scheme along Soloman Road. Conditions relating to the country park also requested for access and parking and turning areas to be provided prior to use.
- 5.6 **Nottinghamshire County Council Policy:** Requested contributions of £226,538 for primary schools, £238,750 for secondary schools, £23,400 for bus stop infrastructure and £2,254 for libraries. Noted that it would be useful for the applicant to supply a waste audit.
- 5.7 **Nottinghamshire County Council Rights of Way Officer:** No objection raised. Would welcome the opportunity to expand the network of footpaths in the area.
- 5.8 **Nottinghamshire County Council Lead Local Flood Authority:** No objection subject to condition requiring a detailed surface water drainage scheme to be provided and approved prior to the commencement of development.
- 5.9 **NHS University Trust:** Requested a contribution of £58,138.
- 5.10 **Nottinghamshire CCG:** Requested a contribution of £34,680.
- 5.11 **The Coal Authority:** No objection subject to condition require intrusive site investigations and subsequent reports prior to the commencement of development.
- 5.12 **Nottinghamshire Wildlife Trust:** No objection raised subject to condition requiring a detailed translocation methodology/reptile mitigation strategy to be carried out prior to the commencement of development.
- 5.13 **The Environment Agency:** No objection subject to conditions requiring remediation strategy to deal with risks associated with contamination on site, report setting out demonstrating completion of works set out in the approved remediation strategy, informative note to applicant advising that it is highly likely a waste permit will be required.
- 5.14 **Canal and River Trusted:** No objection raised.
- 5.15 **Erewash Borough Council:** Supports the development proposal noting that in their view it will deliver notable benefits, particularly the new country park.
- 5.16 Eight properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.

## 6 Assessment

- 6.1 The main issues for consideration are the principle of the residential development, whether or not the development of the country park is appropriate in the Green Belt, site viability and highways safety.

## 6.2 Principle

### Residential Development

- 6.2.1 The site for the residential development is not covered by any site specific planning policy, although it adjoins Green Belt land to the south and the existing employment site of Cossall Industrial Estate to the north. The land is identified as an existing housing commitment as it has an extant permission for the construction of 46 dwellings. The site therefore currently contributes towards the Council's 5 year housing land supply, although the existing permission would expire in 2021 if development does not commence.
- 6.2.2 Whilst the location of the site, adjacent to an existing industrial site, may not be considered ideal for residential development, it is considered that the change in land levels, along with the proposed development of the country park to the south, provide an opportunity for the scheme to be designed in a way that mitigates against any potential impacts of the neighbouring industrial site. The proposal utilises a previously developed site to accommodate a significant residential development that will bring benefits on a local and borough wide scale in terms of its contribution to housing numbers. The indicative site plans show that the site is capable of accommodating the number of dwellings proposed, with the final layout to be approved as part of a reserved matters application.
- 6.2.3 The site is accessible for amenities provided in the local village of Awsworth, and the town of Ilkeston to the west of the site. Ilkeston railway station is located to the north of the site and will also be accessible, with further public transport in the form of bus routes close by along Coronation Road to the north of the site. The proposed country park to the south of the site will provide a significant open space asset for the residential development, as well as the wider existing community.
- 6.2.4 The only matter for consideration in respect of the proposed residential development is access. Matters in respect of layout, scale, appearance and landscaping are reserved for approval at a later date. Therefore, the provision of residential amenity for the future occupiers of the site will not be considered further at this time. However, matters in respect of the proximity of the dwellings to the nearby industrial estate and the proposed country park to the south are matters that should be considered at this time, as they are key to the acceptability of the principle of development.
- 6.2.5 The proximity to the industrial estate raises potential concerns for residential amenity, notably in terms of noise pollution. The Council's Environmental Health Officer has been consulted and raises no objections to the proposal. However, a condition has been requested requiring a detailed environmental noise assessment to be undertaken to ensure that all noise-sensitive premises, notably the dwellings, are protected from road and industrial noise. The change in land levels between the industrial site and the elevated dwellings is considered to provide some separation between the two uses. Furthermore, given the residential scheme is outline at this stage, it is considered that the final layout can ensure that any potential impacts from the nearby commercial use is suitably mitigated against.

- 6.2.6 The land to the south of the residential site is proposed to be a country park, as part of this application. The change in land levels means the country park land will be elevated from the residential dwellings, up to circa 2m higher in some areas. This could therefore raise some concerns in respect of the privacy of the future occupiers of the residential dwellings. As the layout of the residential development needs to be approved at reserved matters stage, it is considered that any potential impacts could be overcome in the final design of the scheme. Furthermore, the nearest footpath proposed as part of the country park to the residential dwellings is set well in from the boundary between the two uses, restricting direct views from what will likely be the more heavily used parts of the site. In addition to this it is considered that landscaping as part of the reserved matters scheme can ensure that suitable boundary treatments can be used to prevent unacceptable levels of overlooking and protect the residential amenity of the future occupiers of the site.
- 6.2.7 Overall it is considered that the site for the proposed residential development offers a sustainable development opportunity for a significant number of new residential dwellings which will make a positive contribution to the Council's housing supply. Whilst the proximity to the industrial estate may not be ideal, it is considered that the final layout of the site to be determined at reserved matters stage can be designed in a manner to mitigate against this and make the most of the opportunity presented by the proposed country park to the south.

#### Country Park

- 6.2.8 Policy 8 of the Broxtowe Part 2 Local Plan (2019) states the for development proposals in the Green Belt, decisions will be made in accordance with the NPPF. 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. Paragraphs 145 and 146 identify a number of exceptions to inappropriate development, with loads listed in paragraph 146 being exceptions so long as they preserve the openness and do not conflict with the purposes of including land within the Green Belt. Paragraph 146 e) identifies material changes in the use of land as an exception to inappropriate development. Therefore, a determination needs to be made as to whether the proposed country park would preserve the openness of the site or conflict with the purposes of including land within it.
- 6.2.9 The proposed change of use will not include the construction of any substantial buildings or structures. Furniture such as park benches and railings will be required throughout the area, although these will generally be low lying structures spaced out throughout the park area and are not considered to result in a harmful impact on the openness of the Green Belt. Furthermore, they will be in keeping with features that are found in typical countryside areas. A children's play area will also be provided as part of the country park. Whilst this will include larger structures, they can be designed in a manner that makes use primarily of natural materials, enabling the structures to blend in with the countryside setting. The provision of appropriate facilities for outdoor sport and recreation is identified in paragraph 145 b) of the NPPF as an exception to inappropriate developments long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including the land within it. Whilst the final design of the facilities to be provided in the children's play area are yet to be finalised, it is considered that this can be

achieved with a design that is of a scale and style that is not harmful to the openness of the Green Belt.

6.2.10 Paragraph 134 of the NPPF sets out the 5 purposes of the Green Belt:

- To check unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in the safeguarding of the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging recycling of derelict and other urban land.

Taking into account the nature of the development proposed, that being the change of use of the land to a country park, it is considered that the proposal will provide a clear barrier to further development on this land, thus preventing the merging of neighbouring towns and the safeguarding of this sections of countryside. It is therefore considered that the proposed change of use will not conflict with the purposes of including the land within the Green Belt.

6.2.11 Overall it is considered that the proposed change of use to a country park would be an exception to inappropriate development in accordance with paragraph 146 e) of the NPPF, and therefore the principle of development can be supported.

### 6.3 Access

6.3.1 The proposed residential development and country park will be accessed off Coronation Road and via Soloman Road on the south side of the industrial estate. The Highways Authority note that whilst the scale of the residential development has been increased from 46 dwellings (as approved by the previous application) to 64, the additional volume of traffic is unlikely to have a material impact on the operational capacity of nearby junctions so they consider the principle of development remains acceptable from a highways safety perspective.

6.3.2 There will be a single access from Soloman Road serving both the proposed residential development to the west of the access, and the car park for the country park to the east of the access point. The Highways Authority has commented that whilst the desired gradient of 1:30 has not been achieved at the access, the shortfall is unlikely to result in a highways safety issue and therefore it is considered sufficient.

6.3.3 The car park for the country park will provide spaces for 13 vehicles. The Highways Authority has raised no objection to this.

6.3.3 Whilst the proposed development will be accessed via roads running through the existing industrial estate, it is considered that the surrounding road network is capable of withstanding the increased usage without resulting in an unacceptable impact on highway safety. Conditions are proposed to improve pedestrian routes and crossing linking through the industrial site and Coronation Road and further highways matters that form part of the design of the residential development will be considered in the determination of the layout for the reserved matters part of this scheme.

- 6.3.4 Overall it is considered that access arrangements for the proposal are acceptable subject to compliance with the recommended conditions.

#### 6.4 Environment

- 6.4.1 The Environment Agency and Nottinghamshire Wildlife Trust have been consulted on this application, and neither have raised any objections on environmental grounds. The Environment Agency have requested a number of conditions to assess and deal with any potential contamination on the site, which are considered appropriate. Despite a number of emails being sent the Nottinghamshire Wildlife Trust have not responded to this consultation. They did however provide a response to the 2017 application which requested a condition be attached to the permission requiring a detailed translocation methodology/reptile mitigation strategy, which is also considered appropriate to this scheme.
- 6.4.2 The Nottingham Canal runs along the east boundary of the site, and this is a designated local wildlife site and local nature reserve. The proposed housing part of the development is to the north west of the site and away from the canal, and it is therefore considered that this will not result in a harmful impact on the environment around the canal.
- 6.4.3 The country park will provide a substantial area of open space, and it is considered that the development and management of the park, in accordance with the recommended conditions could result in overall net biodiversity gain for the area.

#### 6.5 Earthworks

- 6.5.1 The previously approved scheme required the removal of approximately 72,500m<sup>3</sup> of spoil to be removed from the site, involving an estimated 8,055 lorry movements on local roads. This would have a significant environmental impact, as well as having significant cost implications, which would essential result in the scheme being unviable. The works would also require a large, 4m high retaining structure along the southern boundary of the housing, having an adverse impact on the design and appearance of the scheme.
- 6.5.2 The applicant has therefore commissioned an engineering consultancy to develop an alternative approach. This involves a cut and fill approach to regrade parts of the spoil heap both inside and outside the residential development area to create more gentle slopes. This approach will involve keeping the material inside the site, depositing it on the southern slopes of the spoil heap, avoiding the environmental harm and cost of moving it off site.
- 6.5.3 Whilst significant earthworks are still required to successfully develop the site, the new approach is considered to be a beneficial alternative to the original scheme, with the key benefit being the reduction in local journeys being made as a result of the land be re-deposited within the application site. Cross sectional drawings of the proposed site have been provided and it is considered that this approach will result in an acceptable form of development for the housing scheme and country park.

## 6.6 Contributions

- 6.6.1 Policy 32 of the Broxtowe Part 2 Local Plan (2019) states that financial contributions may be sought from developments of 10 or more dwellings for the provision, improvement or maintenance of a range of local facilities, affordable housing and highways. As identified in Section 5 of this report, contributions have been requested for educations, highways and health, with the standard 30% affordable housing also being required for the site.
- 6.6.2 Paragraph 57 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with these should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision-maker (in this case the Council), having regard to all circumstances in the case.
- 6.6.3 The applicant has submitted a viability assessment, which assesses the viability of the site against a Benchmark Land Value (BLV) as required by national planning guidance. The assessment then compares the BLV to the output land value calculated by a residual development appraisal. If the output land value exceeds the BLV, the scheme can make planning contributions. If it is below the BLV, then the scheme is not sufficiently viable to make any planning contributions.
- 6.6.4 The applicant's assessment concludes that the BLV of the application site is £1,531,200. The applicant has adopted the Land Value approach to calculate the residual value of the site based on the proposed scheme. Whilst the residential part of the scheme is outline only, the assessment is based on the indicative plans and housing mix. The assessment is based in rental revenue estimates, BCIS build costs and other appropriate inputs. The output residual land value produced by the appraisal is £624,421. As the output residual land value of the application scheme is less than the BLV, it is concluded by the assessment that the application scheme is not sufficiently viable to make any planning contributions.
- 6.6.5 The Council instructed HEB to carry out an independent review of the applicant's viability assessment, and a report of their findings was provided to the Council on 11 December 2020. In order to compile their report, HEB has reviewed the supporting information for the planning application, obtained further supporting information from the applicant in respect of the specification of the country park, and undertaken their own appraisal to test whether the applicant's conclusions made are justified when considered in the context of being consistent with the principles set out in the NPPF.
- 6.6.6 HEB carried out a full financial appraisal of the scheme and prior to the inclusion of S106 requirements, based on the assumptions as set out within the report, conclude that the site has a residual land value of £463,483. This is compared to a BLV of £752,400. HEB therefore concludes that there is a negative viability gap of £188,917, and as such the scheme cannot withstand any additional Section 106 costs.



- 6.6.7 It is noted that there are differences in the Residual Land Value and BLV calculated by the applicant and by HEB in their review of the assessment. Having sought clarification from HEB on this matter they concluded that the applicant did not include enough finance cost, which is why their Residual Land Value was higher. In respect of the BLV, they acknowledged that the BLV is often an area that assessors disagree on as it is a matter of opinion of the minimum amount a landowner will sell a site for. HEB noted that the reason for the difference is that the applicant relies on a generic figure from the Council's CIL viability report dated 2018, which covers a much wider area, whereas HEB have made a site specific judgement.
- 6.6.8 HEB acknowledge in their report that the appraisal is based on the proposed layout, house types and sizes as set out within the outline application. They therefore recommend that if the scheme changes in any way at reserved matters stage then a further viability review should be undertaken. Following discussions with the Council's legal officer, it is understood that a suitable clause can be included within a Section 106 agreement to cover this.
- 6.6.9 The requested contributions include £226,538 for primary school places, £238,750 for secondary school places, £23,400 for bus stop infrastructure, and £34,680 for health services from the CCG. Further requests include £58,138 from the NHS Trust, and £2,254 for libraries, although these are not considered to be policy compliant in line with the requirements of Policy 32 of the Broxtowe Part 2 Local Plan (2019). There would also be a requirement of 30% affordable housing.
- 6.6.10 Whilst the scheme would not be making the requested contributions, it is considered that the key infrastructure such as road access, will be acceptable to serve the proposed development. Planning conditions will secure the provision of an acceptable access point, as well as requiring improvement to pedestrian route along Soloman Road. The requested transport contribution was for a new bus stop as opposed to major infrastructure improvements in the local road network. Whilst contributions will not be made towards additional school places there are other funding streams available for increases in demand for school places, and therefore it is not considered this will result in a significant shortfall. Whilst the proposed development may result in a funding gap for local GPs, it is considered that this is not sufficient to warrant a refusal of planning permission, especially taking into account the viability assessment provided.
- 6.6.11 Having considered the applicant's viability assessment, and the review undertaken by HEB, it is clear that if Section 106 requests are pursued, the site would be unviable, likely resulting in the land remaining undeveloped. Given the current condition of the site, and the benefits that would come from the provision of 64 new homes contributing towards the Council's housing supply, and the provision of a publically accessible country park, it is considered on balance that the benefits of the development would outweigh the harm resulting from the scheme not including any Section 106 contributions. Therefore, it is considered reasonable to accept the conclusions from the 2 reports provided and not pursue the contribution requests on this occasion.

## 6.7 Flood Risk

- 6.7.1 The application site is outside of flood zone 2 and 3. The Lead Local Flood Authority has been consulted and has not raised any concerns in respect of flooding. It is therefore considered that the proposal will not result in unacceptable flood risk.

## 6.8 Archaeology

- 6.8.1 The applicant has submitted an Archaeological Assessment for the application site. This is the same assessment that was provided for the 2017 application, which was assessed by the County Council's Archaeology Officer. The officer concluded that the assessment was a thorough piece of work and that the development is likely to uncover the remains of buildings and features associated with colliery. As these remains would have heritage value the officer recommended a condition requiring a level of archaeological supervision over the development.
- 6.8.2 The Council's Conservation Officer has reviewed the Archaeological Assessment for the current application, as well as the comments provided previously. She has concluded that it would be appropriate to attach the same condition to this permission, requiring archaeological supervision of the development and for any historical remains to be reported to the Council.

## 7 Planning Balance

- 7.1 The benefits of the proposal are that it will contribute towards the Council's housing, utilising previously developed land in a sustainable location. The proposal will also provide a country park, offering a substantial open space for use by the existing community and the future occupiers of the proposed residential development.
- 7.2 Whilst the proposed residential development will be sited in relatively close proximity to the Cossall Industrial Estate, it is considered that potential negative impacts of this can be mitigated against in the final design of the scheme, with a view to focusing the development towards the benefits of the country park to the south.
- 7.3 The lack of S106 contributions to be paid from this scheme is unfortunate, although the viability assessment provided has been independently verified and demonstrates that a viable scheme cannot be brought forward with the requested contributions being paid. It is considered that the local infrastructure can cope without the requested contributions, and whilst ideally they would be paid, to enforce this would likely result in the site remaining undeveloped. The delicate viability case of the site is highlighted by the fact that it has had permission for residential development since 2017 but remains undeveloped.
- 7.4 Overall it is considered that the benefits of the proposal, notably the provision of 64 dwellings on a brownfield site and the provision of a public country park, outweigh the limited harm, and therefore on balance it is considered that the scheme is acceptable and planning permission should be granted.

8 Conclusion

- 8.1 The proposed provision of the country park would be an exception to inappropriate development in accordance with paragraph 146 of the NPPF. It will provide key open space provision for local residents and overall is considered acceptable.
- 8.2 The outline application for 64 dwellings is not considered to be contrary to local or national policy and will provide housing in a sustainable location.
- 8.3 Overall it is considered that the proposal is acceptable and that planning permission should be granted.

**Recommendation**

**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:**

- (i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of a fully managed and publically accessible country park, and a review of the viability of the proposed scheme should alterations to the layout and housing mix be made at reserved matters stage;
- (ii) the following conditions:

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|    | <p><b>Application for approval of reserved matters in relation to the housing scheme shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</b></p> <p><b><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b></p> |
| 2. | <p><b>The housing scheme hereby permitted shall be commenced before the expiration of two years from the date of approval of the last reserved matters to be approved.</b></p> <p><b><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b></p>                                    |
| 3. | <p><b>The development hereby permitted shall be carried out in accordance with drawings numbered 7067-L-01, PB103 B-03c,</b></p>  |

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|           | <p><b>7067-L-06-B; received by the Local Planning Authority on 13 September 2019.</b></p> <p><b>This outline permission for housing relates to Indicative Layout Drawing 7067-L-07 (1:1250); received by the Local Planning Authority on 13 September 2019.</b></p> <p><b><i>Reason: For the avoidance of doubt.</i></b></p>  |
| <b>4.</b> | <p><b>For the outline housing scheme details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any part of the housing development is commenced:</b></p> <ul style="list-style-type: none"> <li><b>a. Appearance</b></li> <li><b>b. Landscaping</b></li> <li><b>c. Layout</b></li> <li><b>d. Scale</b></li> </ul> <p><b>The development shall be carried out strictly in accordance with the approved details to the satisfaction of the Local Planning Authority.</b></p> <p><b><i>Reason: The housing part of the application was submitted in outline only and to ensure that the details of the scheme are acceptable to the Local Planning Authority.</i></b></p> |
| <b>5.</b> | <p><b>Prior to the commencement of the development, details of the children's play area, footpaths, benches, access point control measures, shall be submitted to and approved in writing by the Local Planning Authority. These features shall be completed in accordance with the approved details, and made available for use prior to occupation of any dwelling on site.</b></p> <p><b><i>Reason: To ensure the community facility is delivered to a high standard of design in accordance with the Broxtowe Part 2 Local Plan (2019) Policy 17.</i></b></p>   |
| <b>6.</b> | <p><b>The country park hereby approved shall be completed and available for general public use, including the associated park network, park furniture and surfaced car park, to the satisfaction of the Local Planning Authority:</b></p> <ul style="list-style-type: none"> <li><b>a) Prior to the first occupation of the twentieth dwelling; or</b></li> <li><b>b) Within 24 months of the commencement of development,</b></li> </ul> <p><b>Whichever is the sooner.</b></p> <p><b><i>Reason: As per the terms of the hybrid permission where the country park is essential to giving the residential element an</i></b></p>  |

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|     | <i>identity and setting whilst also increasing leisure and recreational opportunities. This condition is in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i>   |
| 7.  | <p>No dwelling shall be first occupied until an appropriate scheme for footway/pedestrian crossing improvements linking through the industrial site to the public transport provision on Coronation Road have been implemented, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority in consultation with the County Highways Authority.</p> <p><i>Reason: To improve pedestrian connectivity, in the general interest of highway safety.</i></p>   |
| 8.  | <p>The formal written approval of the Local Planning Authority is required prior to commencement of any housing development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage (hereinafter referred to as reserved matters). All details submitted to the Local Planning Authority for approval shall comply with the County Council's current Highway Design and Parking Guides and shall be implemented as approved.</p> <p><i>Reason: In the interest of highway safety.</i></p>    |
| 9.  | <p>Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveways to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety.</i></p> |
| 10. | <p>Occupation of the proposed dwellings shall not take place until the site access as shown for indicative purposes only on drawing ADC1340-DR-004 Revision P1 has been provided.</p> <p><i>Reason: In the interest of highway safety.</i></p>   |
| 11. | <p>Occupation of the proposed dwellings shall not take place until a footway improvement scheme has been provided along Solomon Road in accordance with details first submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interest of highway safety.</i></p>   |

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| 12. | <p>No part of the country park hereby permitted shall be brought into use until the site access on Solomon Road has been constructed to base course level unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the future users of the country park have an appropriate means of access by vehicle.</i></p>  |
| 13. | <p>No part of the development hereby permitted shall take place until the country park access has been surfaced in a bound material for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety.</i></p>   |
| 14. | <p>No part of the development hereby permitted shall be brought into use until the parking and turning areas as shown for indicative purposes only on drawing 7067-L-05 have been provided. The parking and turning areas shall be maintained in accordance with the approved plan and shall not be used for any purpose other than the parking and turning of vehicles.</p> <p><i>Reason: In the interest of highway safety.</i></p>   |
| 15. | <p>No part of the development hereby permitted shall be brought into use until the country park access has been constructed in accordance with the details as shown on drawing Highway Profile 7067-L-05.</p> <p><i>Reason: In the interest of highway safety</i></p>   |
| 16. | <p>No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> |

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|     | <p>(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.</p> <p><i>Reason: In the interest of public health and safety.</i></p>  |
| 17. | <p>Prior to works commencing on any phase of the housing development, a detailed environmental noise assessment, based on submitted reserved matters details, must be submitted to, and approved in writing by, the Local Planning Authority, specifying the measures to be taken to ensure that all noise-sensitive premises are protected from road and industrial noise, such that the following noise levels are not exceeded:</p> <ul style="list-style-type: none"> <li>- An LAeq, 16-hour of 55dB (free field) in outdoor living areas between 07:00 and 23:00 hours (daytime);</li> <li>- An LAeq, 16-hour of 35dB inside living rooms between 07:00 and 23:00 hours (daytime);</li> <li>- An LAeq, 8-hour of 30dB inside bedrooms between 23:00 and 07:00 hours (night time);</li> <li>- An LAmax, fast of 45dB inside bedrooms between 23:00 and 07:00 hours (night time).</li> </ul> <p>Those premises requiring the incorporation of noise mitigation measures to achieve the above levels, as well as the nature of these measures, shall be identified and agreed with the Local Planning Authority prior to construction commencing. In premises where windows must be closed to achieve the above levels, adequate acoustically treated ventilation must be provided.</p> <p>Should the proposals for the site layout, levels or building design/construction alter from that on which the agreed assessment is based, a further audit of the noise assessment and proposed mitigation measures shall be submitted to, and approved in writing by, the Local Planning Authority before construction of amended buildings commences.</p> <p>All noise mitigation measures shall be designed and installed in accordance with the approved mitigation scheme and completed under the supervision of an acoustic engineer. All works shall be completed before any permitted dwelling is occupied unless an alternative period for completion is agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To protect future occupiers from excessive environmental noise.</i></p> |
| 18. | <p>No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and</p>   |

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|     | <p>approved in writing by, the local planning authority. This strategy will include the following components:</p> <ol style="list-style-type: none"> <li>1. A preliminary risk assessment which has identified: <ul style="list-style-type: none"> <li>• all previous uses</li> <li>• potential contaminants associated with those uses</li> <li>• a conceptual model of the site indicating sources, pathways and receptors</li> <li>• potentially unacceptable risks arising from contamination at the site</li> </ul> </li> <li>2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.</li> <li>3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.</li> <li>4. 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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</li> </ol> <p>Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p><i>Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework (NPPF).</i></p> |
| 19. | <p>Prior to any part of the development hereby permitted being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and 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.</p> <p><i>Reason: 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. This is in line with paragraph 170 of the National Planning Policy Framework.</i></p>  |



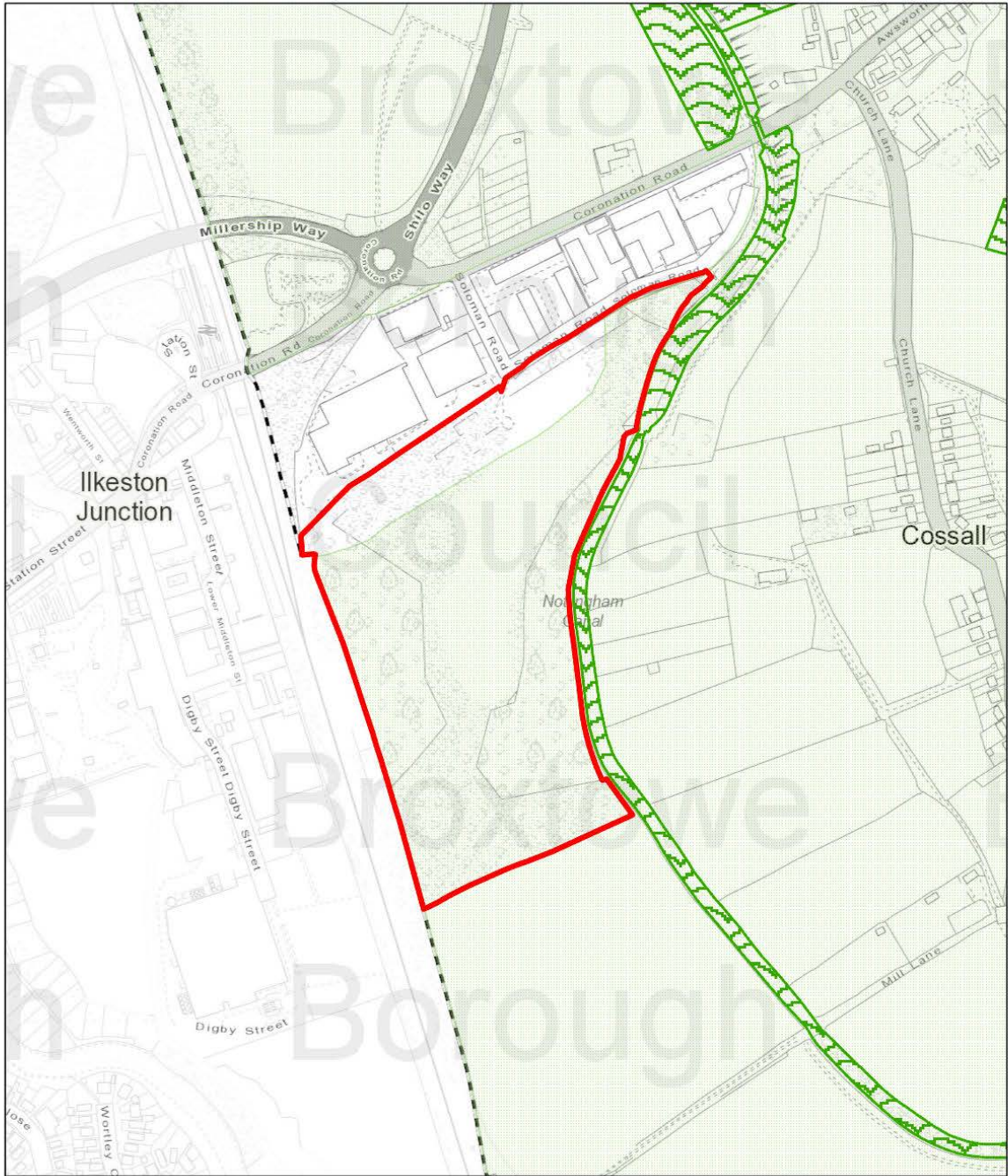
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| 20. | <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.</p> <p><i>Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.</i></p>  |
| 21. | <p>No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy re: w10933-190725-FRA &amp; Drainage Strategy, 03/10/2019, Waterco, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. In addition to aforementioned document the scheme to be submitted shall:</p> <ul style="list-style-type: none"> <li>• Provide justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365.</li> <li>• Demonstrate that the development will use above ground SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.</li> <li>• Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, 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.</li> <li>• Show that all exceedance is to be contained within the site boundary without flooding new properties in a 100year+40% storm.</li> <li>• Provide details of STW approval for connections to existing network and any adoption of site drainage infrastructure.</li> <li>• Show consideration has been given to potential surface water run-off from the steep area adjacent the site. To the south on the provided plans.</li> </ul> <p><i>Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments</i></p> |

|     |   |
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|     | <i>have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.</i>   |
| 22. | <p>No development shall commence until additional survey work including a reptile translocation methodology/mitigation strategy in accordance with recommendations 1 and 2 of the Reptile Survey Project No. 15-1093.02 has been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To protect reptile species within the site and in the interests of preserving biodiversity in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>  |
| 23. | <p>No development shall commence on any part of the site until further intrusive site investigation works are undertaken in order to establish the exact situation regarding shallow mineworkings. This will include:</p> <p>The submission of a scheme for intrusive site investigations for areas of shallow mine workings for approval;<br/> The undertaking of that scheme of intrusive site investigations;<br/> The submission of a report of findings arising from the intrusive site investigations;<br/> The submission of a scheme of remedial works for approval; and<br/> Implementation of those remedial works.</p> <p>These details shall be first submitted and approved in writing by the Local Planning Authority in consultation with The Coal Authority.</p> <p><i>Reason: In the interest of public health and safety.</i></p> |
| 24. | <p>No development shall commence on any part of the site until a management plan for the maintenance and upkeep of the country park has been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the country park is maintained in a manner that is safe and acceptable for use by members of the public.</i></p>   |
| 25. | <p>No development shall take place within the application site until a written scheme for archaeological investigation has been submitted to and approved in writing by the Local Planning authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.</p> <p><i>Reason: To record archaeological features affected by development in accordance with the requirements of paragraph 189 of the NPPF.</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. | Coal   |
| 3. | <p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.</p> <p>a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.</p> <p>b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is <u>essential</u> that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.</p> <p>Correspondence with the Highway Authority should be addressed to: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></p> <p>In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a> for details.</p> <p>Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be considered by the Highway Authority until technical approval of the Section 38/278 Agreement is issued.</p> |

|           |   |
|-----------|---|
|           | <b>It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.</b>  |
| <b>4.</b> | <b>The Regulated Industry team have decided it is highly probable that this will require a waste permit and consultation with the EA.</b><br><br><b>The colliery spoil must be fit for purpose, in that measures are taken to avoid the risk of pollution such as treatment, containment.</b><br><br><b>Further details on applying for a waste permit can be found by visiting <a href="https://www.gov.uk/guidance/waste-environmental-permits">https://www.gov.uk/guidance/waste-environmental-permits</a></b> |

19/00524/OUT - Former Dry Ski Slope, Cossall



12/9/2020, 2:13:06 PM

- Site
- Local Wildlife Site
- Green Belt

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Photographs



Looking east along Soloman Road toward proposed site access.



Photo taken from north boundary of the site looking south.



Photo taken from top of slope in the southern part of the site looking north towards Bennerley Viaduct.



Photo taken from top of slope in the southern part of the site looking north east.



Photo taken from top of slope in the southern part of the site looking south west towards Ilkeston.



Land at the top of the slope (southern part of the site).



Photo taken from north east part of the site looking south towards the top of the slope.

**Plans (not to scale)**



Illustrative Master Plan





Indicative Layout.



## Report of the Chief Executive

|                            |   |
|----------------------------|---|
| <b>APPLICATION NUMBER:</b> | <b>20/00698/FUL</b>   |
| <b>LOCATION:</b>           | <b>49 Nottingham Road, Nuthall</b>  |
| <b>PROPOSAL:</b>           | <b>Construct two storey side extension and single storey rear extension</b> |

This application has been called to Planning Committee by Councillor P J Owen.

### 1 Executive Summary

- 1.1 This application seeks planning permission to construct a two storey side extension and single storey rear extension. The two storey side extension would create an additional bedroom and an en-suite. This element of the proposal also includes an integral garage that would replace the existing detached garage on site (which the agent has confirmed, would be demolished). An existing single storey rear extension would also be demolished and replaced by the proposed single storey rear extension which would create a kitchen/family room.
- 1.2 The application site is located within the Nottinghamshire Green Belt. Despite the proposed single storey rear extension replacing the existing extension to the rear, the additions to the dwelling (as shown on the revised plans) would result in an increase of 62% of the volume of the original property. Policy 8 of the Broxtowe Part 2 Local Plan (2019) states that any additions that result in a total increase above 30% of the volume of the original dwelling should be considered disproportionate and would therefore be inappropriate development in the Green Belt, in accordance with paragraphs 143-145 of the NPPF.
- 1.3 It is considered that no very special circumstances have been demonstrated by the applicant which would justify treating the proposal as an exception to policy. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the National Planning Policy Framework (2019).
- 1.4 The design of the proposal is considered to be acceptable. Whilst the proposal will have some impact on the amenity of neighbouring properties, it is not considered that such an impact would be of such significance as to warrant a refusal of planning permission.
- 1.5 Accordingly, it is considered that the proposal is not acceptable and that planning permission should be refused in line with the resolution set out in the appendix.

**APPENDIX****1     Details of the Application**

- 1.1 This application seeks permission to construct a two storey side extension and a single storey rear extension. The two storey side extension will have a ridge height of 6.842m; a width of approximately 3.2m; and a length of approximately 8.8m. The single storey rear extension will have a height of 3.25m (not including the roof lights which would result in a total height of 3.4m); a width of around 6.9m; and a length of approximately 5.35m.
- 1.2 The plans show a set-back on the first-floor extension by 1.5m as well as a 1m drop in the height of the ridge. This has resulted in a design that is subservient to the host dwelling and prevents a cramped effect. Whilst the proposal would undoubtedly change the view of the property within the street scene, the materials proposed to be used would match those on the original property. Therefore, it is not considered that the design would result in a development that would be out of character with the houses on Nottingham Road (which are all slightly different, as described below in paragraph 2.2) or the wider area.

**2     Site and Surroundings**

- 2.1 No. 49 Nottingham Road is a two storey detached dwelling located within the Nottinghamshire Green Belt in a predominantly residential area. There is a Church and Community Centre on the opposite side of the road. There are open fields to the rear of the application property which are free from built development and give a rural feel to the area.
- 2.2 The application property is situated on a main road in Nuthall and is part of a small cluster of similar properties which are uniform in their design, style and positioning on the road. Beyond these properties of a similar appearance, other properties along Nottingham Road are a mix of type and style. Whilst some properties are detached there are also semi-detached dwellings as well as dormer bungalows.
- 2.3 The rear garden of the property is generous in size and contains a number of domestic plants and general shrubbery. No vegetation of any significance will be affected by the proposal and access will also not be impacted. As there will be a 0.1m gap between the side elevation of the development and the west boundary the extension will remove pedestrian access to the rear of the site, although access could be gained through the garage.

**3     Relevant Planning History**

- 3.1 The application property has been extended previously which is evident in the existing single storey rear extension. This would be demolished as part of the proposal.
- 3.2 A detached garage was granted permission in 2001 (01/00328/FUL). This would also be demolished as part of the application and would be replaced by the

integral garage which is proposed as part of the two-storey side element of the scheme.

#### 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 3 – Green Belt
- Policy 10 – Design and Enhancing Local Identity

##### 4.2 **Part 2 Local Plan**

- Policy 8 – Development in the Green Belt
- Policy 17 – Place-making, Design and Amenity

##### 4.3 **Nuthall Neighbourhood Plan**

4.3.1 The Council adopted the Nuthall Neighbourhood Plan in December 2018.

- Policy 5 – Design and the Historic Environment

##### 4.4 **National Planning Policy (NPPF) 2019**

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 12 - Achieving Well-designed Places
- Section 13 – Protecting Green Belt Land

#### 5 Consultations

5.1 Two neighbouring residential properties have been consulted. The Church situated on the opposite side of the road adjacent to the application property has also been consulted. A site notice has also been displayed. One objection has been received

5.2 The objection raises concerns regarding distances between properties; there being a cramped effect; impact upon the Green Belt; and the potential issue of light being blocked into a side ground floor window on a neighbouring property.

5.3 Upon receipt of amended plans, a 7-day neighbour re-consultation was undertaken and a further site notice was displayed. An additional comment from the same objector has been received. This reiterates the points made in the initial objection.

#### 6. Assessment

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

## 6.2 Principle

- 6.2.1 The application site is situated within the Green Belt and therefore the principle of the development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe's Part 2 Local Plan (2019) Policy 8 states that development in the Green Belt will be determined in accordance with the NPPF. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although an exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy 8 states that additions that result in a total increase of more than 30% of the volume of the original building will be regarded as disproportionate.
- 6.2.2. As set out in the Planning History section of this report, the application property has been extended before. The proposed additions within this application include a two storey side extension and a single storey rear extension. The rear extension will replace the existing single storey rear extension and an out-building garage will also be replaced by an integral garage. The combined additional volume of the proposed extensions has been calculated at approximately 62% of the volume of the original dwelling. Although, the plans show that the existing out-building garage will be demolished as part of the proposal. Policy 8 states that calculations of increases in volume will not include any existing outbuilding, and therefore the proposed demolition of the garage is not considered relevant to the assessment of the principle of the development.
- 6.2.3 As the proposed extension will result in an increase of the volume of the original dwelling by more than 30%, the proposal is considered to result in a disproportionate addition to the original dwelling that would be inappropriate development in the Green Belt.
- 6.2.4 Whilst no very special circumstances have formally been put forward as part of the application, the agent has stated that the proposed additions would be a considerable distance from the fields to the rear, and the property (if extended) would still be smaller than many of the other properties on the road. Although these points are acknowledged, it is not considered that very special circumstances have been demonstrated that would outweigh the harm caused by the inappropriate development and therefore the principle of the development in the Green Belt should not be supported.

## 6.3 Design

- 6.3.1 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 developments should be of a size, siting and design that makes a positive

contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 6.3.2 Plans show that the proposed two storey side extension will project from the existing side elevation by approximately 3.2m and have a ridge height of 6.842m. As the ridge height on the original dwelling is approximately 7.8m, it is considered that the difference in height of around 1m (between the ridge on the extension and the ridge on the original dwelling) in combination with the extension's hipped roof design and 1.5m set back to the first floor allows for the proposal to appear as subservient to the host dwelling.
- 6.3.3 The single storey extension to the rear will project from the original property by 5.35m and would have a flat roof containing a roof lantern. Whilst a flat roof would contrast to the style of the existing roof, it is considered that this is a common design for a domestic extension and would be located to the rear, having no impact on the character and appearance of the street scene.
- 6.3.4 The planning application states that the materials to be used on the extensions will be bricks and tiles to match the existing. It is considered that this is a positive design feature which complies with policy.
- 6.3.5 Overall, it is considered that the design of the proposed two-storey side extension and single storey rear extension is acceptable.

#### 6.4 **Amenity**

- 6.4.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.4.2 The proposed two storey side extension will be 0.1m away from the boundary with no. 47 and approximately 1m away from the east elevation of no. 47. The single storey rear extension will be approximately 1.1m away from the boundary with no. 51, and approximately 3.3m away from the boundary with no. 47 at its closest point.
- 6.4.3 Whilst the two-storey side extension would decrease the gap between no. 47 and no. 49, it is considered that the space between the two properties would be sufficient, in combination with the design features identified above to ensure that the proposal did not create a cramped effect.
- 6.4.4 Although, the two storey extension may result in some loss of light into the ground floor side windows at no. 47, it is considered that natural light will still enter this neighbouring property through the bay window on the front elevation, which would presumably serve a principle room and living space of the dwelling. In addition, these side windows currently rely on land outside the neighbour's ownership for light and the applicant could erect a boundary structure of 2 metres in height without requiring planning permission which would largely obscure these openings

- 6.4.5 It is not considered that any of the openings on the proposed extensions will have a detrimental effect on the privacy of neighbouring properties through any increased opportunities for overlooking. Furthermore, whilst the two storey side extension will arguably create a significant addition to the original property and will protrude from the existing side elevation by 3.2m towards no. 47 (with an overall height of 6.842m), it is considered that the gap (approximately 1.1m) between both no. 49 and no. 47 will prevent the two storey side extension from being an overbearing addition. Moreover, as the two-storey development will be on the west side of no. 49, it will not be directly visible for no. 51 and will be approximately 7.4m away from the front boundary with no. 51 and approximately just over 11m away from no. 51's west elevation. With this in mind, it is considered that the two-storey side extension will also have no overbearing impact on no. 51.
- 6.4.6 Similarly, in relation to the single storey rear element (which will be 3.25m in height), it is considered that this is an acceptable height so as not to be overbearing for either neighbouring property. The single storey rear extension will be approximately 3.4m away from the rear boundary with no. 47 and approximately 1.2m away from the rear boundary with no. 51 which are considered to be acceptable distances so as to prevent an overbearing effect. Moreover, it is considered that the hedge boundaries on both sides will partially obscure the single storey extension from both no. 47 and no. 51 therefore further avoiding an overbearing effect for neighbours.
- 6.4.7 Overall, it is considered that whilst there may be some impact on neighbouring properties as a result of the proposed development, there will not be an unacceptable loss of amenity for any neighbouring residents.

## **7. Planning Balance**

- 7.1 The proposed extensions will provide additional living space for the residents in the form of a family/kitchen room and a fourth bedroom with an en-suite and its design and impact upon neighbour amenity are acceptable. However, the proposal represents a disproportional addition to the original dwelling that is harmful to the Green Belt. On balance, it is considered that the harm by virtue of the inappropriate development outweighs any benefits and the proposal is therefore not acceptable.

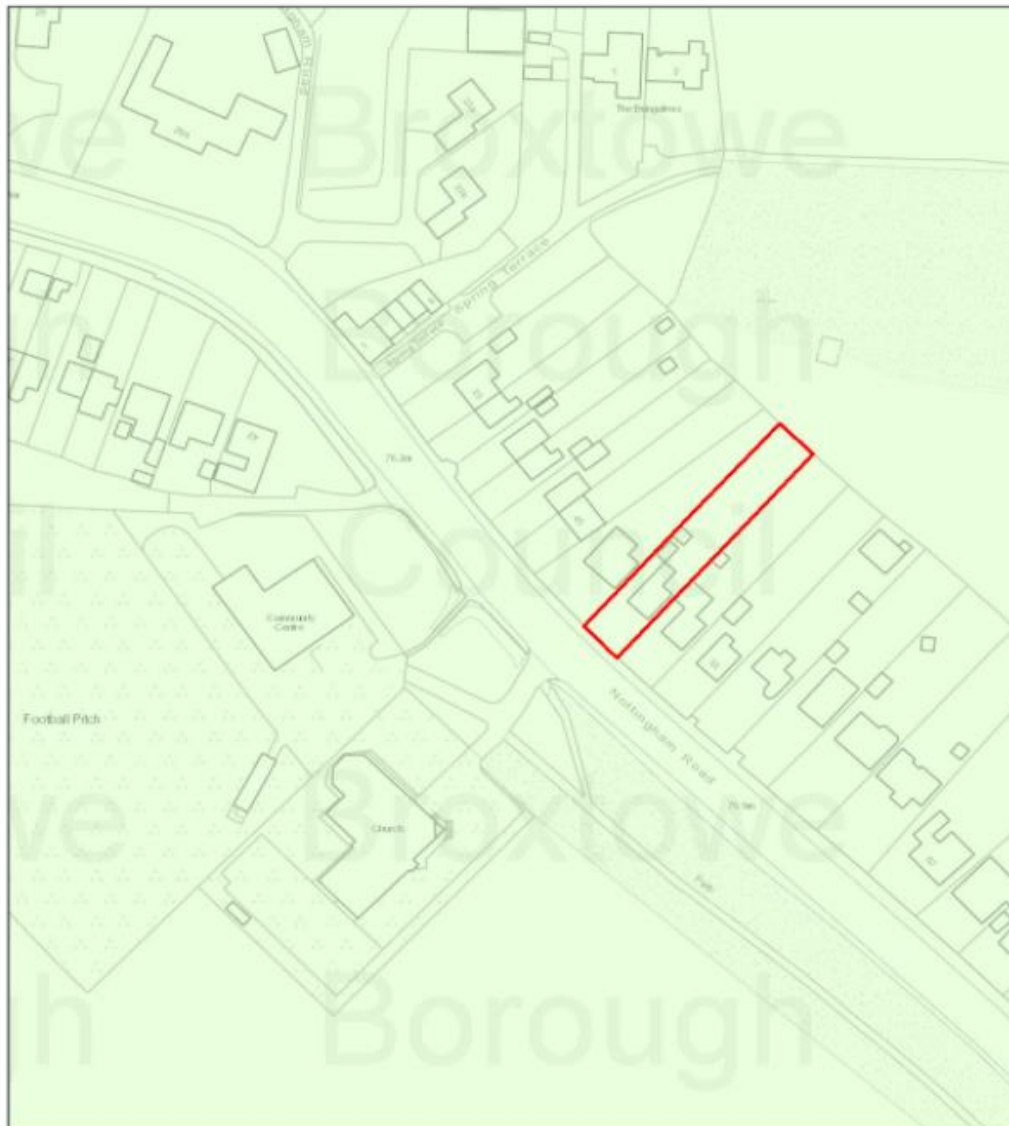
## **8. Conclusion**

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

|  |  |
|--|--|
| <b><u>Recommendation</u></b>   |  |
| <b>The Committee is asked to RESOLVE that planning permission be refused for the following reason:</b>   |  |
| <b>The site lies within the Nottinghamshire Green Belt, where in accordance with paragraph 143 of the NPPF, inappropriate development is by definition harmful and should not be approved except in very special circumstances. The proposed development does not meet any of the exceptions to inappropriate development as set out by paragraph 145. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the NPPF, and no very special circumstances have been demonstrated to treat the proposal as an exception to these policies.</b> |  |
|  |  |
|  | <b>NOTE TO APPLICANT</b>   |
| <b>1.</b>  | <b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed timescale.</b> |

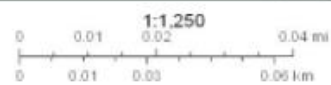
Site Map

49 Nottingham Road, Nuthall



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- INTERNAL: PCO Applications
- Green Belt



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Ordnance Survey 100019453



Photographs



Front elevation and relationship with no. 47



Relationship with no. 51



Gap between no. 49 and no. 47



Rear elevation



Relationship with no. 47 to the rear



Relationship with no. 51 to the rear



Rear elevation including no's 51 & 47



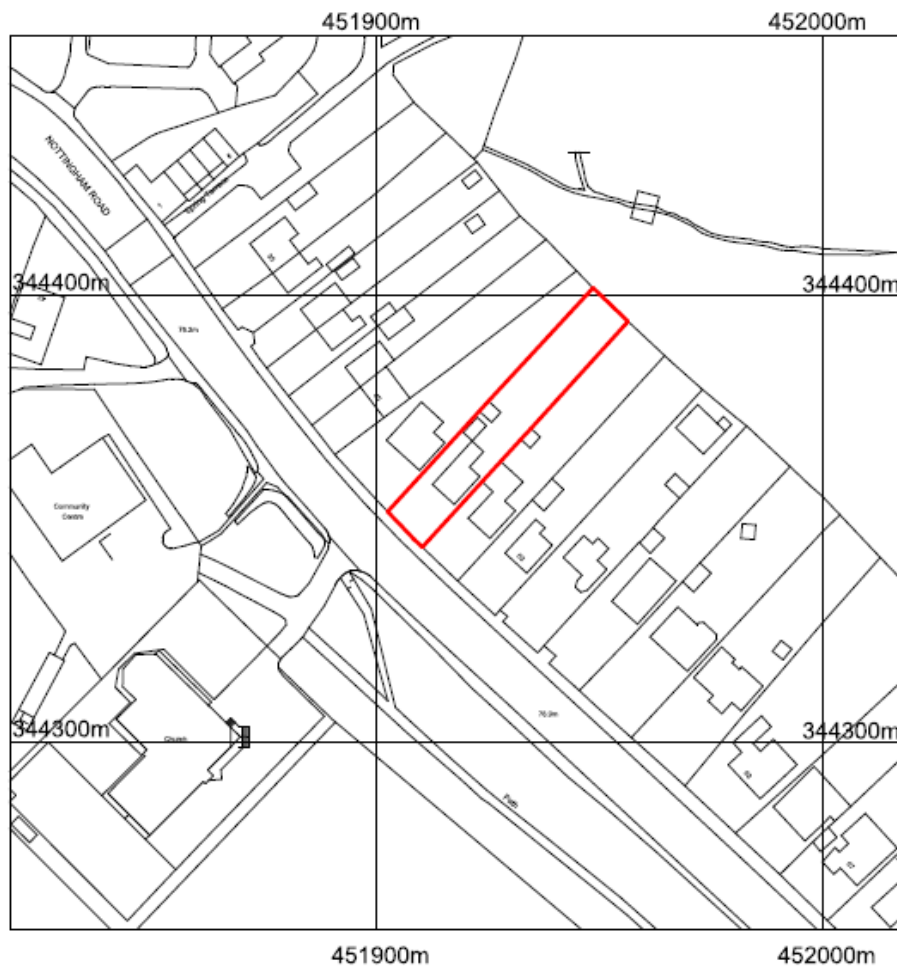
North facing view from the rear



Methodist Church opposite application property



Plans (not to scale)

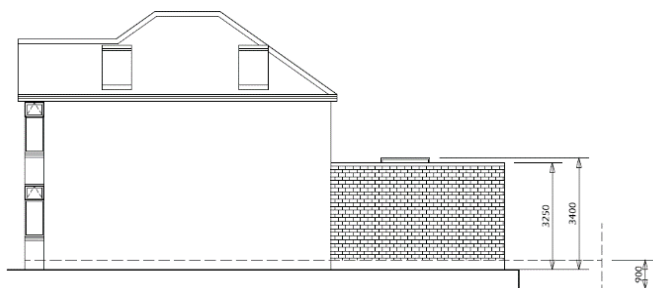


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Site Location



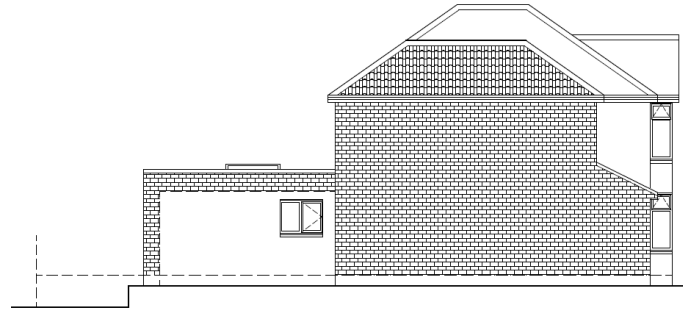
Front elevation



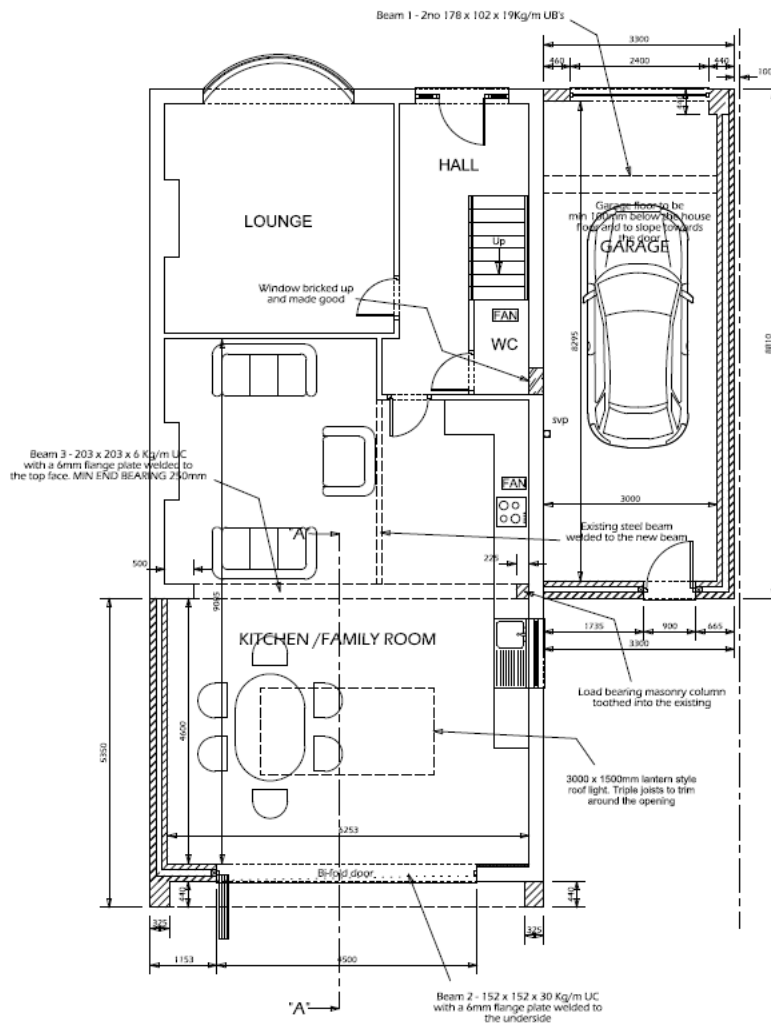
Side elevation



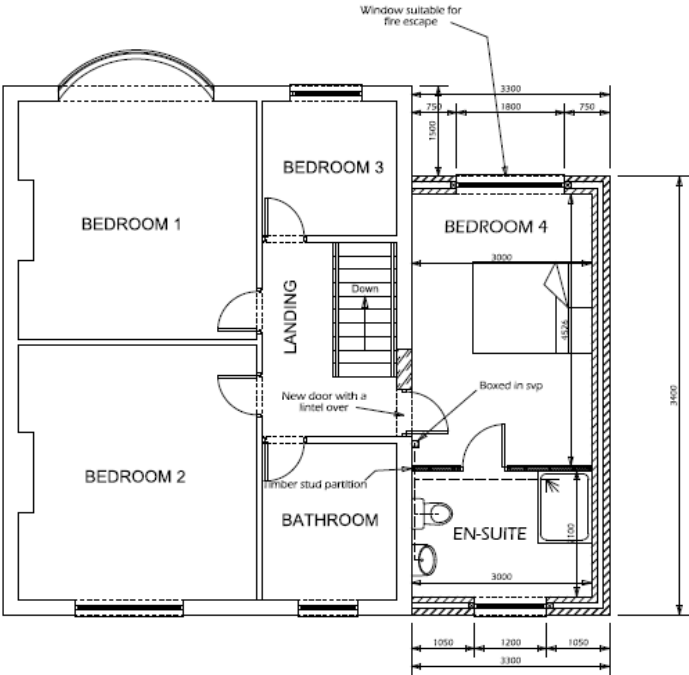
Rear elevation



Side elevation



Ground floor layout



First-floor layout

## Report of the Chief Executive

|                            |  |
|----------------------------|--|
| <b>APPLICATION NUMBER:</b> | <b>20/00758/FUL</b>  |
| <b>LOCATION:</b>           | <b>3 Grange Estate, Robinettes Lane, Cossall</b>             |
| <b>PROPOSAL:</b>           | <b>Construct first-floor side extension (revised scheme)</b> |

Councillor L A Ball has requested that the application is determined by the Planning Committee.

### 1 Executive Summary

- 1.1 This application seeks planning permission for a first-floor side extension for the provision of an additional two bedrooms and an W/C.
- 1.2 The application site is within the Nottinghamshire Green Belt and is in close proximity to the Conservation Area which is located to the west of no. 3 Grange Estate.
- 1.3 The original dwelling already has a single storey rear extension in the form of a conservatory (93/00053/FUL) and a single storey front extension which includes an integrated garage (88/00634/FUL).
- 1.4 The proposed additions to the dwelling (as put forward in this application) alongside the existing extensions (detailed in paragraph 1.3) will result in an approximate increase of 64.8% of the volume of the original property. Policy 8 of the Broxtowe Part 2 Local Plan (2019) states that any additions that result in a total increase above 30% of the volume of the original dwelling should be considered disproportionate and would therefore be inappropriate development in the Green Belt.
- 1.5 It is considered that no very special circumstances have been demonstrated by the applicant to treat the proposal as an exception to policy. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the National Planning Policy Framework (2019).
- 1.6 The design of the proposal is considered to be acceptable. It is possible that the proposed extensions may have an impact upon the amenity of neighbouring properties. However, it is not considered that such an impact would be unacceptable or detrimental.
- 1.7 On the whole, it is considered that the proposal is not acceptable and that planning permission should be refused in line with the resolution set out in the appendix.

**APPENDIX****1 Details of the Application**

- 1.1 The proposal is for a single storey side extension which will project from the side of the existing first floor east elevation by 2.42m. It would extend the entire length of the first floor (which is approximately 6.9m) and have a ridge height of approximately 4m.

**2 Site and Surroundings**

- 2.2 The property No. 3 Grange Estate is a two storey detached property located within the Nottinghamshire Green Belt and is situated on a country road in Cossall which contains a small number of domestic dwellings. To the east and south of the applicant property there are open fields and approximately 57m away from the western boundary lies the Conservation Area.
- 2.2 There is a paved driveway to the front of the property and a garden containing a number of domestic plants and general shrubbery which is positioned to the east and north of the dwelling. There are also 2 TPO trees which border the front of the site boundary to the east. In addition to this, there is a cluster of group TPOs adjacent to the east and north east of the site

**3 Relevant Planning History**

- 3.2 The application property has been extended previously which is evident in the single storey extension to the front and integrated garage (88/00634/FUL) as well the single storey conservatory rear extension (93/00053/FUL).
- 3.2 An application for a first-floor side extension (20/00489/FUL) was refused earlier this year due to its impact upon the openness of the Green Belt and not being policy compliant due to its proposed volume exceeding 30% of the volume of the original dwelling.

**4 Relevant Policies and Guidance****4.2 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 10: Design and Enhancing Local Identity

**4.3 Part 2 Local Plan**

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

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



#### 4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-making
- Section 12 - Achieving Well-designed Places
- Section 13 – Protecting Green Belt Land

#### 5 Consultation

5.2 Two neighbouring residential properties have been consulted. The Church situated on the opposite side of the road adjacent to the application property has also been consulted. No objections have been received

5.3 The Tree Officer has been consulted. The response received raised no concerns regarding the principle of the proposal in terms of the two TPO trees which are located to the front of the property. However, the comment noted that care would need to be given regarding the storage of building materials such as cement diesel and plant to avoid compaction of the root system. It is noted that here is an existing hard standing driveway to the front of the property which would protect the roots. Finally, any delivery and contractor vehicles must avoid contact with the branch work of the trees.

#### 6 Assessment

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

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

6.2.3 As set out in the Planning History section of this report, the application property has been extended before. The proposed addition within this application is a single storey side extension to the first floor. The combined additional volume of the proposed extension has been calculated at approximately 64.8% of the volume of the original dwelling which is significantly over the 30% restriction as set out in policy 8.

6.2.4 As the proposed extension will result in an increase of the volume of the original dwelling by more than 30%, the proposal is considered to result in a disproportionate addition to the original dwelling that would be inappropriate development in the Green Belt.

- 6.1.5 It is not considered that very special circumstances have been demonstrated that would outweigh the harm caused by the inappropriate development and therefore the principle of the development in the Green Belt should not be supported.

## 6.2 Design

- 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 developments should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 6.2.2 As the extension would be on the first-floor only, there would be no increased footprint as a result of the proposal. Plans show that the extension would project from the existing side elevation by approximately 2.42m and have a ridge height of approximately 4m. The ridge height on the original dwelling is approximately an additional 1.7m, and it is considered that this difference allows for the proposal to appear as subservient to the host dwelling.
- 6.2.3 In terms of the materials to be used, the plans submitted state that the tiles will be 'small plain tiles' to match those on the existing roof and that facing brickwork will be used to match the existing front elevation of the property. It is considered that this would maintain the style of the original dwelling and allow for the extension to be acceptable (in terms of its design) in the street scene.
- 6.2.4 Although the proposed development will not be within the Conservation Area, it will be situated in relatively close proximity. Therefore, it is desirable that any development is sensitive to the heritage of the local area and does not have a negative impact upon its character. It is not considered that the design of the extension would have any detrimental impact on the character of the nearby Conservation Area.
- 6.2.5 Whilst it is not considered that the design will contrast with or cause an unacceptable addition to the street scene, it is considered that as the site is located on a visible location in the street scene that the proposed first floor extension would have a negative impact upon the openness of the Green Belt.

## 6.3 Amenity

- 6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The proposed first-floor side extension will be 8m away from the boundary with no. 2 at its closest point and this is considered to be an acceptable gap between the development and neighbouring boundary. Whilst there is a window proposed to be on the side elevation which faces out towards the general direction of no. 2, there is already a window in a similar location on the existing side elevation, and

therefore the current relationship will not be any worse than what currently exists between no. 2 and 3 as there will not be any additional scope for over-looking.

- 6.3.3 The application property is a semi-detached dwelling which is directly adjoined to no. 4, which would be the closest neighbouring property to the proposed development. However, as the proposed extension will be positioned on the eastern side of no. 3, it would not be directly attached or visible to no. 4.
- 6.3.4 There is a proposed window to the rear elevation of the extension which may be capable of looking out onto some elements of the gardens at no's 2 and 4 Grange Estate. However, it is considered that this would not be an unacceptable negative impact. Moreover, it is not deemed that the provision of the rear window would allow the occupiers of the application property to look into either dwelling at no. 2 or no. 4 Grange Estate, rather just allow some views of the rear garden areas
- 6.3.5 It is considered that whilst there may be some impact on neighbouring properties as a result of the proposed development, there would not be an unacceptable loss of amenity for any neighbouring residents. Furthermore, there have been no objections received in relation to the proposal.

## 7 Planning Balance

- 7.1 The proposed extension would provide two additional bedrooms and an additional W/C to the application property and the design of the proposal and its impact upon neighbour amenity are acceptable. However, the proposal represents a disproportional addition to the original dwelling that is harmful to the Green Belt. On balance, it is considered that the harm by virtue of the inappropriate development outweighs any benefits and the proposal is therefore not acceptable

## 8 Conclusion

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

### Recommendation

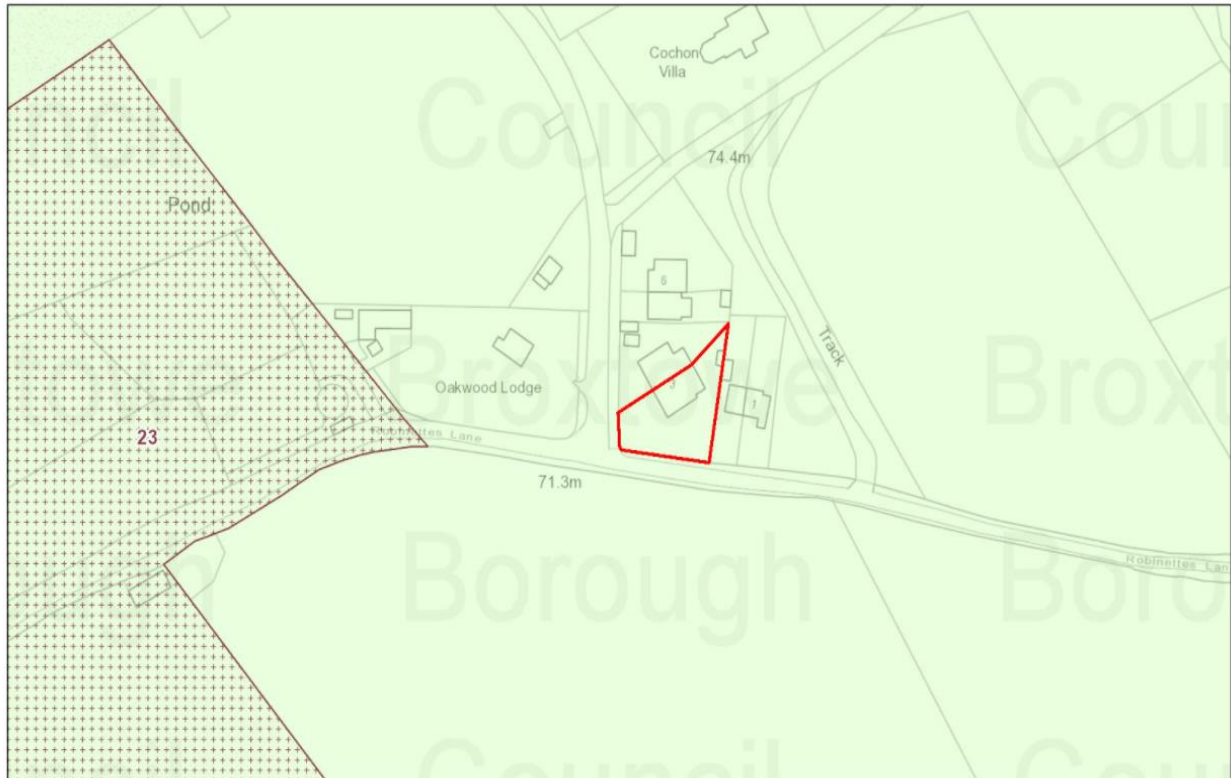
**The Committee is asked to RESOLVE that planning permission be refused for the following reason:**

**The site lies within the Nottinghamshire Green Belt, where in accordance with paragraph 143 of the NPPF, inappropriate is by definition harmful and should not be approved except in very special circumstances. The proposed development does not meet any of the exceptions to inappropriate development as set out by paragraphs 145 and 146 of the NPPF. The proposal is therefore contrary to Policy 8 of the Broxtowe Part 2 Local Plan (2019) and paragraphs 143 and 145 of the NPPF, and no very**

|  |  |
|--|--|
| <b>special circumstances have been demonstrated to treat the proposal as an exception to these policies.</b> |  |
|  | <b>NOTE TO APPLICANT</b>   |
| <b>1.</b>  | <b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b> |

**Site Map**

3 Grange Estate, Robinettes Lane, Cossall



12/4/2020, 5:12:34 PM

- INTERNAL: PCO Applications
- Green Belt
- Conservation Areas

1:1,250  
 0 0.01 0.02 0.04 mi  
 0 0.01 0.03 0.06 km  
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 Ordnance Survey 100019453



**Photographs**



Front elevation. Relationship with no. 2



Front elevation. Relationship with no. 4



Eastern boundary visible from the front  
& relationship with no. 2



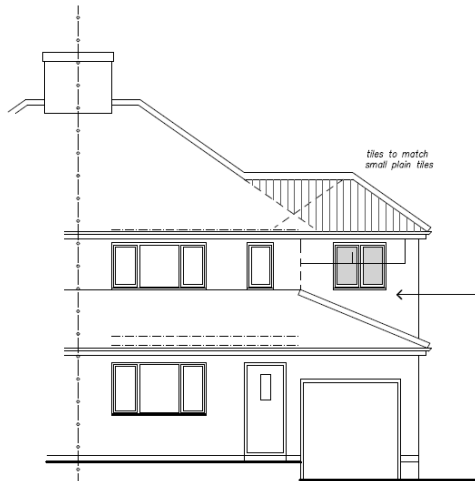
Rear elevation



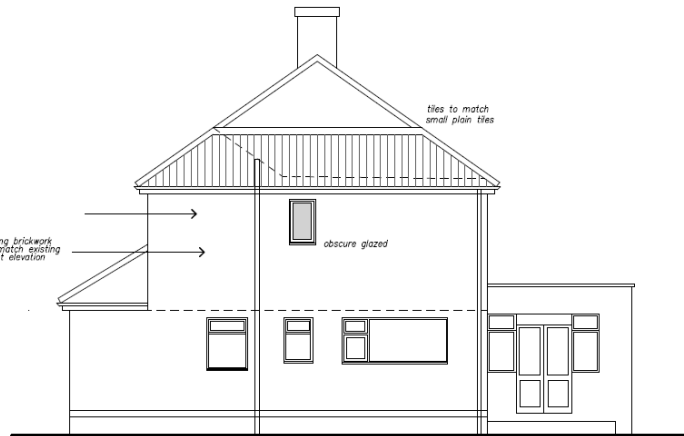
Rear elevation & fence boundary with no. 4 Lane

no's 4, 3 & 2 facing from Robinettes

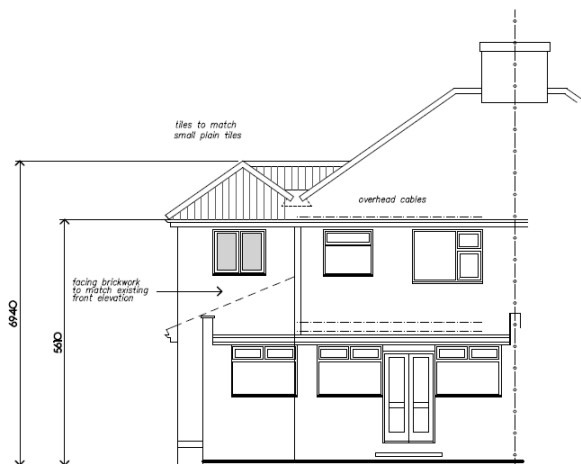
**Plans (not to scale)**



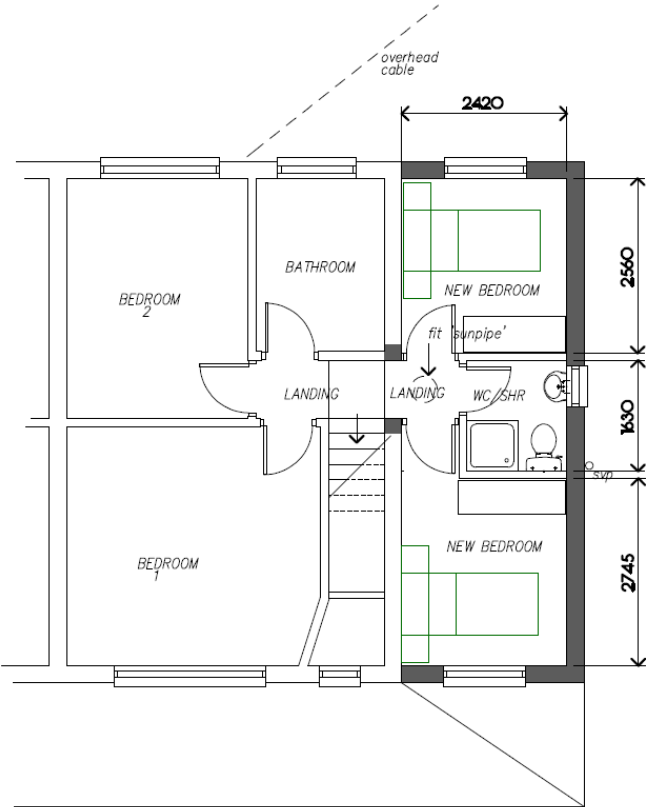
Front elevation



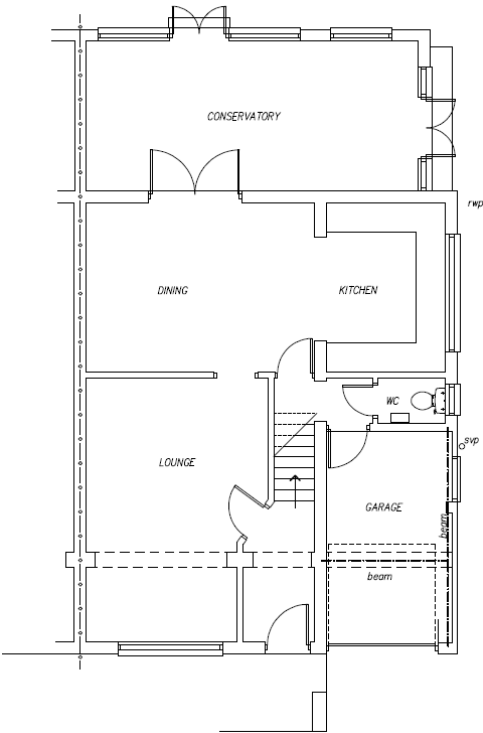
Side elevation



Rear elevation



First Floor plan



Ground Floor plan



## Report of the Chief Executive

|                            |   |
|----------------------------|---|
| <b>APPLICATION NUMBER:</b> | <b>20/00606/FUL</b>                                   |
| <b>LOCATION:</b>           | <b>6 Canal Side, Beeston, Nottingham, NG9 1NG</b>     |
| <b>PROPOSAL:</b>           | <b>Retain loft conversion including dormer window</b> |

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

### 1 Executive Summary

- 1.1 The application seeks planning permission to retain a flat roof dormer on the north east roof slope and alterations associated with the loft conversion.
- 1.2 The site contains a detached bungalow, in a row of similar properties.
- 1.3 The main issues relate to whether the scale, siting and design of the dormer is acceptable, and whether the development has an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that the loft conversion and dormer provide enhanced living accommodation for the occupiers. The negatives of the proposal are the size and prominence of the dormer harming the character and appearance of the building and the wider area, and on this basis, the dormer is recommended to be refused planning permission.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason set out in the appendix.

## Appendix 1

1 Details of the Application

- 1.1 The application is for the retention of a flat roof dormer to the north east facing roof slope. The dormer serves a loft conversion and has a total of four windows in the north east elevation facing 4 Canal Side, two of which are high level windows, and two obscurely glazed windows towards the centre. The latter windows serve an en-suite and a bathroom. Other alterations include the insertion of a window to the front and rear elevations in each gable end, replacement of a window with a new door on the north east elevation, and removal of the original entrance door and adjacent window with a small bathroom window, also on the north east elevation, at ground floor level.
- 1.2 The dormer requires planning permission as the roof height has already been raised (understood to have been in excess of 10 years ago), and as such the dormer is not inserted in the original roof slope and is therefore not considered to be permitted development.
- 1.3 The materials used for the dormer are a dark grey cladding, which matches the roof tiles in colour, with a felt roof.

2 Site and surroundings

- 2.1 6 Canal Side is a detached bungalow with a gable roof and is in a row of similar properties, facing the Beeston Canal, which is to the south east, on the opposite side of the road. The property has had the height of its roof raised following the grant of planning permission in 1977 and, prior to the insertion of the large dormer, there were two small high level dormers in the north east facing roof slope, built up to the ridge height.
- 2.2 To the north east of the site is 4 Canal Side, a detached bungalow which has an entrance door and three windows on the south east elevation facing the site. A driveway leading to the rear garden separates the property from the common boundary and adjoins the driveway of the application site.
- 2.3 To the south west of the site is 8 Canal Side. This is also a detached bungalow, and is separated from the site by a path which leads to the rear, adjacent to the common boundary.
- 2.4 There are two properties to the rear, 17 and 18 Acaster Close. These are detached bungalows which are at an angle to the application site. 17 is to the north west of the site, and has a range of single storey extensions to the rear and an outbuilding. 18 Acaster Close is to the south of this (and west of the application site). This property has a detached garage with an attached construction adjacent to the common boundary, which provides a degree of separation between the property and 6 Canal Side.
- 2.5 The site is located within Flood Zones 2 and 3.

### 3 Relevant Planning History

- 3.1 In 1977, planning permission was granted for the conversion of the loft to two bedrooms and the installation of a bow window on the front elevation. Reference 77/00070/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 1: Climate Change
- Policy 10: Design and Enhancing Local Identity

#### 4.2 **Part 2 Local Plan 2019:**

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

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity

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

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

### 5 Consultations

- 5.1 Five properties either adjoining or opposite the site were consulted and five representations were received, four of which were objections on the following grounds:

- New window in rear elevation, serving the first floor accommodation, overlooks neighbouring garden and into windows, affecting privacy
- Property nearby, which has been extended and the roof raised, was not allowed to insert a window in the rear elevation, so don't see why this property should be allowed to have one. A Velux window in the roof would be better if light was required
- The dormer is very overbearing and imposing
- The design is not in keeping with surrounding properties, and materials used not sympathetic
- Windows in the dormer look into the neighbouring windows (bedroom, kitchen and bathroom) resulting in loss of privacy
- The original extension was erected without planning permission.

- 5.2 One observation was received:

- The window in the rear elevation should be obscurely glazed, to satisfy people's concerns.

## 6 Assessment

- 6.1 The main issues for consideration are the design and scale of the dormer, and impact on the amenity of the occupiers of nearby property.

### 6.2 **Design and Scale**

- 6.2.1 Policy 17 of the Broxtowe Part 2 Local Plan, states that development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area, and which does not dominate the existing building or appear over-prominent in the street scene. The policy also states that dormers should not dominate the roof. The flat roofed dormer has been built up to the existing ridge height, and within 400mm of the front and rear elevation. The dormer is also less than 300mm in from the eaves. This has resulted in a dormer that dominates the roof as the structure virtually covers the entire roof on this side of the dwelling and is highly visible from the public domain. There are no other dormers on the side roof slopes of dwellings on this stretch of Canal Side.
- 6.2.2 Whilst amendments to the design and scale of the dormer have been discussed, the applicant has chosen to proceed with the design of the dormer as built, as they consider that they would not want to incur any additional cost and disruption as a result of any modifications. The agent states that during a pre-enquiry telephone conversation with the planning team, the question was asked if permitted development rights had been removed on the property and the answer was no. On that basis, the applicant chose to proceed with the dormer as installed, as they considered that planning permission was not required. In response, any advice given over the telephone (i.e. verbally) would be informal only and would not be binding on the Council. The applicant chose not to pay a fee for written advice or for a Lawful Development Certificate application. Furthermore, it cannot be certain what information was provided to the officer who was giving advice and therefore what that officer would have been basing their response on. The onus is always on an owner/the developer to ensure that they check whether planning permission is required or not, and they could have chosen to apply for a certificate of lawfulness for proposed development, should they have considered that the dormer was permitted development.
- 6.2.3 The material used, which is dark grey cladding, is considered to be appropriate as the cladding matches the colour of the existing roof tiles.
- 6.2.4 It is considered that the dormer, as built, is contrary to the aims of Policy 17 as it is of a design (flat roofed), scale and siting, being set in by only a minimal amount from the edges and the eaves, and not set down from the ridge, which dominates the roof slope on this side of the bungalow, and is overly prominent in the street scene.

### 6.3 Amenity

- 6.3.1 4 Canal Side is the property closest to the dormer. This property has a drive separating it from the common boundary. There is a main door with a window adjacent, and two further windows on the side elevation facing the site. The dormer has two horizontal high level windows (minimum of 1.5m above internal floor level) and two vertical, obscurely glazed bathroom windows. It is considered that the dormer would not have a significant impact on the amenities of the occupiers of the adjacent property, in terms of overlooking, due to the restricted angle of view from the windows. If the dormer was considered acceptable in other respects, it would be reasonable to condition that all facing windows be obscurely glazed, and non-opening to all parts which are below 1.7m internal floor level. In regard to loss of light, it is considered that as the dormer is no higher than the existing ridge height, there would be no significant loss of light for the occupiers of the no. 4.
- 6.3.2 Objections have been received in respect of the first floor window which has been inserted in the rear elevation. This window is shown to be 850mm square, and at a minimum height of 0.9m above internal floor level. This is of clear glass. It is considered that as the rear elevation of no. 6 is a minimum of 12m to the rear boundary, and the closest building is over 28m away and that both 17 and 18 Acaster Close (the two closest, to the rear) are at an angle to the site, the rear window would not have a significant impact on the privacy of the occupiers of these properties, or on the privacy of any other neighbouring property. It is therefore considered unreasonable to require the removal of this window, or for the window to be obscurely glazed and / or non-opening.
- 6.3.3 8 Canal Side is to the south west of the site. As the development is contained mainly within the north east elevation, it is considered that the development would not have a significant impact on the amenities of these occupiers.

### 6.4 Flood Risk

- 6.4.1 As this is householder development, a simple Flood Risk Assessment has been submitted, which confirms that floor levels within the development have been set no lower than the existing, and that flood proofing of the development has been incorporated where appropriate. It should also be noted that the roof conversion allows for bedrooms to be located at first floor level, thus providing safe refuge. It is considered that the development would not result in an increase to risk of flood, either at the site or in the surrounding area.

### 6.5 Other Matters

- 6.5.1 Developments nearby, in respect of windows in the rear elevation, would have been assessed on their own merits, as there may have been differing relationships to neighbouring properties. As such, this cannot be taken as a precedent to not allow windows in rear elevations of other nearby properties.
- 6.5.2 Reference has been made in the objections received to the original extension being erected without planning permission. It is not clear to which extension they are referring; however, it can be seen in the planning history that permission was

granted in 1977 for the conversion of the loft into bedrooms, along with a bow window to the front elevation.

## 7 Planning Balance

- 7.1 The benefit of the proposal is that it provides enhanced living accommodation.
- 7.2 The negative impacts are the over-dominance and prominent nature of the dormer and the adverse impact on the character of the area.
- 7.3 On balance, the negative impacts of the dormer outweigh the benefit, as the dormer could be modified whilst still providing enhanced accommodation.

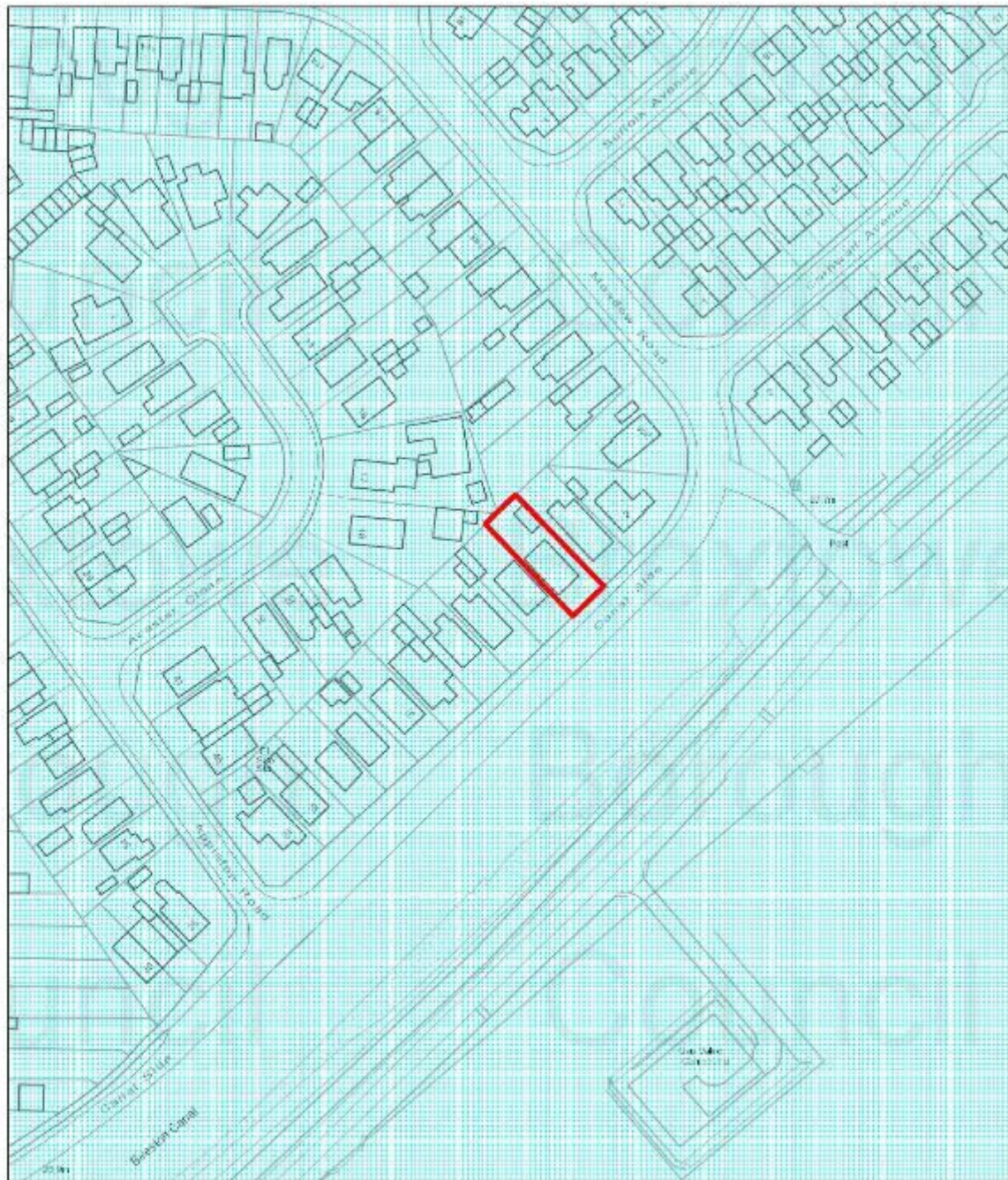
## 8 Conclusion

- 8.1 Due to the design, scale and siting of the dormer, and its impact on the building and street scene, it is recommended that planning permission be refused.

| <b><u>Recommendation</u></b>  |   |
|---|---|
| <b>The Committee is asked to RESOLVE that planning permission be refused, for the following reason:</b> |   |
| <b>1.</b>   | <b>The dormer unduly dominates the roof due to its size, coverage of the roof slope and its design. It fails to make a positive contribution to the character and appearance of the area. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</b> |
|   |   |
|   | <b>NOTES TO APPLICANT</b>   |
| <b>1.</b>   | <b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>  |



# 6 Canal Side Beeston



12/3/2020, 10:32:41 AM

- Flood Zone 2
- Flood Zone 3
- Site



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Photographs



Front and side of 6 Canal Side



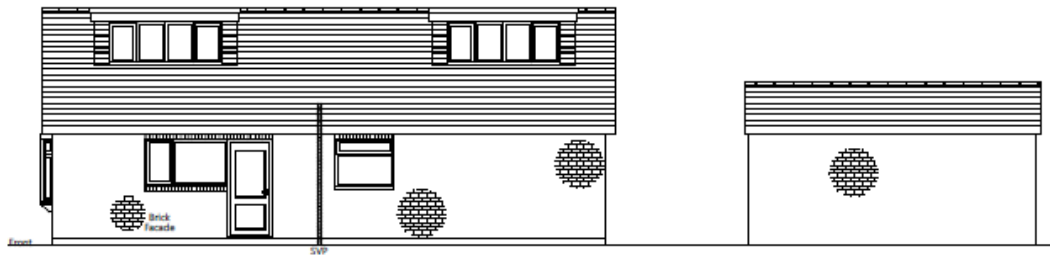
Impact from the street. No. 4 is to the right of the photo.



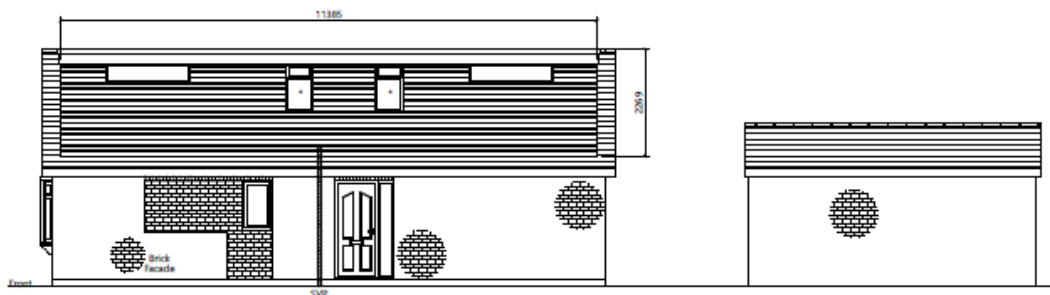
Rear elevation showing rear window at first floor level (photo by agent)



**Plans (not to scale)**



Existing Side 1 Elevation



Proposed Side 1 Elevation



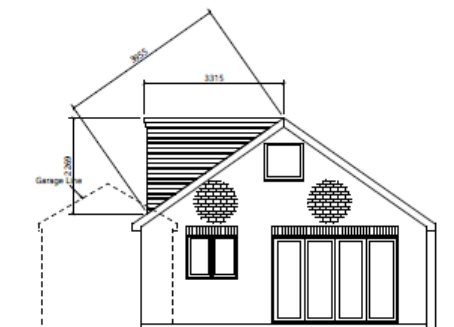
Existing Front Elevation



Existing Rear Elevation



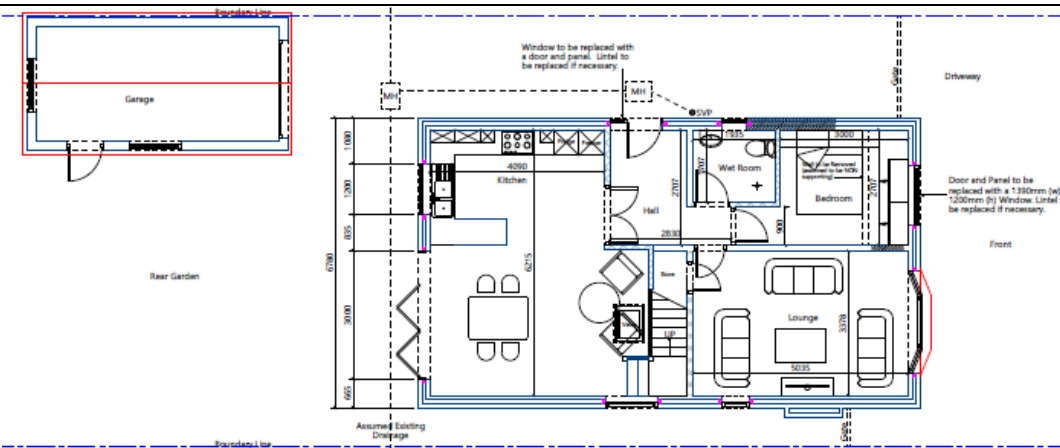
Proposed Front Elevation



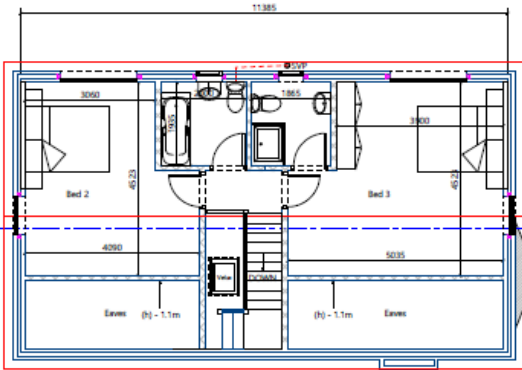
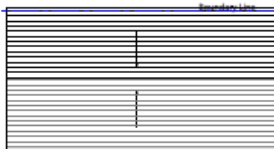
Proposed Rear Elevation



Roof plan as built



Proposed Ground Floor Plan



Ground and first floor

## **Report of the Chief Executive**

### **VARIATION TO SECTION 106 AGREEMENT KIMBERLEY BREWERY, KIMBERLEY**

Variations are proposed to the Section 106 Agreement which deviate from the decision taken by Planning Committee and therefore require the approval of the Members.

#### **1 History and details of the Application**

1.1 In December 2015 planning permission and Listed Building Consent was granted for a hybrid application at Kimberley Brewery (13/00570/FUL and 13/00571/LBC). This application related to the construction of 78 dwellings, including details of access and scale, all other matters reserved (outline) and a full application for change of use of Maltings No. 1 to 18 apartments and the tower to 2 apartments and the construction of a 3-storey building to comprise 24 new apartments. These applications were granted at Planning Committee, subject to the signing of a Section 106 legal agreement.

1.2 This legal agreement was worded to ensure that the historical buildings within the Brewery yard were repaired and converted prior to the completion of more than 10 new build properties (part of the 78 dwellings making up the outline part of the permission) within 'Area 3' of the site. This area is located within the woodland. The agreement was required to be worded in such a way so to ensure that the historical buildings within the site were bought back into beneficial use, rather than left to deteriorate further, in favour of the more easy to construct new build properties.

1.3 Members will recall approving planning applications for amended schemes within the brewery yard in March of 2018. These were approved subject to the prior signing of a Section 106 Agreement which was required to ensure that the requirements of the original agreement still 'bite'.

1.4 In January 2019 a proposal to vary the terms of the S106 Agreement was brought before Committee as the developers wanted to be able to sell the tower off as a separate project and not be bound by a restrictive obligation to undertake works to the tower which would prevent them building the remaining dwellings that make up the 78 approved under the outline permission. Members approved these variations which required the Phase I repair works to the tower to be completed within 2 years of the date of the signed agreement rather than the completion of a set number of dwellings. A number of other less significant minor changes were made to the agreement to reflect more recent planning permissions.

1.5 Legal advice is included in the confidential appendix to this report.

#### **2 Requested amendments**

2.1 Fairgrove Homes have approached the Council to request that the timeframe of 2 years for the initial Phase I repair works to the tower is extended by 1 year. This request comes due to the difficulties they have encountered over the last 9

months associated with COVID, particularly with regard to staffing issues, supply of materials and purchaser reluctance due to the current economic uncertainty.

- 2.2 They have confirmed that this will have no repercussions in respect of the timeframe within the DoV to complete the Phase II repair works to the tower and this will remain at 5 years from the date of the original DoV (28 January 2024).

3 Conclusion

- 3.1 Having regard to the decision of Members in relation to the original DoV, the current pandemic and the repercussions of this on individuals, businesses and the wider UK economy, it is considered that the proposed delay of 1 year in respect of the Phase I works to the tower, provided that the developer is willing to provide a further personal guarantee to cover this period, is a reasonable request.

**Recommendation**

**The Committee is asked to RESOLVE that the Section 106 Agreement is amended to allow a further year for the completion of all works associated with Phase I of the tower repairs.**

Background papers

Nil

**Report of the Chief Executive**

**APPEAL DECISION**

|                            |   |
|----------------------------|---|
| <b>APPLICATION NUMBER:</b> | <b>20/00255/FUL</b>   |
| <b>LOCATION:</b>           | <b>10 Wimpole Road Beeston Nottinghamshire NG9 3LQ</b>                    |
| <b>PROPOSAL:</b>           | <b>Construct single storey rear extension and lower rear garden level</b> |

**RECOMMENDATION BY OFFICER - APPROVE**

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

**LEVEL OF DECISION: PLANNING COMMITTEE**

**APPEAL ALLOWED**

The Inspector considered the main issues to be the impact of the proposed development upon the character and appearance of the area and the living conditions of the occupiers of the adjacent dwellings and the future occupiers of the appeal dwelling.

The Inspector considered that although the proposed rear extension would have a large footprint, it would be designed to be sympathetic to the character and appearance of the existing dwelling as it would have matching materials and a pitched roof. It would not impact the character and appearance of the street scene as it would be predominantly to the rear and single storey. The Inspector stated that a sufficient sized garden would remain, and thus the proposal would not be overdevelopment.

In regard to neighbour amenity, the Inspector stated that due to its single storey height, its roof design, the existing boundary treatments and ground levels, and the extension to No. 12, the proposal would not cause harm.

In regards to the provision of outdoor amenity space, the Inspector stated that the space proposed would not result in an unacceptable living environment for the occupiers of the appeal dwelling.

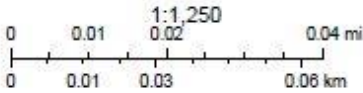
The Inspector concluded that the proposal would not harm the character and appearance of the area, would not harm the living conditions of the occupiers of the adjacent dwellings and would provide an appropriate amount of outside amenity space for the future occupiers of the appeal dwelling.

10 Wimpole Road



6/23/2020, 2:55:29 PM

 Site



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

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**PLANNING APPLICATIONS DEALT WITH FROM  
21 NOVEMBER 2020 TO 18 DECEMBER 2020**

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### **CONTENTS**

Planning applications dealt with under Delegated Powers

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

# BROXTOWE BOROUGH COUNCIL

## DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

### 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 Richard Ling Richard Ling & Associates   | 20/00164/FUL |
| Site Address | : | 21 Barratt Lane Attenborough Nottinghamshire NG9 6AD  |              |
| Proposal     | : | <b>Construct rear extension, convert house to create three apartments, insert first floor side window, reconfiguration of the existing vehicle access, construct brick wall to the south of house and construct detached dwelling including associated car parking and new vehicular access</b> |              |
| Decision     | : | <b>Conditional Permission</b>   |              |

|              |   |  |               |
|--------------|---|--|---------------|
| Applicant    | : | Mr And Mrs Ireland   | 20/00616/CLUP |
| Site Address | : | 206 Long Lane Attenborough Nottinghamshire NG9 6DB                                       |               |
| Proposal     | : | <b>Certificate of Lawfulness for proposed loft conversion with rear and side dormers</b> |               |
| Decision     | : | <b>Approval - CLU</b>  |               |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Marie Glaister   | 20/00635/FUL |
| Site Address | : | 10 Clumber Avenue Chilwell Nottinghamshire NG9 4BJ                                       |              |
| Proposal     | : | <b>Construct single/two storey side extension and construct new roof canopy to front</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr and Mrs Morley  | 20/00697/FUL |
| Site Address | : | 8 Babington Court Chilwell Nottinghamshire NG9 5BT   |              |
| Proposal     | : | <b>Construct single storey rear extension including new pitched roof over utility and shiplap cladding to rear first floor elevation</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Miss K Richardson   | 20/00774/PNH |
| Site Address | : | 23 Mottram Road Chilwell Nottinghamshire NG9 4EZ  |              |
| Proposal     | : | <b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.10 metres, and an eaves height of 2.40 metres</b> |              |
| Decision     | : | <b>PNH Approval Not Required</b>  |              |

#### AWSWORTH, COSSALL & TROWELL WARD

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mr R White  | 20/00442/FUL |
| Site Address | : | 2 Derbyshire Avenue Trowell Nottinghamshire NG9 3QD                                   |              |
| Proposal     | : | <b>Construct hip to gable dormer, single and two-storey rear extensions and porch</b> |              |
| Decision     | : | <b>Conditional Permission</b>   |              |

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mr David Gunn   | 20/00444/FUL |
| Site Address | : | Land Adjacent 39 Northern Drive Trowell Nottinghamshire NG9 3QN   |              |
| Proposal     | : | <b>Construction of a new semi-detached dwelling adjacent to 39 Northern Drive (existing property) &amp; changes to finishes on the existing property.</b> |              |
| Decision     | : | <b>Refusal</b>  |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Ray Calder  | 20/00590/FUL |
| Site Address | : | Gardeners Inn Awsworth Lane Cossall Nottinghamshire NG16 2RZ   |              |
| Proposal     | : | <b>Retain use of side garden as beer garden and retain extension to front patio including timber posts supporting festoon lighting</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Sam Patchitt                                      | 20/00633/FUL |
| Site Address | : | Woodlands Mill Lane Cossall Nottinghamshire NG16 2RY |              |
| Proposal     | : | <b>Construct two storey extension</b>                |              |
| Decision     | : | <b>Conditional Permission</b>                        |              |



|                             |   |   |               |
|-----------------------------|---|---|---------------|
| Applicant                   | : | Mrs J Brudenell   | 20/00680/FUL  |
| Site Address                | : | 213 Stapleford Road Trowell Nottinghamshire NG9 3QE   |               |
| Proposal                    | : | <b>Construct two storey side and single storey rear extensions</b>  |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |
| Applicant                   | : | Mr R Haynes   | 20/00787/AGR  |
| Site Address                | : | Spring Farm Cottages Track From Nottingham Road To The M1 Trowell Nottinghamshire   |               |
| Proposal                    | : | <b>Prior notification to construct agricultural building</b>  |               |
| Decision                    | : | <b>Refusal</b>  |               |
| <b>BEESTON CENTRAL WARD</b> |   |   |               |
| Applicant                   | : | Mr J Huang  | 20/00760/PNH  |
| Site Address                | : | 12 Lower Road Beeston Nottinghamshire NG9 2GL   |               |
| Proposal                    | : | <b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.00 metres and an eaves height of 3.00 metres (flat roof)</b> |               |
| Decision                    | : | <b>PNH Approval Not Required</b>  |               |
| <b>BEESTON NORTH WARD</b>   |   |   |               |
| Applicant                   | : | Mr & Mrs Holmes   | 20/00513/FUL  |
| Site Address                | : | 43 Wallett Avenue Beeston Nottinghamshire NG9 2QR   |               |
| Proposal                    | : | <b>Retain raised decking to rear of property</b>  |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |
| Applicant                   | : | Mr John Hopkins   | 20/00516/OUT  |
| Site Address                | : | Land To Rear Of 45 Peveril Road Beeston Nottinghamshire NG9 2HY   |               |
| Proposal                    | : | <b>Outline application to construct detached house with some matters reserved</b>   |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |
| Applicant                   | : | Mr K Ileshi   | 20/00565/FUL  |
| Site Address                | : | 10 Wimpole Road Beeston Nottinghamshire NG9 3LQ   |               |
| Proposal                    | : | <b>Construct single storey rear extension and retain external render and lowering of rear ground level including retaining walls (revised scheme)</b>   |               |
| Decision                    | : | <b>Withdrawn</b>  |               |
| Applicant                   | : | Mr Nick Wong  | 20/00639/FUL  |
| Site Address                | : | 174 Wollaton Road Beeston Nottinghamshire NG9 2PH   |               |
| Proposal                    | : | <b>Construct single/two storey side extension following demolition of garage</b>  |               |
| Decision                    | : | <b>Withdrawn</b>  |               |
| Applicant                   | : | Mr Jonathan Collett   | 20/00771/CLUP |
| Site Address                | : | 48 Alderman Close Beeston Nottinghamshire NG9 2RH   |               |
| Proposal                    | : | <b>Certificate of Lawfulness for proposed garden room</b>   |               |
| Decision                    | : | <b>Approval - CLU</b>   |               |
| <b>BEESTON RYLANDS WARD</b> |   |   |               |
| Applicant                   | : | Mrs S Waite   | 20/00473/FUL  |
| Site Address                | : | 23 Appleton Road Beeston Nottinghamshire NG9 1NE  |               |
| Proposal                    | : | <b>Construct single storey rear extension</b>   |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |
| Applicant                   | : | Mr C Palmer   | 20/00580/FUL  |
| Site Address                | : | 7 Trent Vale Road Beeston Nottinghamshire NG9 1ND   |               |
| Proposal                    | : | <b>Construct detached dwelling and garage following demolition of existing dwelling</b>   |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |
| Applicant                   | : | Mr Peter Wood   | 20/00634/FUL  |
| Site Address                | : | 39 Appleton Road Beeston Nottinghamshire NG9 1NE  |               |
| Proposal                    | : | <b>Construct rear/side extension following demolition of garage</b>   |               |
| Decision                    | : | <b>Conditional Permission</b>   |               |

|                          |   |   |                |
|--------------------------|---|---|----------------|
| Applicant                | : | Mr Richard Thomas   | 20/00748/PNH   |
| Site Address             | : | 43 Grenville Road Beeston Nottinghamshire NG9 1LN   |                |
| Proposal                 | : | <b>Construct single storey extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.50 metres, and an eaves height of 2.75 metres</b>  |                |
| Decision                 | : | <b>PNH Approval Not Required</b>  |                |
| <b>BEESTON WEST WARD</b> |   |   |                |
| Applicant                | : | Mr Malcolm Wright   | 19/00356/FUL   |
| Site Address             | : | 17 Elm Avenue Beeston Nottinghamshire NG9 1BU   |                |
| Proposal                 | : | <b>Construct detached annexe ancillary to dwelling</b>  |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr & Mrs Banton   | 20/00503/FUL   |
| Site Address             | : | 47 Park Road Chilwell Nottinghamshire NG9 4DD   |                |
| Proposal                 | : | <b>Erect single storey side and single/two storey rear extensions following demolition of conservatory, porch and outbuilding. External alterations including changing pitched roof of single storey side extension to flat roof and side two storey flat roof to pitched roof.</b> |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Ms Christine (Tina) Eadie   | 20/00571/FUL   |
| Site Address             | : | 2A Bramcote Drive Beeston Nottinghamshire NG9 1AW   |                |
| Proposal                 | : | <b>Construct replacement dwelling and garage and construct front boundary wall</b>  |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr S Jude   | 20/00582/FUL   |
| Site Address             | : | 49 Park Road Chilwell Nottinghamshire NG9 4DD   |                |
| Proposal                 | : | <b>Proposed conversion of detached garage to summer house</b>   |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr Guy Surfleet Everards Brewery  | 20/00629/FUL   |
| Site Address             | : | Crown Inn 20 Church Street Beeston NG9 1FY  |                |
| Proposal                 | : | <b>Construct barrel store and replacement of 2 rear first floor windows</b>   |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr Guy Surfleet Everards Brewery  | 20/00630/LBC   |
| Site Address             | : | Crown Inn 20 Church Street Beeston NG9 1FY  |                |
| Proposal                 | : | <b>Listed Building Consent to construct barrel store and replace 2 rear first floor windows</b>   |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr C Polat  | 20/00660/P3CPA |
| Site Address             | : | 9 High Road Beeston Nottinghamshire NG9 2JL   |                |
| Proposal                 | : | <b>Prior notification under Class C for change of use from financial and professional services (Class A2) to restaurant (Class A3) and construct flue to rear</b>   |                |
| Decision                 | : | <b>Prior Approval Approved</b>  |                |
| Applicant                | : | Mr R Dainty Eco Vape Stores Ltd   | 20/00677/FUL   |
| Site Address             | : | ROK 61 High Road Beeston Nottinghamshire NG9 2JQ  |                |
| Proposal                 | : | <b>Change of use of first and second floors from retail storage (Class A1) to House in Multiple Occupation (Class C4), and two storey rear extension to form additional space for the ground floor retail unit and first floor residential accommodation floor level.</b>           |                |
| Decision                 | : | <b>Conditional Permission</b>   |                |
| Applicant                | : | Mr M Dainty   | 20/00716/FUL   |
| Site Address             | : | 10A Enfield Street Beeston Nottinghamshire NG9 1AL  |                |
| Proposal                 | : | <b>Construct balcony</b>  |                |
| Decision                 | : | <b>Withdrawn</b>  |                |

|                      |   |  |              |
|----------------------|---|--|--------------|
| Applicant            | : | Mr J Thakur  | 20/00775/PNH |
| Site Address         | : | 151 Wollaton Road Beeston Nottinghamshire NG9 2NQ  |              |
| Proposal             | : | <b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 3.80 metres and an eaves height of 2.80 metres</b>                           |              |
| Decision             | : | <b>PNH Approval Granted</b>  |              |
| <b>BRAMCOTE WARD</b> |   |  |              |
| Applicant            | : | Mr J Hague   | 20/00369/FUL |
| Site Address         | : | 78 Cow Lane Bramcote Nottinghamshire NG9 3BB   |              |
| Proposal             | : | <b>Construct first floor extension including 3 side dormer windows</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr and Mrs Allen   | 20/00523/FUL |
| Site Address         | : | 97 Derby Road Bramcote Nottinghamshire NG9 3GW   |              |
| Proposal             | : | <b>Construct new roof with gable ends and rear dormers</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr Luke Willmott   | 20/00542/FUL |
| Site Address         | : | 79 Derby Road Bramcote Nottinghamshire NG9 3GW   |              |
| Proposal             | : | <b>Construct two storey side and front and single storey rear extensions, hipped to gable roof including front and rear dormers, raise ridge height and raise patio level &amp; perimeter enclosure (revised scheme)</b> |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr Mike Feuz   | 20/00556/FUL |
| Site Address         | : | 15 Beeston Fields Drive Beeston Nottinghamshire NG9 3DB  |              |
| Proposal             | : | <b>Construct replacement dwelling, detached garage with first floor accommodation, front boundary wall and gates</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr Manpreet Singh Rakhra   | 20/00587/FUL |
| Site Address         | : | 7 Windermere Road Beeston Nottinghamshire NG9 3AS  |              |
| Proposal             | : | <b>Construct two storey side extension to replace existing garage</b>  |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr Jeremy Galtress ProDesign   | 20/00604/FUL |
| Site Address         | : | 82 Thoresby Road Bramcote Nottinghamshire NG9 3EP  |              |
| Proposal             | : | <b>Construct single/ two storey side extension and pitched roof to front single storey element</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr & Mrs Harris  | 20/00650/FUL |
| Site Address         | : | 7 St Michaels Square Bramcote Nottinghamshire NG9 3HG  |              |
| Proposal             | : | <b>Construct front extension including porch</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | A. Webster & M. Cao  | 20/00658/FUL |
| Site Address         | : | 309 Wollaton Road Beeston Nottinghamshire NG9 2TE  |              |
| Proposal             | : | <b>Construct single storey link extension between house and garage, single storey front extension to garage and loft extension/conversion including new front and rear dormers (revised scheme)</b>                      |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Fiona Macleod  | 20/00668/FUL |
| Site Address         | : | 4 Russley Road Bramcote Nottinghamshire NG9 3JE  |              |
| Proposal             | : | <b>Construct single storey rear extension</b>  |              |
| Decision             | : | <b>Conditional Permission</b>  |              |
| Applicant            | : | Mr Leigh Whitbread Stormclad Home Improvements Ltd   | 20/00691/FUL |
| Site Address         | : | 30 Thoresby Road Bramcote Nottinghamshire NG9 3EN  |              |
| Proposal             | : | <b>Construct front porch</b>   |              |
| Decision             | : | <b>Conditional Permission</b>  |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mrs C Davies                                       | 20/00721/FUL |
| Site Address | : | 70 Valmont Road Bramcote Nottinghamshire NG9 3JD   |              |
| Proposal     | : | <b>Construct single storey rear/side extension</b> |              |
| Decision     | : | <b>Conditional Permission</b>                      |              |

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#### BRINSLEY WARD

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Ms Lorraine Berry   | 20/00593/FUL |
| Site Address | : | Gin Farm Hall Lane Brinsley NG16 5BJ  |              |
| Proposal     | : | <b>Retain new wall and alterations to first floor access and external lobby</b> |              |
| Decision     | : | <b>Conditional Permission</b>   |              |

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#### CHILWELL WEST WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr N Heath                                       | 20/00505/FUL |
| Site Address | : | 9 Redland Close Chilwell Nottinghamshire NG9 5LA |              |
| Proposal     | : | <b>Construct replacement garage</b>              |              |
| Decision     | : | <b>Conditional Permission</b>                    |              |

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#### EASTWOOD HALL WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mrs Sara Johnson                                       | 20/00613/FUL |
| Site Address | : | 25 Moorfields Avenue Eastwood Nottinghamshire NG16 3DF |              |
| Proposal     | : | <b>Construct single storey rear / side extension</b>   |              |
| Decision     | : | <b>Conditional Permission</b>                          |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Rood  | 20/00689/MMA |
| Site Address | : | Land To The Rear Of 51A And 51B Mill Road Newthorpe Nottinghamshire NG16 3QG   |              |
| Proposal     | : | <b>Minor Material Amendment to reference 17/00285/FUL to make alterations to the roof, side elevation doors and internal alterations</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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#### EASTWOOD ST MARY'S WARD

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mr C Godber   | 20/00665/FUL |
| Site Address | : | 47 Old Derby Road Eastwood Nottinghamshire NG16 3SF |              |
| Proposal     | : | <b>Construct two storey side extension</b>          |              |
| Decision     | : | <b>Conditional Permission</b>                       |              |

|              |   |  |               |
|--------------|---|--|---------------|
| Applicant    | : | Mr Davis   | 20/00766/CLUP |
| Site Address | : | 12 Coppice Drive Eastwood Nottinghamshire NG16 3PL           |               |
| Proposal     | : | <b>Certificate of Lawfulness for proposed rear extension</b> |               |
| Decision     | : | <b>Approval - CLU</b>  |               |

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#### GREASLEY WARD

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Elaine Chipchase  | 20/00597/FUL |
| Site Address | : | 3 High Park Cottages Moorgreen Newthorpe Nottinghamshire NG16 3QZ |              |
| Proposal     | : | <b>Construct single storey rear extension</b>                     |              |
| Decision     | : | <b>Conditional Permission</b>                                     |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Darren Ware   | 20/00659/FUL |
| Site Address | : | 29 Turner Drive Giltbrook Nottinghamshire NG16 2UJ   |              |
| Proposal     | : | <b>Construct single storey rear extension and two storey side extension (revised scheme)</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Karkocki  | 20/00686/FUL |
| Site Address | : | 15 Brackenfield Drive Giltbrook Nottinghamshire NG16 2US                         |              |
| Proposal     | : | <b>Construct first floor extension above existing ground floor accommodation</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Maggie Wallis   | 20/00727/FUL |
| Site Address | : | 18 Richmond Avenue Newthorpe Nottinghamshire NG16 2EQ |              |
| Proposal     | : | <b>Construct single storey rear extension</b>         |              |
| Decision     | : | <b>Conditional Permission</b>                         |              |

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## KIMBERLEY WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr S Nolan Kimberley Town Council                                    | 20/00213/FUL |
| Site Address | : | The Stag Recreation Ground Nottingham Road Kimberley Nottinghamshire |              |
| Proposal     | : | <b>Retain steel storage container</b>                                |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Tunstall  | 20/00588/FUL |
| Site Address | : | 43 Victoria Street Kimberley Nottinghamshire NG16 2NH  |              |
| Proposal     | : | <b>Change of use of existing office (B1) and workshop (B2) to form one new dwelling house (C3), including partial demolition of the workshop to create residential amenity space and construct single storey front extension</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr P Ling Bridges Van Hire Ltd   | 20/00626/FUL |
| Site Address | : | Land Adjacent Bridges Van Hire Ltd Awsworth Lane Awsworth Nottinghamshire NG16 2RN                                     |              |
| Proposal     | : | <b>Change of use of land to provide a vehicle parking/storage facility with landscaping and associated development</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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|              |   |  |               |
|--------------|---|--|---------------|
| Applicant    | : | Mr & Mrs Morris  | 20/00671/CLUP |
| Site Address | : | 41 Woodside Avenue Nuthall Nottinghamshire NG16 1FF                          |               |
| Proposal     | : | <b>Certificate of Lawfulness for a proposed single storey rear extension</b> |               |
| Decision     | : | <b>Approval - CLU</b>  |               |

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|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Ken Beardsley   | 20/00732/FUL |
| Site Address | : | 47 Little Lane Kimberley Nottinghamshire NG16 2PE  |              |
| Proposal     | : | <b>Retain use of extension to garage as ancillary accommodation to the main dwelling</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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## NUTHALL EAST & STRELLEY WARD

|              |   |  |               |
|--------------|---|--|---------------|
| Applicant    | : | Mr Graham Roberts  | 20/00562/CLUE |
| Site Address | : | 71 Highfield Road Nuthall Nottinghamshire NG16 1BQ   |               |
| Proposal     | : | <b>Certificate of Lawfulness for existing works to convert loft to living accommodation.</b> |               |
| Decision     | : | <b>Approval - CLU</b>  |               |

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|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr & Mrs Kaur  | 20/00575/FUL |
| Site Address | : | 4 Hillingdon Avenue Nuthall Nottinghamshire NG16 1RA |              |
| Proposal     | : | <b>Construct boundary wall</b>                       |              |
| Decision     | : | <b>Conditional Permission</b>                        |              |

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|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Benjamin Copley   | 20/00622/FUL |
| Site Address | : | 42 Cedarland Crescent Nuthall Nottinghamshire NG16 1AH            |              |
| Proposal     | : | <b>Construct single storey rear and two storey side extension</b> |              |
| Decision     | : | <b>Conditional Permission</b>                                     |              |

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|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr S Stoyanov  | 20/00638/FUL |
| Site Address | : | 37 Cedarland Crescent Nuthall Nottinghamshire NG16 1AG                   |              |
| Proposal     | : | <b>Render to outside, new boundary wall and mono-pitch roof to front</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mr & Mrs Asekun   | 20/00649/FUL |
| Site Address | : | 25 Knightsbridge Drive Nuthall Nottinghamshire NG16 1RD |              |
| Proposal     | : | <b>Construct two storey side extension</b>              |              |
| Decision     | : | <b>Conditional Permission</b>                           |              |

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## STAPLEFORD NORTH WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr P Begley EMCE   | 20/00461/FUL |
| Site Address | : | Land Adjacent 271A-271D Ilkeston Road Stapleford Nottinghamshire                         |              |
| Proposal     | : | <b>Construct two detached dwellings and double detached garage. Extend dropped kerb.</b> |              |
| Decision     | : | <b>Conditional Permission</b>  |              |

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## STAPLEFORD SOUTH EAST WARD

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mr J Moody  | 20/00524/FUL |
| Site Address | : | 30 Sherwin Road Stapleford Nottinghamshire NG9 8PQ  |              |
| Proposal     | : | <b>Construct two storey/single storey rear extension. Insert first floor side window.</b> |              |
| Decision     | : | <b>Conditional Permission</b>   |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mrs Anita Chan                                   | 20/00623/FUL |
| Site Address | : | 9 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3LF |              |
| Proposal     | : | <b>Construct pitched roof over front porch</b>   |              |
| Decision     | : | <b>Conditional Permission</b>                    |              |

|              |   |   |               |
|--------------|---|---|---------------|
| Applicant    | : | Mr & Mrs S Banias   | 20/00663/CLUP |
| Site Address | : | 99 Sherwin Road Stapleford Nottinghamshire NG9 8PP                    |               |
| Proposal     | : | <b>Certificate of Lawful Development for proposed loft conversion</b> |               |
| Decision     | : | <b>Approval - CLU</b>   |               |

## STAPLEFORD SOUTH WEST WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Simon Kemp  | 20/00525/FUL |
| Site Address | : | 8 Alexandra Street Stapleford Nottinghamshire NG9 7ED              |              |
| Proposal     | : | <b>Retain change of use from rear yard to outdoor seating area</b> |              |
| Decision     | : | <b>Conditional Permission</b>                                      |              |

## TOTON & CHILWELL MEADOWS WARD

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mrs Gill Maher   | 19/00682/FUL |
| Site Address | : | 1 Staniland Close Chilwell Nottinghamshire NG9 6PA                 |              |
| Proposal     | : | <b>Construct single storey rear and first floor side extension</b> |              |
| Decision     | : | <b>Conditional Permission</b>                                      |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Mr Kevin Shakespeare                           | 20/00494/FUL |
| Site Address | : | 5 Gardenia Close Toton Nottinghamshire NG9 6FQ |              |
| Proposal     | : | <b>Retain shed</b>                             |              |
| Decision     | : | <b>Conditional Permission</b>                  |              |

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mrs Amrit Bilan   | 20/00512/FUL |
| Site Address | : | 10 Kirkland Drive Chilwell Nottinghamshire NG9 6LX  |              |
| Proposal     | : | <b>Construct two storey side and rear extensions, first floor side extension, reduce height of original roof and external alterations</b> |              |
| Decision     | : | <b>Conditional Permission</b>   |              |

|              |   |  |              |
|--------------|---|--|--------------|
| Applicant    | : | Geraldine Hagen  | 20/00581/FUL |
| Site Address | : | 5 Spicer Close Chilwell Nottinghamshire NG9 6NW        |              |
| Proposal     | : | <b>Construct single storey rear and side extension</b> |              |
| Decision     | : | <b>Conditional Permission</b>                          |              |

|              |   |   |              |
|--------------|---|---|--------------|
| Applicant    | : | Mrs Helen Gladden-Porter                      | 20/00583/FUL |
| Site Address | : | 3 Erdington Way Toton Nottinghamshire NG9 6JY |              |
| Proposal     | : | <b>Construct first floor extension</b>        |              |
| Decision     | : | <b>Conditional Permission</b>                 |              |

|              |   |   |               |
|--------------|---|---|---------------|
| Applicant    | : | N Mitchell  | 20/00602/CLUP |
| Site Address | : | 30 Stapleford Lane Toton Nottinghamshire NG9 6GA  |               |
| Proposal     | : | <b>Certificate of Lawfulness for proposed loft conversion incorporating rear and part side dormer</b> |               |
| Decision     | : | <b>Approval - CLU</b>   |               |

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| Applicant    | : | Mr & Mrs D Granville                                     | 20/00637/FUL |
| Site Address | : | 10 Petworth Avenue Toton Nottinghamshire NG9 6JF         |              |
| Proposal     | : | <b>Construct single storey rear extension (orangery)</b> |              |
| Decision     | : | <b>Conditional Permission</b>                            |              |

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| Applicant                              | : | Ms Sally Haigh   | 20/00696/FUL  |
| Site Address                           | : | 179 Spinney Crescent Toton Nottinghamshire NG9 6GE   |               |
| Proposal                               | : | <b>Construct new roof including raising ridge height to create first floor and external alterations</b>  |               |
| Decision                               | : | <b>Conditional Permission</b>  |               |
| <hr/>                                  |   |  |               |
| Applicant                              | : | Mr & Mrs I & C Bramhall  | 20/00723/PNH  |
| Site Address                           | : | 27 Goodwood Drive Toton Nottinghamshire NG9 6HX  |               |
| Proposal                               | : | <b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.00 metres, with a maximum height of 3.90 metres and an eaves height of 2.40 metres</b> |               |
| Decision                               | : | <b>PNH Approval Not Required</b>   |               |
| <hr/>                                  |   |  |               |
| <b>WATNALL &amp; NUTHALL WEST WARD</b> |   |  |               |
| <hr/>                                  |   |  |               |
| Applicant                              | : | Mr Matthew Pickard   | 20/00584/FUL  |
| Site Address                           | : | 7 Nimbus Way Watnall Nottinghamshire NG16 1FP  |               |
| Proposal                               | : | <b>Construct single storey side and rear extension</b>   |               |
| Decision                               | : | <b>Conditional Permission</b>  |               |
| <hr/>                                  |   |  |               |
| Applicant                              | : | Mr R Garvey  | 20/00706/CLUP |
| Site Address                           | : | 23 St Patricks Road Nuthall Nottinghamshire NG16 1ED   |               |
| Proposal                               | : | <b>Certificate of Lawfulness for proposed loft conversion with side and rear dormer</b>  |               |
| Decision                               | : | <b>Approval - CLU</b>  |               |
| <hr/>                                  |   |  |               |
| Applicant                              | : | Mr Matthew Brown   | 20/00749/PNH  |
| Site Address                           | : | 103 Main Road Watnall Nottinghamshire NG16 1HF   |               |
| Proposal                               | : | <b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.65 metres and an eaves height of 2.25 metres</b>  |               |
| Decision                               | : | <b>PNH Approval Not Required</b>   |               |
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